HER MAJESTY’S GOVERNMENT

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(FORMED BY THE Rt Hon. Boris Johnson, MP, JULY 2019)

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CHAIRMAN OF THE PUBLIC ACCOUNTS COMMISSION—The Rt Hon. Sir Edward Leigh, MP
The Secretary of State for Foreign and Commonwealth Affairs and First Secretary of State (Dominic Raab): May I start by paying tribute to my right hon. Friend the Member for South West Surrey (Mr Hunt) for the exceptional job he did as Foreign Secretary and for the professionalism and integrity with which he conducted himself?

We are concerned about the situation in Kashmir. I spoke to Foreign Minister Jaishankar on 7 August. We want to see a reduction in tensions in Kashmir, respect for internationally recognised human rights and steps taken on all sides to rebuild confidence.

Hugh Gaffney: Doctors have warned that the political situation in Kashmir is leading to a shortage of medicines and that hospitals are being left unable to provide treatment for patients. This is because Kashmir receives over 90% of its medical supplies from India. If this situation is not resolved, Kashmir faces the real risk of a major public health crisis. What steps will the Government take to sort it out?

Dominic Raab: The hon. Gentleman is right to talk not just about the theoretical nature of the dispute, but about what it means for communities in Kashmir. It is important that internationally recognised human rights are fully respected, and the way through the tensions is with a constructive political dialogue. The dispute between India and Pakistan in relation to Kashmir is fundamentally for them to resolve, as recognised in UN Security Council resolutions and the Simla agreement.

Dr Williams: The Kashmiri community in Stockton South are understandably concerned about the safety and human rights of the people of Kashmir. Does the Secretary of State believe that there is a role for the United Nations or other independent parties to monitor and report on the alleged human rights abuses to ensure that the Kashmiri people are protected?

Dominic Raab: The hon. Gentleman will know that there have been UN Security Council resolutions on the situation in Kashmir in the past and that this is something...
that the General Assembly has looked at. Fundamentally, though, the UN also recognises that the dispute over Kashmir between Pakistan and India is for them to resolve. The hon. Gentleman makes the point—as others will and have—that there are internationally recognised human rights at stake. They are duties owed to the international community at large, and we will certainly be scrutinising the situation carefully to see that those rights are respected.

Paul Blomfield: In Sheffield on Saturday, there was a big protest of people who felt that the Foreign Secretary's response to the crisis has not been good enough. Will he therefore commit to working through the United Nations and the Commonwealth to strengthen international pressure on India to restore Kashmir’s special status and to working with both India and Pakistan to secure a long-term solution based on the 1948 UN resolution, so that there can be a plebiscite for the people of Kashmir to determine their own future?

Dominic Raab: The hon. Gentleman expresses his concern powerfully and I understand how keenly they are felt. I have already referred to the UN Security Council resolutions and to the Simla agreement. It is not correct to say that we have not been seized of this issue. The Prime Minister spoke to the Indian Prime Minister, Prime Minister Modi, on 20 August and the Pakistani Prime Minister, Imran Khan, on 7 August. I raised concerns about the situation with Indian Foreign Minister Jaishankar on 7 August. We will obviously be monitoring the situation carefully and talking to international partners in relation to it.

Alison Thewliss: The large Kashmiri community in Glasgow Central are deeply concerned about their friends and relatives in Kashmir, particularly given the media blackout and the curfew that has been imposed. What has the Secretary of State done to raise both those issues, and what does he intend to do to ensure that the Kashmiri people have the right to self-determination?

Dominic Raab: On the issues of detentions, potential mistreatment and communications blackouts that the hon. Lady has raised, I have raised those issues with the Indian Foreign Minister. The Indian Government have made it clear that the measures are only temporary, as strictly required, and we of course want to hold them to that undertaking.

Mr Steve Baker (Wycombe) (Con): Events in Kashmir are of the most profound and immediate importance to thousands of my constituents, because British Kashmiris often have family and friends on not one but both sides of the line of control, and they are in frequent FaceTime, email and Skype contact, just like anybody else, even to the second and third generations of migrant. Does my right hon. Friend agree that in such circumstances they must have active representation not just from their MPs but from the Government? Will he therefore join me in saying that the time has come to reassure them on the human rights of their families and friends and to ask for independent observers in Kashmir?

Dominic Raab: I know the scale of the community that my hon. Friend has in Wycombe—I believe it is over 10,000. I understand how keenly this is felt among Kashmiris in Wycombe but also right across the country. The issue of human rights is not just a bilateral, or domestic issue for India or Pakistan; it is an international issue. He is absolutely right to say that we should, with all our partners, expect internationally recognised standards of human rights to be complied with and respected.

Mr Shaiiles Vara (North West Cambridgeshire) (Con): Following the action by the Indian Government in Kashmir, on 15 August, Indian independence day, a group of British Indians gathered outside the Indian high commission in London, but they were attacked by members of another community. Will my right hon. Friend confirm that the violence and abuse targeted towards the British Indian community on that occasion are completely unacceptable, as they would be against any community on the streets of the UK?

Dominic Raab: My hon. Friend is absolutely right. Any violence is deplorable. It should not be conducted in this country, or anywhere else for that matter, against any individual communities. We now need to try to reduce these tensions but also, on a positive side, to build confidence-building measures to allow proper dialogue between the communities in Kashmir but also between India and Pakistan.

Mrs Anne Main (St Albans) (Con): I have met my Pakistani and Indian communities, who are very concerned about the Kashmir situation. The revocation of article 370 of the Indian constitution without involving the Kashmiri people was particularly heinous. If Amnesty International is to be believed, and I think it is, we should have learned from the Rohingya crisis to know that this is another crisis emerging now. We must take the firmest steps to condemn it and do what we can.

Dominic Raab: We are aware of the implications of the revocation of article 370, which has caused interest and concern not just within India and Pakistan but among communities throughout the UK and internationally. It is a bilateral issue for India and Pakistan but also an international issue, given the human rights at stake.

Bob Blackman (Harrow East) (Con): It has been a long-standing policy of the Government that the situation in Jammu and Kashmir is a bilateral issue. It has also been this House that stands up for human rights and the protection of minorities. Therefore, does my right hon. Friend agree that the abolition of article 370, which discriminates against women and minority religions, is to be welcomed?

Dominic Raab: My hon. Friend makes the point that there are different sides to this. But the reality is that there have been widespread reports and concerns about detentions, mistreatments and the communications blackout. There was a UN Security Council discussion on Kashmir on 16 August. As well as wanting to respect the constitutional arrangements within India and in relation to Kashmir, there are implications internationally, particularly as they touch on internationally respected and recognised human rights.

Imran Hussain (Bradford East) (Lab): I refer Members to my registered interest.
For over four years, I have stood in this place and warned Members of the ongoing persecution, oppression and injustice that the sons and daughters of Kashmir face daily. That situation has now escalated as a result of the revocation of articles 370 and 35A, and the humanitarian situation as a result of the blockade. The reality is that we see up to 10,000 people arrested without due process, and food and medicine shortages. This is a humanitarian crisis. The United Nations Security Council meeting and not even agreeing a condemnation is not something that this House should welcome. What is the Minister doing to end the draconian blockade, at the very least?

Dominic Raab: I think it would be obvious to the hon. Gentleman that, as much as I sympathise with his concerns and understand the heartfelt way in which he makes his points, we cannot alone end that blockade. There has been a discussion about it within the UN Security Council. All and any allegations of human rights violations are deeply concerning, and they must be investigated thoroughly, promptly and transparently.

Several hon. Members rose—

Mr Speaker: Textbook brevity from Dame Cheryl Gillan.

Dame Cheryl Gillan (Chesham and Amersham) (Con): Thank you, Mr Speaker. Like my hon. Friend the Member for Wycombe (Mr Baker), I have many constituents who are highly concerned about this. The revocation of article 35A affects property ownership and rights in Jammu and Kashmir, and many of my constituents are very frightened that this could lead to a dramatic transformation from majority Muslim to majority Hindu. The new Prime Minister is famed for being robust. Can he now be robust in defending the rights of these people and their families?

Dominic Raab: My right hon. Friend raises the issue that others have raised, but in a particularly poignant way. The reality is that we have raised the issues around human rights. We have been clear both in our direct dealings with the Indian Government and at the international level that any reports or allegations concerning human rights must be dealt with transparently, thoroughly and rigorously, and human rights standards must be respected.

Liz McInnes (Heywood and Middleton) (Lab): Alongside the revocation of article 370, the Indian authorities have detained more than 4,000 Kashmiris without charge in the last month—not just political activists, but ordinary civilians. There are widespread allegations of torture, and many families do not know where their loved ones are being held. This is no way for the largest democracy in the world to behave, let alone a member of the Commonwealth. Can the Secretary of State tell us what protests he has made to India about those detentions?

Dominic Raab: As I explained to the House—I am happy to repeat it—the concerns and issues that the hon. Lady has raised are very serious, and I raised them directly with Foreign Minister Jaishankar on 7 August.

Emily Thornberry (Islington South and Finsbury) (Lab): And detentions?

Dominic Raab: To answer the shadow Foreign Secretary’s question, yes, specifically the issue of detentions, as well as the blackouts. We have made clear our concern and the fact that we need to see—particularly in a great democracy, as the hon. Lady says—internationally recognised human rights respected.

Amazon Forest Fires

2. Chris Law (Dundee West) (SNP): What recent discussions he has had with his Brazilian counterpart on the forest fires in the Amazon rain forest.  [912240]

5. Daniel Zeichner (Cambridge) (Lab): What diplomatic steps his Department is taking to help tackle the fires in the Amazon rain forest.  [912244]

15. Hannah Bardell (Livingston) (SNP): What recent discussions he has had with his Brazilian counterpart on the forest fires in the Amazon rain forest.  [912254]

The Minister for Europe and the Americas (Christopher Pincher): On 27 August, my right hon. Friend the Foreign Secretary spoke to the Brazilian Foreign Minister, Mr Araújo. I will also be seeing the Brazilian ambassador, Mr Arruda, tomorrow, to reaffirm our commitment to working in partnership with Brazil on a range of issues, including the environment. In response to the very serious fires, the Prime Minister announced at the G7 £10 million for protection and restoration of the rain forest. That is in addition to the £120 million of funding we provide through our other programmes.

Chris Law: While we welcome the £10 million that the UK Government have committed to help to restore the Amazonian rain forest, it is paltry compared with the amount spent on advertising for the Brexit debacle. Can the Foreign Secretary tell me whether the money is spent by local partners in a way that ensures that indigenous people will take charge of the process to reforest their homes and protect our planet? What further funding is he willing to pledge today?

Christopher Pincher: I welcome the hon. Gentleman’s passion for the issue. I can confirm that we spend £120 million through our international climate finance programme. That goes to help to tackle deforestation and to help sustainable farming, and it complements the trading activities that we have with Brazil, which ensure that the Brazilian economy grows and prospers, including for those farmers, who are part and parcel of the problem, burning some of the rain forest.

Daniel Zeichner: Over 120,000 people have already petitioned this Parliament, urging trade sanctions to be used against Brazil to put pressure on it. Given that a Minister was in Brazil recently, what pressure was put on by this Government?

Christopher Pincher: The Minister of State, Department for International Trade, my hon. Friend the Member for Bournemouth West (Conor Burns), was there as part of our international trade obligations, to ensure that we build trade with our strategic partners, such as Brazil. I will be seeing the Brazilian ambassador tomorrow and making clear that we want to help Brazil with its difficulties in these terrible fires, but also that we want
to trade with it, because that is a way of building its economy and ensuring that the sorts of fires that are currently raging are put out and stay out.

Hannah Bardell: Last week, both the Taoiseach and French President said that they will attempt to block the Mercosur trade agreement if Brazil does not honour its environmental commitments. Does the Minister agree that the burning of the Amazon is a human and environmental tragedy that requires a global solution and this is no time for fragile male egos or social media spats? What steps has he taken to ensure that such situations receive an urgent and immediate multilateral response now and in the future?

Christopher Pincher: I hope that the hon. Lady will not think that my response is in any way macho. My concern is to make sure that the trade with our two countries prospers and that the Mercosur arrangement succeeds. It will result in the removal of something like 91% of present tariffs. That can only be to the benefit of Brazilian farmers and to the benefit of the Brazilian economy. If we help to ensure that these sensible trade arrangements are made, those fires can be put out and they will stay out.

Vicky Ford (Chelmsford) (Con): It has been suggested that changes to trade flows between the US and China may be fuelling some of the Amazon forest fires. Does my right hon. Friend agree that all leading nations should be working together to stop that devastation? What conversations are taking place with other leading countries?

Christopher Pincher: My right hon. Friend the Foreign Secretary met other Foreign Ministers at Gymnich earlier in the week. He has made clear the concern that we have about those fires. He has also made absolutely clear the importance that we believe trade has to building economies in South America and in the far east, which encourages a better response to such tragedies.

James Gray (North Wiltshire) (Con): Deforestation in the Amazon is indeed a catastrophe of global and generational proportions. We must of course do the right things about it and I very much welcome the pressure that the Minister has described, but is he not also aware of the fact that the deforestation of the Amazon has decreased quite considerably over the last 20 years, and that while it was very, very bad, it is very much less bad than it was; and equally that the level of decrease, therefore, in the size of the forest has been reduced? Does the Minister therefore agree that this is a domestic matter for the Brazilian Government and that we must persuade them to do the right thing, rather than confronting or berating them?

Christopher Pincher: I certainly think it is better to talk than to engage in megaphone hectoring. Deforestation has increased over the last few years. It has in fact been increasing in Brazil since 2015—some time before the present Government took office. I think it is right that we engage with them—that we try to persuade them to use sensible methods to reduce and stop this problem. It is an international concern, and that is why we have raised it, and will continue to raise it, with the Brazilian authorities.

Mrs Pauline Latham (Mid Derbyshire) (Con): I have spent some of the summer in the Ecuadorian rain forest—part of the same Amazon rain forest that we are talking about. What other countries have made representations to Brazil about the damage that it is doing to the world, not just to Brazil?

Christopher Pincher: The fires that are currently raging do not just affect Brazil; they also affect, for example, Bolivia. Bolivia is concerned about this, as is Venezuela, Peru and Colombia. So I think an international response is helpful. Certainly, those neighbouring countries that can help Brazil with its difficulties should be encouraged to do so.

Helen Goodman (Bishop Auckland) (Lab): The fires have affected 650 million acres of Amazon rain forest. In his answer just now, the Minister revealed that he did not understand that the problem with the Mercosur trade deal is that cutting beef tariffs incentivises destruction of the rain forest. What proposals will the Government be putting forward at the Chile conference on climate change in November?

Christopher Pincher: As the hon. Lady should know, high agricultural tariffs hurt the poorest. That will only encourage them to do the easy thing, which is to burn land, rather than to farm it sustainably and protect the rain forest. Mercosur is a sensible free trade agreement which should be encouraged, and I trust that in the fullness of time we also will undertake a free trade deal with Brazil—more details of that, I am sure, are to come.

Hong Kong

3. Mr Virendra Sharma (Ealing, Southall) (Lab): What recent representations he has made to the Hong Kong Government on the political situation in Hong Kong.

4. Stephen Hammond (Wimbledon) (Con): What recent assessment he has made of the political situation in Hong Kong.

6. Gillian Keegan (Chichester) (Con): What representations he has made to his Chinese counterpart on (a) tackling violence and (b) encouraging constructive political dialogue in Hong Kong.

13. Mr Philip Dunne (Ludlow) (Con): What representations he has made to his Chinese counterpart on (a) tackling violence and (b) encouraging constructive political dialogue in Hong Kong.

The Secretary of State for Foreign and Commonwealth Affairs and First Secretary of State (Dominic Raab): We are seriously concerned, and increasingly concerned, about the situation in Hong Kong. Of course we condemn any violence, but we absolutely support the right to peaceful and lawful protests on Hong Kong. The route to resolution through the current situation is via meaningful political dialogue, taken forward under the high degree of autonomy that Hong Kong has under the model of one country and two systems.

Mr Sharma: I welcome the new Foreign Secretary to his position and congratulate him on taking up the role at a time of such calm. I asked his predecessor in June
whether he would extend an invitation to any Hong Kong citizens at risk of persecution. Will the Secretary of State do his moral duty under the 1984 joint declaration?

Dominic Raab: I thank the hon. Gentleman and respect the fact that he has a longstanding interest in this issue. Under the one country, two systems model, and its manifestation through the joint declaration signed by the UK and China, which has treaty status, we gave a range of residents in Hong Kong British national (overseas) status. The importance of that is that we do not want to unpick, at least at this time, one part of the one country, two systems model. If we do that, we risk its not being respected on the Chinese side.

Stephen Hammond: I welcome my right hon. Friend to his position. I was pleased to hear his comments about the UK Government’s steadfast support for the joint declaration and the one country, two systems principle. Will he make sure that we continue to reiterate that very strongly, because that is a mechanism for driving peace in the solution?

Dominic Raab: My hon. Friend is right. I raised those issues with the Chinese Foreign Minister, State Councillor Wang Yi, on 31 July. I also spoke to the Hong Kong Chief Executive, Carrie Lam, on 9 August. We support the one country, two systems model. It is important, as reflected in the joint declaration and the treaty-binding obligations that have been made, including to the people of Hong Kong—and including to respect the right of lawful and peaceful protest—that that is adhered to on all sides.

Gillian Keegan: I, too, welcome the Secretary of State to his position. The Hong Kong police recently made further arrests, including of a 12-year-old girl. Violence is escalating, with reports that police are now using live rounds in conjunction with tear gas and water cannons. What representations has he made to the Chinese Government to ensure that violence is met with a proportional police response and that minors caught up in the protest movement are adequately safeguarded?

Dominic Raab: My hon. Friend is right. I have raised those issues with both the Chinese Foreign Minister and the Chief Executive. In relation to the conduct of the police, let us recognise some of the violence on the ground that they have to deal with, but in relation to disproportionate actions and overreactions it is very clear: the Independent Police Complaints Council is carrying out an inquiry. The point that I have made is that it has to be credible, and has to command the trust of the people of Hong Kong. That is what international observers will look to see.

Mr Dunne: I welcome my right hon. Friend’s comments on the Sino-British joint declaration and how he is using it to engage with his counterparts in China. Can he give the House any information on whether international forums can be used to support the case that we are making that China should uphold its obligations to the people of Hong Kong, with the one country, two systems approach?

Dominic Raab: I share my right hon. Friend’s concern. The route through this is to de-escalate the tensions and to respect the one country, two systems model. At the international level, more and more interlocutors are expressing their concern about this matter. It is not just an issue for the people of Hong Kong, or for us, given our historical relationship with China and Hong Kong: it is now an issue of widespread international concern.

Catherine West (Hornsey and Wood Green) (Lab): Will the Foreign Secretary update the House on whether in his conversation with Ms Lam on 9 August he specifically raised the question of moving towards universal suffrage to elect the Chief Executive and the Legislative Council members?

Dominic Raab: I talked to Ms Lam about our short-term concerns about violence and protecting internationally recognised human rights standards, which are of course, as the hon. Lady knows, reflected in the joint declaration. We also had an exchange of views about the fact that there are such widespread protests in Hong Kong that they cannot be put down to a small number who are engaged in violence. There needs to be meaningful political dialogue that touches on people’s deeper concerns about the autonomy of Hong Kong being respected.

Chuka Umunna (Streatham) (LD): The demonstrators have acted largely peacefully, but everyone in the House will have seen the footage of the police acting in an unjustified and extremely violent manner. With that in mind, will the Foreign Secretary commit to ensuring that the UK is not exporting crowd control equipment—water cannons, tear gas and so on—until that independent inquiry has been carried out and adequate safeguards have been put in place, and will he encourage our international partners to do the same?

Dominic Raab: This is something we are now discussing more and more with our international partners in all parts of the world. It is not just a European issue; transatlantically there are concerns, too. We have raised the issue, to which the hon. Gentleman refers, of a disproportionate response. We also recognise that there has been violence. The answer and the solution is to reduce tensions and to respect the lawful and peaceful right of protest of the people of Hong Kong, but also to have moves and stepping stones towards the dialogue that will actually resolve the issue.

16. [912255]Mr Bob Seely (Isle of Wight) (Con): I declare that this weekend I went to Hong Kong as a guest of a group of democracy activists to witness the overwhelmingly peaceful demonstrations. Does the Foreign Secretary agree that the fundamental problem is that there are people fighting for their rights under the two systems, one country model, when the authoritarian state China wishes to replace that model with the one system, one country model?

Dominic Raab: My hon. Friend is very knowledgeable in this area and I respect the fact that he has huge expertise. It is not clear, in truth, what the position in Beijing is. Actually, if we look at all its public statements, we see that it sticks and adheres to the position of one country, two systems. That provides the model that can resolve this situation, but we need to have respect for the lawful right of protest. We need to have stepping stones to build confidence towards a track of political dialogue. That is the route through the current situation and to avoid it escalating any further.
Zimbabwe

7. **Sir Nicholas Soames** (Mid Sussex) (Con): What recent assessment he has made of the UK’s diplomatic relations with Zimbabwe.

**The Minister for Africa (Andrew Stephenson):** We are gravely concerned at the heavy-handed response to protests in Harare on 16 August and the recent arrest and abductions of Opposition figures. President Mnangagwa must hold to account those responsible for human rights violations. We have made our position clear to the Zimbabwe Government that UK support depends on fundamental political and economic reform. Zimbabwe must now translate its commitment into actions.

**Sir Nicholas Soames:** Does my hon. Friend agree that President Mnangagwa and his Administration have been a grave disappointment to this country and indeed to their own countrymen? Does he nevertheless also agree that the aid we give to Zimbabwe, particularly the DFID aid that goes into education, is absolutely vital and plays an extraordinarily good role in Zimbabwean education? Will he assure me that at the same time as keeping up the pressure on human rights and making absolutely clear our horror at the behaviour of President Mnangagwa and his gang of thugs, we will continue to support the education system in Zimbabwe?

**Andrew Stephenson:** I thank my right hon. Friend for his question. The UK provided £94 million of aid to Zimbabwe in 2018-19. None of that money is channelled through the Zimbabwe Government. I reiterate the point that the UK’s ongoing support through our DFID work depends on fundamental political and economic reform in Zimbabwe.

**Kate Hoey** (Vauxhall) (Lab): Does the Minister agree that any semblance of the rule of law has now broken down in Zimbabwe? We saw that just last week when a peaceful protest was banned at the very last minute by Mnangagwa. What more are Her Majesty’s Government doing to get the Southern African Development Community and the African Union on board to make their views known about the appalling way that Mnangagwa is treating the people of Zimbabwe?

**Andrew Stephenson:** I thank the hon. Lady for her question. I know she has considerable expertise as the chairman of the all-party group on Zimbabwe. We are very concerned about the current human rights issues in that country. The violations, such as those seen in January and August 2019, have no place in a democratic society. We will continue to work with all international partners to ensure that those responsible are held to account.

**Leaving the EU: Gibraltar**

8. **Robert Neill** (Bromley and Chislehurst) (Con): What recent discussions he has had with the Government of Gibraltar on the UK’s withdrawal from the EU.

**The Minister for Europe and the Americas (Christopher Pincher):** I have spoken to the Chief Minister, Mr Picardo, by phone on a number of occasions in the past month and I will speak to him again later this afternoon. We have regular ministerial contact, including through the Joint Ministerial Council with Gibraltar, which has met nine times since its formation three years ago. Ministers and officials across the Government are working closely with the Government of Gibraltar in preparation for Brexit. Gibraltar is and will remain a vital part of our family, whatever the shape of our exit from the EU on 31 October.

**Robert Neill:** I refer to my entry in the Register of Members’ Financial Interests. I welcome my right hon. Friend to his post and his early engagement with Her Majesty’s Government over Gibraltar. Will he bear in mind and make it quite clear that we fully support Gibraltar politically and in practical terms as we leave the European Union? In particular, will he deal with the practical measures relating to the vast number of foodstuffs and the workforce that currently come across the border, which must be resolved before we leave?

**Christopher Pincher:** No one is more doughty in his championship of Gibraltar than my hon. Friend, and I am grateful for his kind words. Let me assure him—and I think the Prime Minister has assured the Chief Minister—that the United Kingdom will protect Gibraltar’s interests as we leave the EU. From 1967 to 2002, at all points in between and since, we have said that Gibraltar is going to remain a vital part of our family. The Government of Gibraltar are responsible for their own contingency planning, but, as I have said, the UK Government regularly speak to and meet Ministers to ensure that their robust plans are in place.

**Mr Barry Sheerman** (Huddersfield) (Lab/Co-op): Is the Minister not aware that whether it is Gibraltar, Hong Kong or Zimbabwe, people are struggling for the rights that they thought they had and that they find common cause with people in the United Kingdom who are struggling to get the political rights that they thought they had in this country? Is it not about time that we showed as an example that we believe in parliamentary and political democracy in this House?

**Christopher Pincher:** That was quite a wide-ranging question. Let me put it to the hon. Gentleman in this way: this Government are standing up for the rights of people—the 17.5 million people of our country who voted to leave the European Union—and respecting those that did not. We will make sure that we leave—no ifs, no buts—on 31 October.

**Mr Philip Hollobone** (Kettering) (Con): What assurances has the Minister sought from the Spanish Government that they will respect Gibraltar’s territorial waters both before we leave and after?

**Christopher Pincher:** My hon. Friend makes an important point. We reject and object robustly to all incursions into Gibraltarian waters. I think that since the start of this year, there have been 499 such incursions and we have made 499 objections. He can be confirmed in his belief that we will support the people of Gibraltar.

**Mr Khalid Mahmood** (Birmingham, Perry Barr) (Lab): The Minister, I believe, supports a no-deal Brexit. How will the Minister assure the people of Gibraltar that
there will be no disruption of the supply of goods, including food and medicine? News about delays of four hours at the border, resulting in huge economic loss, has leaked in the Yellowhammer document. If the Minister believes that the Yellowhammer document is outdated, what is the updated solution?

Christopher Pincher: The hon. Gentleman is misinformed. I do not support no deal; I want a deal with the European Union that works for Britain and for Gibraltar, but I am prepared to leave with no deal if we cannot get the deal that is good for us by 31 October. We engage regularly with the Spanish Government. My right hon. Friend the Foreign Secretary spoke to Foreign Minister Borrell very recently about this matter. As I said, I engage regularly with the Chief Minister of Gibraltar. He assures me that Gibraltar is ready. We will make sure that Gibraltar is ready and that we continue the dialogue with the Spanish Government to ensure that there is a free flow of traffic, people and goods across the border after we leave.

Leaving the EU: Diplomacy

9. Huw Merriman (Bexhill and Battle) (Con): What diplomatic steps is he taking to help ensure that the UK is prepared to leave the EU on 31 October 2019.

[912248]

10. Anna McMorrin (Cardiff North) (Lab): What recent discussions has he had with his European counterparts on continued diplomatic co-operation after the UK leaves the EU.

[912249]

14. Patrick Grady (Glasgow North) (SNP): What assessment he has made of the effect of the UK leaving the EU without a deal on international perceptions of the UK.

[912253]

The Secretary of State for Foreign and Commonwealth Affairs and First Secretary of State (Dominic Raab): Last week, I attended the Gymnich meeting of EU Foreign Ministers. I met the Foreign Ministers of France, Germany, Ireland, the Netherlands, Spain, Cyprus and Finland. We discussed Brexit but also the wide range of international foreign policy issues on which we will continue to co-operate beyond 31 October, from Hong Kong to Iran.

Huw Merriman: I welcome the Foreign Secretary to his place. Will he confirm whether the 90-strong negotiation unit has been disbanded? If that is the case, with regard to our foreign resources and diplomats what more is being done across the EU27 member states for us to get a deal to leave the European Union?

Dominic Raab: We have actually strengthened and increased the resources in Brussels and across capitals to make sure we are going to the EU with a clear and reasonable ask, backed up by the commitment and resolve to leave at the end of October, and with the staff and personnel to navigate the nuances and explain our message very clearly to our EU friends.

Anna McMorrin: Does the Secretary of State agree that trust is critical to international diplomacy? If so, does he agree that by threatening a catastrophic no deal and non-payment of the EU divorce bill, instead of a global player on the world stage, he paints us as a dishonest and disreputable nation—much like his Prime Minister?

Dominic Raab: Let us agree on trust and the importance of being very clear with our international partners on both our reasonable ask and our commitment to leave the EU at the end of October. Trust with the voters of this country is also important. Both Labour and the Conservatives said they would respect the referendum, and on our side we are serious about fulfilling that promise.

Patrick Grady: Nobody voted to leave with no deal, and the very threat of no deal is leading the pound to tank to historic lows, which is nothing to be proud of. Is it not the case that if we crash out without a deal, as the Government seem to want, it will diminish the United Kingdom economically, culturally and diplomatically?

Dominic Raab: I respect the hon. Gentleman’s views. I think he would say the same whatever the Government’s position. I would point him, for example, to the views set out on the BBC, on the “Today” programme, by Mervyn King, a former Governor of the Bank of England. He is not known to be in hock to the Tories or Brexit, but he said very clearly that we should get on with it, that the short-term risks were manageable and that there were also opportunities. That is the approach we take.

Stephen Gethins (North East Fife) (SNP): I will welcome the Foreign Secretary to his place—for now, of course. Has he discovered that, as well as being particularly reliant on the Dover-Calais crossing, we are also reliant on good relations with our other European partners? What impact will no deal have on our relations, and will he reassure our partners that this Government still respect the rule of law?

Dominic Raab: Yes, I can reassure the hon. Gentleman on all counts. As well as making the reasonable offer that replaces the backstop, which would allow us to get a deal that is acceptable to this country, we have made the point to our EU partners that we are willing to co-operate on all the no-deal planning and preparation to reduce the risk on all sides. Of course, however, that will require the EU to engage to the same level.

Stephen Gethins: I am glad the Foreign Secretary says he will respect the rule of law and any legislation passed in this place, but there is no mandate for a no-deal Brexit. He himself was among those who told us these deals would be really easy to sort out, and a no-deal Brexit, which he never mentioned, as Channel 4 found out, was never on the cards. So it is clear. Is he willing to do this damage to our relationships with our closest partners? The Prime Minister, the Brexiteers and the Foreign Secretary have no idea what they are doing.

Dominic Raab: It is the usual froth and frenzy from the hon. Gentleman. The reality is that no deal was debated on both sides, including by me, during the referendum—and it has been sourced—and that it was an in/out referendum. We remain committed to a deal with the EU, but the one thing that would undermine
our prospects of getting a deal would be passing the Bill proposed by the right hon. Member for Leeds Central (Hilary Benn). It would undermine our chances at this critical moment of the negotiations.

Emily Thornberry (Islington South and Finsbury) (Lab): I welcome the new Foreign Secretary to his position, and indeed his seemingly entirely new team—it is certainly position churn—and pay tribute to his predecessor, who served for 12 months with a concern and diligence that had been so sorely lacking for the previous two years. I hope the new Foreign Secretary will follow the right example.

The Foreign Secretary will be aware of the concern of people across the country with health conditions such as schizophrenia and epilepsy for whom, as the Yellowhammer leaks reveal, it will not be possible to stockpile medicines. They will be left exposed and at grave risk because of the shortages that will follow a no-deal Brexit. Can I ask him a simple question? Have the Government asked for legal advice on how coroners would be expected to record the deaths of anyone who loses their life after 31 October as a result of the entirely preventable medicine shortages?

Dominic Raab: I thank the shadow Foreign Secretary for her generous welcome to the Dispatch Box. On no deal and medicines, the UK has a long-standing relationship with pharmaceutical companies, through the NHS, involving hundreds of vaccines and medicines, whereby we do stockpile, without any context of Brexit, but in the ordinary course of events. Both the Health Secretary and the head of the NHS have made it clear that the plans and arrangements are in place to make sure that people can receive their medication supplies in all circumstances. I am sure she will not want to engage in irresponsible scaremongering. It is very important that this be a fact-driven risk analysis.

Emily Thornberry: I thank the Foreign Secretary for his answer, but the truth is this: the whole point of the Yellowhammer leaks is that some essential medicines—the ones about which I am asking—cannot be stockpiled, which is why there is genuine concern for these individuals.

As a lawyer, the Secretary of State knows his case law as well I do. He will know that if dependent individuals are denied their medicine and die as a result, their cases may meet all the tests in the watershed cases of Jamieson, Khan and Staffordshire and justify a coroner’s finding that they died as a result of neglect. I will submit a freedom of information request today to obtain the advice that the Government have been given to that effect.

Is it not a shameful disgrace that, in 21st-century Britain, we are having to talk about people who are denied their medicine and about people having access to “adequate” supplies of food—the Foreign Secretary’s own words—so that this shameless, shameful Government can play games of brinkmanship with Brussels and generate the pretext for a general election? This is no way in which to run a country.

Dominic Raab: Let me gently say to the shadow Foreign Secretary that what is shameful is to take a potentially vulnerable group in our society and scaremonger in such an appalling way. I think that she should listen to what the Health Secretary and Sir Simon Stevens have said and take into account the reassurances that medical supplies will be protected in any scenario.

Mr Speaker: I will allow the next question—on the grounds that extreme brevity is required.

Defence and Security Equipment International Exhibition

Emily Thornberry: I wish that that were true, but it is not.

I note that Saudi Arabia has been invited to the arms fair once again. Will the Minister tell the House whether the Government are now reviewing all current arms licences to Saudi Arabia following the recent judgment by the Court of Appeal, which instructed them to determine the likelihood of the use of that equipment in serious violation of international humanitarian law, given past violations?

Dr Murrison: I am grateful to the right hon. Lady for her question. The UK Government have sought leave to appeal, and we have been granted it. We disagree—with respect—with the court in its determination and note the lower court’s determination that the process was “rigorous”, “robust” and “multi-layered”. The right hon. Lady will, I believe, understand that our processes in this country are among the most robust in the world. I am proud of them, and she should be, too, because of the Export Control Act 2002 and the statement made on 26 October 2000, which underpinned the licensing process that we have—under, of course, a previous Government.

Topical Questions

T1. [912264] Mr Stephen Hepburn (Jarrow) (Lab): If he will make a statement on his departmental responsibilities.

The Secretary of State for Foreign and Commonwealth Affairs and First Secretary of State (Dominic Raab): Since my appointment as Foreign Secretary, I have visited six countries and met 46 Foreign Ministers. In Helsinki last week, we discussed with our EU partners the middle east, cyber-threats and the challenges relating to Iran. In Thailand, Canada, the United States and Mexico, I have set out our vision for a global Britain as we leave the EU: strong, independent and a force for good in the world.

Mr Hepburn: What actions are the Government taking, both unilaterally and in partnership, to stop the Brazilian Government wiping out their indigenous peoples, as well as poisoning the world’s environment?
Dominic Raab: We recognise the concerns about the rain forest. I have spoken to the Brazilian Foreign Minister, and the vice-president will be here soon. We will look into supporting Brazil by taking measures to ensure that the rain forests, which rightly attract international interest, are protected in a way that works to ensure that the rain forests, which rightly attract international interest, are protected in a way that works to safeguard the environment and the people that live in them. I have spoken to the Brazilian Foreign Minister, and the vice-president will be here soon. We will look into supporting Brazil by taking measures to ensure that the rain forests, which rightly attract international interest, are protected in a way that works.

T4. [912267] Stephen Crabb (Preseli Pembrokeshire) (Con): What conditions were given by Iran ahead of the release of the tanker Adrian Darya from Gibraltar and how will the United Kingdom respond if and when it is shown Iran has breached those conditions?

Dominic Raab: We were given clear assurances that the oil and the tanker would not, in breach of sanctions, reach Syria and we expect those undertakings to be complied with. We want Iran to come in from the cold; the only way it can do that is by respecting the international rule of law, whether on freedom of navigation, the nuclear deal or indeed the treatment of our dual nationals.

Fabian Hamilton (Leeds North East) (Lab): Can the Minister of State tell me what clause in UN resolution 2216 provides for Saudi Arabia to bomb captive inmates in a Houthi-run prison in Yemen or for the United Arab Emirates to kill forces loyal to the President that their own coalition is supposed to be there to reinstall? If the answer is that there is none, is it not time for him to bring forward a new UN resolution to replace 2216, demanding an immediate ceasefire by all parties across the whole of the country of Yemen?

The Minister for the Middle East and North Africa (Dr Andrew Micrison): This country will always stand up for the rule of law in Yemen, in Saudi Arabia and throughout the middle east. I hope very much that the hon. Gentleman understands that this country is the champion of international humanitarian law, especially in relation to Yemen, where he knows full well we are the pen holder. In my recent visit to the middle east, including to discuss Yemen, that came across loud and clear; I made it clear to my interlocutors that we will continue to hold them to account for activities in Yemen.

T5. [912268] Kevin Hollinrake (Thirsk and Malton) (Con): Corruption that impoverishes nations is facilitated by financial devices hiding ownership that are created in the UK and other western nations. Will my right hon. Friend do all he can to build an international consensus to end the inappropriate use of these devices?

Dr Murrison: My hon. Friend is absolutely right and will know that the 2016 London anti-corruption summit agreed new commitments on ownership transparency. He will also be aware of the leadership we have shown on things like beneficial ownership, unexplained wealth orders, the seizure of criminals’ money from bank accounts and new powers to tackle onshore and offshore tax evasion. The UK is absolutely at the forefront of tackling these things and my hon. Friend is right to draw attention to that.

T2. [912265] Debbie Abrahams (Oldham East and Saddleworth) (Lab): The unilateral revocation of articles 370 and 35A and the associated actions by the Indian Government breach the rule of law, democracy and human rights. Given the imminent UN General Assembly, what specific actions will the Government take to ensure that all Security Council resolutions, especially resolution 47 and the Simla agreement, are upheld?

Dominic Raab: I totally share the hon. Lady’s concerns. We will be looking to ensure internationally respected human rights are respected; they have been raised in this Chamber already in relation to detention and mistreatment but also to communication blackouts. We will also be looking to see generally on all sides a de-escalation of tensions and positive measures to build up confidence; that is the only way this issue will be resolved and calmed down.

T7. [912270] Huw Merriman (Bexhill and Battle) (Con): May I ask the Foreign Secretary to come back on the answer he give me previously? Was he saying—I ask this as someone who wants us to get a good deal to take us out of the EU—that we now have a bigger negotiation team than previously and are they spending more time than previously?

Dominic Raab: To be very specific on the understandable question my hon. Friend asks, we have added over 100 diplomats as well as 140 locally engaged staff across capitals as well as in Brussels, and I hope that shows the seriousness with which we are approaching negotiations to get a deal.

T3. [912266] Carol Monaghan (Glasgow North West) (SNP): The UK Government have pledged £10 million to tackle the Amazon forest fires. Is that an embarrassing 14p per person in the UK to ensure they have oxygen to breathe. The Prime Minister has, we know, extremely deep pockets, so what representations has the Secretary of State made to the Prime Minister to ensure we make a realistic contribution to this global issue?

The Minister for Europe and the Americas (Christopher Pincher): We are committing £120 million to international climate finance, and on top of that we are committing £10 million extra. This all helps to avoid and stop deforestation; it helps the sustainable agriculture of Brazil.

T9. [912272] Mark Menzies (Fylde) (Con): With the flow of migrants from Venezuela now at more than 5 million and with their misery ever-increasing, what steps are the Government taking to support our friends in the region, particularly Colombia and Peru?

Dominic Raab: The failures of the Maduro regime and of Hugo Chávez have led to what is probably the largest displacement of people in south American history. We need a peaceful transition to democracy through free and fair presidential elections. In the meantime, the UK is providing more than £14 million in aid, and £10 million of that will go to countries around Venezuela that are seeing an increase in Venezuelans fleeing the country.

T6. [912269] Mr Virendra Sharma (Ealing, Southall) (Lab): Thank you, Mr Speaker. What a treat to have two bites of the apple!
Will the Secretary of State enlighten me about how the UK can maintain moral authority around the world and criticise leaders in Venezuela and Zimbabwe for their assaults on democratic institutions when this Government are ganging our own Parliament?

**Dominic Raab:** I hope that I have reassured the hon. Gentleman, with whom I served on the Joint Committee on Human Rights, that we will raise human rights issues wherever they lie, whether in relation to Iran, to China or to Zimbabwe. We will be unflinching in doing so, even with partners with which we want to have a positive relationship.

**Several hon. Members rose—**

**Mr Speaker:** One sentence each, please. There are lots of Members trying to get in.

**Fiona Bruce** (Congleton) (Con): Will the Foreign Secretary consider the early-day motion tabled by 25 parliamentarians today calling on our Government to seek agreement with other Commonwealth countries to offer Hong Kong citizens second citizenship and a place of abode? Could this be applied for as an agenda item at the next Commonwealth Heads of Government meeting?

**Dominic Raab:** As I have made clear to the House, we want to see the one country, two systems model respected. Under those arrangements, reflecting the joint declaration, we have committed to the British national (overseas) status and I think it is important, for now, to stick with that.

**Mr Speaker:** One sentence each, please. There are lots of Members trying to get in.

**Dominic Raab:** Yes.

**Stephen Kerr** (Stirling) (Con): In line with the recommendations in the Bishop of Truro’s report, are the Government prepared and ready to impose sanctions on the perpetrators of freedom of religion or belief abuse?

**The Minister for Africa** (Andrew Stephenson): I thank the hon. Lady for her question. I am pleased to have taken over consular services, which assist British nationals travelling, living and working overseas. I appreciate her expertise as chair of the all-party parliamentary group, and I would be delighted to meet her to discuss this further.

**Andrew Stephenson:** I thank the hon. Lady for her question. I am pleased to have taken over consular services, which assist British nationals travelling, living and working overseas. I appreciate her expertise as chair of the all-party parliamentary group, and I would be delighted to meet her to discuss this further.

**Richard Graham** (Gloucester) (Con): We need five more sitting days for parliamentary approval of the accession of the Republic of North Macedonia to NATO. Will this be achieved before the next slightly premature recess?

**Dominic Raab:** I thank my hon. Friend for his question, but I think that it is probably one for the Leader of the House.

**Laura Pidcock** (North West Durham) (Lab): Natalie Jackson has not seen or had any contact from her son Dylan, who is 11, in more than a year because her ex-partner has not returned him home after a summer holiday in 2018. The High Court has made Dylan a ward of court and ordered his immediate return, but his return was denied by the Turkish courts. I have written to the Secretary of State about this. Please will he answer, and meet me urgently so that we can deliver Dylan back to his mother?

**Christopher Pincher:** Given the urgency of this matter, I will of course meet the hon. Lady.

**Sir Hugo Swire** (East Devon) (Con): As the Foreign and Commonwealth Office reconfigures its global representation by beefing up embassies and opening other embassies post-Brexit, will my right hon. Friend undertake to conduct an audit into other Departments that are represented abroad to ensure that they are all brought under the ambassador or high commissioner in that country?

**Dominic Raab:** I pay tribute to my right hon. Friend’s expertise in this area. He is absolutely right to stress that when we speak internationally, we do so with one voice.

**Liz Twist** (Blaydon) (Lab): With climate change becoming increasingly evident and important, what progress has been made in tackling climate change through international co-operation?

**Dominic Raab:** I thank the hon. Lady for her question. We are absolutely clear that a global Britain would pursue international issues such as climate change. We are seeking to host COP 26 in 2020, which shows the leadership that we intend to take in this area.

**Mr Speaker:** For one sentence—in hope, not expectation—I call Alistair Burt.

**Alistair Burt** (North East Bedfordshire) (Con): Following Iranian Foreign Minister Zarif’s visit to the G7 summit, will my right hon. Friend bring me up to date on what the United Kingdom is currently doing to try to ease tensions with Iran, bearing in mind that that may have provided an opportunity?
Dominic Raab: I pay tribute to my right hon. Friend and his expertise in this area. Our approach to Iran is simple: we want it to de-escalate tensions and to come in from the cold. The Iranians can do that by respecting internationally recognised rights for consular nationals, the nuclear deal and freedom of navigation in the strait of Hormuz.
NEW MEMBER

The following Member took and subscribed the Oath required by law:

Jane Dodds, for Brecon and Radnorshire.

G7 Summit

3.33 pm

The Prime Minister (Boris Johnson): Before I begin my statement, I am sure that the whole House will join me in remembering that this country entered the second world war 80 years ago today. It is of course true that the horror of that conflict surpasses all modern controversies. It is also true that this country still stands—then as now—for democracy, for the rule of law, and for the fight against racial and religious hatred, and I know that this whole House is united in defending those values around the world.

With permission, Mr Speaker, I will make a statement about the G7 summit in Biarritz. As I speak, vast tracts of the Amazon rain forest are on fire, free trade is in retreat, 130 million girls worldwide are not in education and our oceans are being foully polluted, so it has never been more important for a global Britain to use our voice as an agent for change and progress. It is only by exerting our influence at a global level and only by sticking up for our values and beliefs that we can create the international context for Britain to prosper and to ensure that this is the greatest place on earth to live, work, start a family, open a business, trade and invest.

So at the G7, I made the case for free trade as an engine of prosperity and progress that has lifted billions out of poverty, yet the reality is that trade, as a share of the world economy, has been stagnant for the last decade. In the leaders’ declaration, the G7 unanimously endorsed open and fair world trade and was determined to reform the World Trade Organisation and to reach agreement next year to simplify regulatory barriers.

Britain is on the verge of taking back control of our trade policy and restoring our independent seat in the WTO for the first time in 46 years. Our exports to the United States—[Interruption.] I wish my hon. Friend the Member for Bracknell (Dr Lee) all the best. [Interruption.] Mr Speaker: Order. I ask the House to have some regard to how our proceedings are viewed by people outside the Chamber. I will always facilitate the expression of opinion by this House. [Interruption.] Order. Meanwhile, the Prime Minister is making a statement. That statement should be heard, and he will be heard, as will every other Member. End of subject.

The Prime Minister: Britain is on the verge of taking back control of our trade policy, as I said. [Interruption.] On the verge. We could achieve even more in our trade with the United States by using the powers we will regain to do a comprehensive free trade deal—a deal in which both President Trump and I have agreed that the NHS is not on the table. Unlike some in the House, I consider the United States to be a natural ally and a force for good in the world, and I recoil from the visceral, juvenile anti-Americanism that would do such profound damage to this country’s interest.

I know the whole House will share my concern about the gravity of the situation in Hong Kong. As a nation with a deep belief in freedom of expression and assembly, we stand firm in upholding Hong Kong’s way of life, guaranteed by one country, two systems. I welcome the unwavering support of my G7 counterparts on this vital matter.
The UK is at the forefront of a new campaign to end the tragic loss of species around the world. We cannot bequeath a planet where the Sumatran tiger and the African elephant, and entire ecosystems like the great barrier reef, live in the shadow of destruction, so I am delighted that the G7 accepted UK proposals for more ambitious targets to halt and reverse the loss of biodiversity. Britain is responsible for 2.6 million square miles of ocean, the fifth largest marine estate in the world. Our blue belt programme will ensure that marine protected areas encompass 1.5 million square miles and, at the G7, I announced a further £7 million for this vital effort.

I also announced another £10 million to protect the rainforest in Brazil, where 41,000 fires have raged so far this year—more than twice as many as in the same period in 2018. Britain is bidding to host the UN’s 26th climate change conference next year. If we succeed, we shall focus on solutions that harness the power of nature, including reforestation. There is one measure that would address all those issues. If Opposition Members think that is a waste of money, it tells us all we need to know about the modern Labour party.

One measure that will address all those issues is to ensure that every girl in the world receives the education that is her right. That would not only curb infant mortality, eradicate illiteracy and reduce population pressures but would strike a blow for morality and justice. In Biarritz, the G7 therefore endorsed the UK’s campaign for 12 years of quality education for every girl in the world, and I announced £90 million of new funding so that 600,000 children in countries torn by conflict, where girls are twice as likely as boys to be out of the classroom, get the chance to go to school.

As well as my G7 colleagues, I was delighted to meet other leaders, including President Ramaphosa of South Africa, Prime Minister Modi of India and Prime Minister Morrison of Australia, who, heroically, masked his emotions in the face of the historic innings of Ben Stokes. In every conversation, I was struck by the enthusiasm of my colleagues to strengthen their relations with this country, whether on trade, security and defence, or science and technology. I was also able to use the G7 to follow up my conversations in Berlin and Paris with Chancellor Merkel and President Macron on Brexit, as well as with Prime Minister Conte, Prime Minister Sánchez and President Tusk. I have since spoken to Commissioner Juncker and many other leaders. I was able to make it clear to them all that everyone in this Government wants a deal. We do. We do. But it is a reality that the House of Commons has rejected the current withdrawal agreement three times, and it simply cannot be resurrected. And that is why I wrote to President Tusk.

Mr Speaker: Order. Mr Sheerman, I look to you as a senior and distinguished elder statesman in the House to set an example of good behaviour, analogous to the Buddha-like calm of the Father of the House, which is exhibited at all times.

The Prime Minister: Thank you, Mr Speaker.

That is why I wrote to President Tusk on 19 August to set out our arguments why any future agreement must include the abolition of the anti-democratic backstop—which, by the way, is opposed on all sides of the House. We have also been clear that we will need changes to the political declaration, to clarify that our future relationship with the EU will be based on a free trade agreement and giving us full control over our regulations, our trade, and our foreign and defence policy. This clarity has brought benefits: far from jeopardising negotiations, it is making them more straightforward.

In the last few weeks, I believe that the chances of a deal have risen. This week, we are intensifying the pace of meetings in Brussels. Our European friends can see that we want an agreement and they are beginning to reflect that reality in their response. President Macron said— [Interruption.] Mr Speaker, Opposition Members don’t want to hear the words of our counterparts across the channel. They don’t want to hear about any progress that we might be making. [Interruption.] They don’t.

Mr Speaker: Order. I want to hear everything said—

Hon. Members: He’s mumbling!

Mr Speaker: I have never had any difficulty hearing the Prime Minister, but if it is necessary for him to speak up, I am certain that he will overcome his natural shyness in order to do so.

The Prime Minister: Mr Speaker, I think they are wilfully closing their ears to the reality that our friends and partners are increasingly seeing the possibilities of an agreement. Again, I quote President Macron of France, who said:

“If there are things which, as part of what was negotiated by Michel Barnier, can be adapted and are in keeping with the two objectives I’ve...mentioned, stability in Ireland”— which we all support—

“and the integrity of the single market—we should identify them in the coming months.”

Is that the negative spirit of those on the Opposition Benches? No, it is not. And speaking in Berlin of possible alternatives to the backstop, Chancellor Merkel of Germany said:

“Once we see and say this could be a possible outcome, this could be a possible arrangement, this backstop as a sort of placeholder is no longer necessary.”

That is a positive spirit, which we are not, I am afraid, hearing echoed on the other side of the House today. I believe there are indeed— Opposition Members are fleeing already. There are indeed solutions—they don’t want to hear about solutions. They don’t want to hear about any of them. There are practical arrangements that we can find which avoid anyone putting infrastructure on the Irish border—I say that to the departing back of the right hon. Member for Exeter (Mr Bradshaw), and he knows it well. These have been well worked out and involve measures such as trusted trader schemes, transit provisions, frontier zones, reduced bureaucracy for small and local traders, and many others.

In particular, we recognise— [Interruption.] I advise Opposition Members to pay attention to what is being said. We recognise that for reasons of geography and economics, agri-food is increasingly managed on a common basis across the island of Ireland. We are ready to find a way forward that recognises this reality, provided that it
clearly enjoys the consent of all parties and institutions with an interest. We will discuss that with the EU shortly, and I will discuss it with the Taoiseach, Leo Varadkar, when I see him in Dublin on Monday.

It is simply wrong to say that we are not making progress. There is a lot to do in the coming days, but things are moving. A major reason for that is that everyone can see that this Government is utterly determined to leave the EU on 31 October, come what may, without a deal if necessary. That is why over the summer my right hon. Friend the Chancellor of the Duchy of Lancaster has been leading the Government’s efforts, seven days a week, to accelerate our national preparations for that possibility. He will make a statement on that subject shortly. My right hon. Friend the Chancellor has made all the necessary funds available. We have already reached agreements with our partners to roll over trade deals worth around £89 billion of exports and imports. We have secured air services agreements around the world. We have increased the capacity of our Border Force, strengthened the resilience of our ports, bolstered our freight capacity and worked in meticulous detail to ensure the uninterrupted supply of critical goods, including medicines. We will be ready.

I returned from the G7 with real momentum in the Brexit discussions. I want to return from next month’s European Council in a similar way, with a deal that this House can debate, scrutinise and endorse in time for our departure on 31 October. But there is one step that would jeopardise all the progress that we have made in the G7 and around the capitals of Europe, and that is if this House were to decide that it was simply impossible for us to leave without a deal and to make that step illegal.

That is what they want—to undermine our negotiations; to force us to beg for yet another pointless delay. If that happens, all the progress we have been making will have been for nothing.

Yesterday, a Bill was published—a Bill that the Leader of the Opposition has spent all summer working on. It is not a Bill in any normal sense of the word: it is a Bill that would jeopardise all the progress that we have made in the G7 and around the capitals of Europe, and that is if this House were to decide that it was simply impossible for us to leave without a deal and to make that step illegal. That is what they want—to undermine our negotiations; to force us to beg for yet another pointless delay. If that happens, all the progress we have been making will have been for nothing.

You and I, Mr Speaker, will know that one of the greatest weaknesses of the Opposition is that they do not have a Brexit plan. Their arguments are weak, their case is changing, and they have no plan for any contingency, to ensure food is available, medical supplies, medicines. The country does not want another election. They want the referendum respected.

Enough is enough. The country wants this done and it wants the referendum respected. We are negotiating a deal, and though I am confident of getting a deal, we will leave by 31 October in all circumstances. There will be no further pointless delay. This House has never before voted to force the Prime Minister to surrender such a crucial decision to the discretion of our friends and neighbours overseas. What this Bill would mean is that, unless we agreed to the terms of our friends and partners, they would be able to keep us in the EU for as long as they want and on their terms. I therefore urge this House to reject the Bill tonight, so that we can get the right deal for our country, deliver Brexit and take the whole country forward. I commend this statement to the House.

Mr Speaker: Order. For the avoidance of doubt, there is no vote on a Bill tonight. There is a vote on a motion, and if that motion is successful there will be a Bill tomorrow. I say this simply because the intelligibility of our proceedings to those observing them is important, and I am sure that everybody from all parts of the House will recognise that fundamental truth.

3.50 pm

Jeremy Corbyn (Islington North) (Lab): I thank the Prime Minister for an advance copy of his statement. I join with him in recognising the great human suffering of world war two and the great human bravery that took place during that awful conflict that began 80 years ago, which was essential in defeating the disgusting ideology of the Nazis and of fascism at that time.

The Prime Minister met EU leaders over the summer and EU Council President Tusk at the G7 summit. After those meetings, the Prime Minister struck an optimistic note, saying that the chances of a deal were, in his words, “improving”. His optimism was not shared by those who had been at the same meetings. The Prime Minister may claim that progress is being made, but EU leaders report that the Government have so far failed to present any new proposals. Can the Prime Minister clear this up? Can he tell us whether the UK has put forward any new proposal in relation to the backstop? If it has, will he publish them so that these proposals can be scrutinised by Parliament and by the public?

It is becoming increasingly clear that this reckless Government have only one plan: to crash out of the EU without a deal. The reality is exposed today in the in-house journal of the Conservative party—otherwise known as The Daily Telegraph—which reports that the Prime Minister’s chief of staff has called the negotiations “a sham”, that the strategy is to “run down the clock” and that the proposal to alter the backstop is “a complete fantasy”—and those are the words of the Attorney General.

No deal will mean food shortages, reduced medical supplies and chaos at our ports. It is not me saying that; it is the Government’s own leaked analysis that says that, and it warns of chaos across the board. Today, we had expected the publication of the Government’s no-deal preparations. The Government are hiding from scrutiny and hiding from the people and they are trying to hide us from their true intentions. This is not just a Government in chaos, but a Government of cowardice. Thankfully, some in Whitehall are putting those vital...
documents into the public domain, but we should not have to rely on sporadic leaks. Will the Prime Minister set out today when these documents will be published so that the people and Parliament can scrutinise and debate them? Many on the Government Benches would relish a no-deal outcome. They see it as an opportunity to open up Britain to a one-sided trade deal that puts us at the mercy of Donald Trump and United States corporations and that will increase the wealth of a few at the expense of the many.

When it comes to the crunch, too many on the Government Benches who once opposed a no-deal outcome are now putting their own careers before the good of the people of this country. Just look at all those Tory leadership candidates who said that it would be wrong to suspend Parliament in order to make no deal more likely, but who sit passively as their principles of just a few short weeks ago are cast aside—I do not know what they were doing over their summer holidays, but something has changed. And it gets worse, because not only have they all stood by while the Prime Minister launches his latest attack on democracy, but some have repeatedly refused to rule out the possibility of the Government ignoring any law passed by Parliament that attempts to stop a no-deal Brexit. Will the Prime Minister therefore take this opportunity, when he responds in a moment, to assure the country that his Government will abide by any legislation passed by Parliament this week?

The attack on our democracy in order to force through a disastrous no-deal Brexit is unprecedented, anti-democratic and unconstitutional. Labour will do all we can to protect our industry, protect our democracy and protect our people against this dangerous and reckless Government.

I condemn the rhetoric that the Prime Minister used when he talked about a “surrender Bill”. I really hope that he will reflect on his use of language. We are not surrendering because we are at war with Europe; they are surely our partners. If anything, it is a no-deal exit that would mean surrendering our industry, our jobs, and our standards and protections in a trade deal with Donald Trump and the United States.

The UK should be using its position in the G7 to promote policies to tackle the climate emergency. The climate emergency is real, but instead of standing up to President Trump, it was in fact agreed this, to save his blushed, that there would be no joint communiqué on this at the G7. That is not leadership; that is fiddling while the Amazon burns. The situation across the Amazon should be a wake-up call to the Prime Minister, who once described global warming as a “primitive fear…without foundation”. As we watch fires rage, and not only across the Amazon but in Angola and the Democratic Republic of the Congo, does he stand by those sentiments?

While funds to protect and restore the Amazon rain forest are welcome, the Prime Minister knows that this is merely a drop in the ocean, so will more money be pledged for the Amazon, and are additional funds being made available to tackle fires in sub-Saharan Africa? Will he be introducing measures to stop UK companies aiding, abetting and profiting from the destruction of the Amazon rain forest, and indeed rain forests in west Africa? On 1 May, the UK Parliament became the first state Parliament anywhere in the world to declare a climate emergency, and I was proud to move that motion. We must continue to show global leadership on the issue.

On Iran, it is notable that the Prime Minister fails to condemn President Trump’s unilateral decision to tear up the internationally agreed Iran nuclear deal, creating a crisis that now risks a slide into even deeper conflict. Does the Prime Minister plan to work with European partners to restore the Iran nuclear deal and de-escalate tensions in the Gulf? We are clear that in government Labour would work tirelessly through the UN for a negotiated reinstatement of the nuclear deal and to defuse the threat of war in the Gulf. Effective diplomacy, not threats and bluster, must prevail. Will he call on the Iranian authorities to end the unjust detention of Nazanin Zaghari-Ratcliffe, and what actions has he taken so far to ensure her release from the terrible situation that she has been plunged into?

We are all concerned about the situation in Hong Kong. No Government anywhere should get to shut down rights and freedoms, or to pick and choose which laws they adhere to. Will the Prime Minister urge the Chinese Government to stick to the joint declaration of 1984 and stand up for the rights of citizens in Hong Kong?

Later today, this House has a last chance to stop this Government riding roughshod over constitutional and democratic rights in this country, so that a cabal in Downing Street cannot crash us out without a deal, without any democratic mandate and against the majority of public opinion. The Prime Minister is not winning friends in Europe; he is losing friends at home. His is a Government with no mandate, no morals and—as of today—no majority.

The Prime Minister: The right hon. Gentleman knows full well that this country has engaged actively with our European friends and partners to make sense of the Iran nuclear deal and to ensure that that deal continues. He will know that my right hon. Friend the Foreign Secretary continues to work actively not only to secure the release of Nazanin Zaghari-Ratcliffe, but on all the very sad consular cases that we are currently dealing with in Iran. I pay tribute to the Foreign Secretary and the work of all his officials.

I am glad for what the right hon. Gentleman said about the importance of preserving democracy in Hong Kong, and he will observe the strength of the G7 statement on that matter. But quite frankly, when it comes to the Bill that he is assisting to bring forward tomorrow, with the procedure that is coming forward tonight, let us be in no doubt that this man is a former Bennite. In fact, I believe that he is still a Bennite. He voted against every single piece of EU legislation. He voted against Maastricht. He voted against Lisbon. Time and time and time again, he has said that we must uphold the result of the EU referendum. Time and time again, he has said that he is on the side of democracy and vindicating the will of the people. And what do we see now? He has been converted—with his hordes of Momentum activists trying to take over the streets—into the agent of those who would subvert democracy and overturn the will of the people. That is what he wants to do. He wants to entrust the decision about how long this country remains in the European Union to our friends and partners in Brussels, and not to this House. That is not democracy.
I am afraid that the right hon. Gentleman, inadvertently or not, has become the agent of further delay, further confusion and further uncertainty for business in this country and abroad. That is what he is prescribing. That is what he stands for. That is the result of his policy. I urge everybody on all sides of the House not to support his approach. Let us go forward, and not back with the right hon. Gentleman.

Mr Kenneth Clarke (Rushcliffe) (Con): It seems to me that the Prime Minister’s extraordinary knockabout performance today merely confirms his obvious strategy, which is to set conditions that make no deal inevitable, to make sure that as much blame as possible is attached to the EU and to this House for that consequence, and then—as quickly as he can—to fight a flag-waving general election before the consequences of no deal become too obvious to the public. Perhaps my right hon. Friend would let me know whether that clear explanation of his policy is one that he entirely accepts. Does he also accept that if he gets his way and gets no deal, we will then have to begin years of negotiations with the Europeans and the rest of the world about getting new trade, security and other arrangements in force? Does he seriously think that this approach will obtain from any other country in the world a free trade arrangement that is half as good as the Common Market that Conservative Governments have helped to put together over the years?

The Prime Minister: As my right hon. and learned Friend knows, I am a keen fan and a lifelong fan of—[Interruption.]

Mr Speaker: Order. I want to hear what the Prime Minister has to say in response to the question, and that response must be heard.

The Prime Minister: Thank you, Mr Speaker. As the Father of the House knows, I am a long-standing admirer of his. Indeed, I was the only member of the 2001 intake to vote for my right hon. and learned Friend as leader of the Conservative party. [Interruption.] I was—a fact that I do not think he much thanked me for at the time. I have long been a fan of his, and indeed in many ways we are ad idem in our views. I agree with him—I do not want an election. We do not want an election. I do not think the Leader of the Opposition wants an election, by the way, as far as I can make it out. We do not want an election; we want to get the deal done, and the best way to get a deal is to support the Government in the Lobby tonight.

Ian Blackford (Ross, Skye and Lochaber) (SNP): I thank the Prime Minister for advance sight of his statement.

My goodness—this is the second time the Prime Minister has been at the Dispatch Box, and this must be the shortest-lived honeymoon in parliamentary history; you simply have to look around his Benches. He may say that he does not want an election, and his colleagues certainly do not want one, but I will let him into a secret; we do, because we want the people of Scotland to be able to have their say on this shambolic Government. The Leader of the House talks about the strategy of the Prime Minister. We hear use of the words “collaborators” and “surrender”; the Prime Minister really should have some dignity and show some respect for the office he—temporarily—holds.

Of course, one of the most remarkable things that took place during the statement was to see the hon. Member for Bracknell (Dr Lee) cross the Floor. Prime Minister: you have lost your majority.

Over the weekend, we saw commemorations across the world to mark the 80th anniversary of the second world war, when brave citizens came together and stood together against tyranny. My thoughts and those of my party are with those who suffered, the veterans and their families. We should also recognise that the European Union is the legacy of two world wars that had ripped Europe apart. The European Union has been an important vehicle for peace and stability in Europe.

Turning to the G7 summit, I wish to express my shared concern at the unrest in Hong Kong. I also associate myself with the actions on climate change and on protecting the Amazon rain forest. But I take issue with President Trump’s comments in relation to Russia. It is not acceptable to condone Russia’s military and cyber aggression around the world. Furthermore, while the summit declared its support for progress in Ukraine, the President of the United States failed to challenge Russia’s violation of international law in Ukraine—another utterly disgraceful lack of leadership from the President of the United States.

Following the summit, the Prime Minister displayed his own lack of leadership by moving to prorogue Parliament and strip power away from elected representatives—closing down Parliament by sending three Privy Counsellors to instruct the Queen to sanction the closure of Parliament. Three Privy Counsellors acting on the instructions of the Prime Minister to shut down Parliament: where is the democracy in that? While he can dance around and profess to speak for the people, we all know the truth—he is in fact doing the opposite. By proroguing Parliament, the Prime Minister is robbing the people of power; robbing them of a say over their future.

In true Trumpian style, the Prime Minister is acting more like a tinpot dictator than a democrat. He talks of the will of the people—but what about the will of the people of Scotland? Prime Minister, the Scottish people did not vote for Brexit. The people of Scotland did not vote for a no-deal Brexit. They did not vote for the Tory party and they certainly did not vote for this Prime Minister. The people of Scotland voted to remain in the European Union. The Scottish people voted overwhelmingly against the Tory party and this Government. The people of Scotland made their choice, and they chose that the SNP should be their voice. So I ask the Prime Minister: are you a democrat, or not; do you respect the will of the Scottish people, or not? Will you, Prime Minister, if you believe yourself not to be the latter, then give the people back their say: allow Parliament to have its say; respect the will of Parliament in stopping a no-deal Brexit—a no-deal Brexit that would be devastating for jobs and communities?

The Prime Minister: The right hon. Gentleman makes a serious point about the US’s attitude towards Russia. May I gently remind him that, when it came to the Skripal poisonings in Salisbury, the United States expelled
60 diplomats in support of the UK, in solidarity with the UK and to show their revulsion at Russian behaviour? As for whether or not it is right to have a Queen’s Speech, the Opposition have been calling for a Queen’s Speech just about every week—finally they get one, and they protest.

On the EU, it remains the policy of the Scottish nationalist party once we have come out of the European Union on 31 October—it is their avowed policy: they are inevitably committed to this by logic—to go back into the EU. That is what they say they want to do if they were to achieve independence: to submit to the whole panoply of EU law, to scrap the pound in favour of some unknown currency hitherto unbaptised—the Salmond, the Sturgeon or whatever it happens to be—and, above all, to hand back control of Scotland’s fisheries to the EU, just as they have been reclaimed by this country. What an extraordinary policy!

John Redwood (Wokingham) (Con): Will the Prime Minister confirm that, from 1 November, it will be the UK Government and authorities in control of our ports such as Dover? Will he confirm that it will be the Government’s policy to ensure the smooth transit of food, pharmaceuticals and other goods into our country, as today, so that there will not be shortages?

The Prime Minister: I am grateful to my right hon. Friend. I can confirm that that is exactly what the Chancellor of the Duchy of Lancaster and others have been preparing for months and that those measures are now well in train.

Jo Swinson (East Dunbartonshire) (LD): The Prime Minister has lost his majority, with my hon. Friend the Member for Bracknell (Dr Lee) joining the Liberal Democrats. Doctors like him tell me that they want to stop Brexit because it will plunge our NHS into deep crisis, haemorrhaging vital staff and threatening access to life-saving medicines. When will the Prime Minister stop playing with people’s lives and stop Brexit?

The Prime Minister: I am glad that the hon. Lady has given me occasion to remind the House that there are now in fact 700 more doctors in the NHS since the vote to leave the EU. Just in the last six weeks, we have been able to announce another £1.8 billion going to 20 new hospital upgrades around the country, in addition to the £34 billion extra that the Conservative Government are putting into the NHS. I am grateful to her for allowing me to point that out.

Mr Philip Hammond (Runnymede and Weybridge) (Con): My right hon. Friend has assured me that he is very keen to get a deal with the European Union, but last Friday Chancellor Merkel of Germany observed somewhat acerbically that nine days into the 30 days that the Prime Minister had requested during his visit to Berlin, she had not yet seen any proposals from the United Kingdom. Could the Prime Minister now make a commitment to publish this afternoon the UK’s proposals, so that those of us who are considering what to do later today can have had the benefit of seeing them? Will he further commit to transmitting those proposals without delay to the European Union?

The Prime Minister: Actually, as I told my right hon. Friend this morning, Chancellor Merkel was making an elementary point, which is that we could easily do a deal within 30 days, and we certainly shall. What she also said is that there is no point in having a negotiation or beginning formal talks as long as there is a risk that Parliament will make that negotiation impossible by taking away the ability of this country to negotiate. So every time we set out ideas, the first thing they ask is what Parliament will do.

So I urge my friends tonight, I urge colleagues tonight, to give us the leeway to get the deal that we need. It is very, very clear: the outlines of the deal that can be done are very clear. If Members had been listening earlier, they would have heard in my statement the rough shape of what that deal can be, both in getting the alternative arrangements and in solving the problems of the Irish backstop. I am afraid that, by their actions—I must regretfully say this to the House—they are making that deal less likely. We are working flat out to secure it, but the measures, if passed tonight, would make our prospects of success much less likely.

Hilary Benn (Leeds Central) (Lab): It is not just Chancellor Merkel who has confirmed that no substantive proposals have been put forward. Last weekend, the Irish Deputy Prime Minister said that “nothing credible has come from the British government” on alternatives to the backstop. It is also reported that the Attorney General told the Prime Minister at the beginning of August that, if he insisted on the removal of the backstop, it would inevitably result in no deal. Is that true? If it is true, can the Prime Minister try to persuade the House why it is credible to argue that progress is being made in the negotiations, because a growing number of Members have come to the conclusion that what he really wants is a no-deal Brexit, and that is why many of us will try, over the next two days, to prevent that from happening—in the national interest.

The Prime Minister: The sad truth is that there are many Members in this House, I am afraid including the right hon. Gentleman, who simply want to block Brexit. That is the truth. That is the reality, and they are using the discussion of a so-called no-deal Brexit to conceal their real intentions. By their measures tonight and tomorrow, they would be fatally undermining this Government’s ability to negotiate a deal. That is the reality.

We can get a deal. We can remove the backstop. The right hon. Gentleman knows very well what this country needs to do, because it is agreed on all sides of the House. The problem with the withdrawal agreement is not just the political declaration; it is the backstop. That makes agreement impossible on both sides of the House. But as long as this House is proposing motions such as the ones tonight and tomorrow, I am afraid we have no chance of getting progress from our EU friends.

Mrs Anne Main (St Albans) (Con): What discussions has my right hon. Friend had about the green climate change fund and what progress has been made? Will he give us an update?
The Prime Minister: I am grateful to my hon. Friend. We are indeed, as I said at the G7—if my memory serves me correctly, we are making a contribution of another £1.4 billion to the green climate fund and it is a high priority of this Government.

Nigel Dodds (Belfast North) (DUP): I welcome what the Prime Minister has said about the backstop because he knows, as the entire House knows, that that is one of the fundamental reasons why the withdrawal agreement could not get through this House. Not only is it antidemocratic in the sense that laws would be made for the economy of Northern Ireland and nobody in Belfast or London would have any say at all in the making of them, or even ask questions about them, but it is contrary to the principles that people say they believe in, in the Belfast agreement and the St Andrews agreement, which requires the consent of both communities, and no member of any Unionist party in Northern Ireland supports the backstop.

I also welcome the Prime Minister’s commitment to a deal, because we are committed to getting a deal—a good deal for Northern Ireland and the United Kingdom. When he meets the Irish Prime Minister on Monday, which I welcome, can he convey to the Prime Minister, as we have tried to convey to him, that it would be entirely sensible and reasonable for him to sit down with us, and other representatives of Unionists in Northern Ireland, for direct discussions, which would be very helpful in the current atmosphere, but which the Irish Government have consistently—amazingly—refused to do, while at the same time preaching to others about the need for conciliation and movement and progress? So I appeal to the Prime Minister, on behalf of everyone in Northern Ireland, to try to get some momentum into the discussions between the Irish Republic and Unionists in Northern Ireland on this vital issue.

The Prime Minister: I am grateful to the right hon. Gentleman for his support. He perfectly understands the issues, and knows that he and I are at one in seeking to get rid of the backstop. I believe that we can get rid of the backstop, and we can—[HON. MEMBERS: “How?”]—You see—[HON. MEMBERS: “How?”]—they do not want to. They do not want to do it. We can make progress, but not if we take away the possibility of no deal, which is what the Leader of the Opposition is proposing to do, and not if we give the power infinitely to extend UK membership of the EU to Brussels, which is what his Bill would do.

Sir Patrick McLoughlin (Derbyshire Dales) (Con): Will the Prime Minister reflect on the fact that when the House of Commons debated the European Union Referendum Act 2015, it was passed by a majority of six to one and that, when the House debated the European Union (Notification of Withdrawal) Act 2017, it was passed four to one by this House? What does he think a further three or six-month delay would achieve, other than betraying those people and those votes that we have already had?

The Prime Minister: I passionately agree with what my right hon. Friend has just said. I ask all those thinking tonight and tomorrow of voting to extend again, beyond 31 October, exactly what they are seeking to do in that interval and what the purpose of that extension would be. Believe me: the people of this country want to get on with it and want to come out.

Ms Angela Eagle (Wallasey) (Lab): I am sure completely inadvertently the Prime Minister failed to answer a question that my right hon. Friend the Leader of the Opposition put to him earlier; if a Bill passes that makes it illegal to leave without a deal, will he and his Government abide by the rule of law?

The Prime Minister: We will of course uphold the constitution and obey the law.

Mr Jonathan Djanogly (Huntingdon) (Con): Given the huge amount of political regression going on in Russia at the moment, does my right hon. Friend agree with President Trump that now is the right time to bring Russia back into the G7?

The Prime Minister: No, and I made that point very clearly at Biarritz.

Joanna Cherry (Edinburgh South West) (SNP): It is good to hear the Prime Minister say that he will uphold the constitution and the rule of law, because of course it is essential that the United Kingdom upholds the rule of law for effective working with the G7 in future. Will he give the House his word that he and his Government will respect legislation passed by this House and decisions made by the two legal jurisdictions in this Union—the jurisdiction in Scotland and the jurisdiction in England?

The Prime Minister: I refer the hon. and learned Lady to the answer that I gave just a moment ago.

Mr John Whittingdale (Maldon) (Con): Will my right hon. Friend confirm his determination to keep up the pressure on Russia, which continues to illegally occupy Crimea, and whose involvement in the occupied territories in east Ukraine led to further deaths this weekend? I strongly welcome his statement at the Dispatch Box that he agrees that it is not appropriate for Russia to rejoin the G7. Will he continue to give every support to the newly elected President Zelensky and the members of the Ukrainian Parliament?

The Prime Minister: I know the great interest that my right hon. Friend has taken in Ukraine and the fortunes of that wonderful country. I assure him that President Zelensky rang me before the G7 particularly to insist on his continued concerns about the Russian activities. I am sure that those concerns are shared across the House.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): In the Prime Minister’s answer to the former Chancellor of the Exchequer, he referred only to the “rough shape” of an alternative deal. Does he have any detailed proposals, and can he confirm that he has not sent any detailed proposals to the EU?

The Prime Minister: We have been in extensive talks. As the right hon. Lady will appreciate, it does not make sense to negotiate in public, but it has been clear from what I have said already that the backstop is unacceptable and so is the political declaration as currently written. We have detailed proposals of how to address both issues and we are making progress. I say respectfully to my Friends on both sides of the House that now is the time to allow UK negotiators to get on with their job.
Sir Edward Leigh (Gainsborough) (Con): In the Prime Minister’s discussions with the German Chancellor and the French President, was there discussion on the need for compromise? After all, the issue of the backstop is resolvable with compromise on all sides and there are many people in this House—moderate Brexiteers and remainers—who want to compromise. When it comes to a solution, if the EU will not change the deal and if this House will not pass the present deal, will the Prime Minister reflect on the Vienna convention and the conditional unilateral declaration, which would allow us to unilaterally state our determination to exit from the backstop?

The Prime Minister: I am grateful to my right hon. Friend, who has pursued this line of thinking for many months. I must say that I think there is a better and more elegant way of doing this. We can excise the offending bits of the treaty. We can make a great deal of progress. We can have a new treaty. It will be a vast improvement. I think that Opposition Members should look forward to that and should be encouraging and supportive of this Government’s efforts in getting us out of the EU in a way that they voted for time and time and time again.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): The Prime Minister insists the UK will be ready for no deal, while at the same time duplicitously using threat to force the European Union to cave in to his non-existent alternative arrangements. Will he admit that a no-deal scenario would be catastrophic, or will he continue to face both ways—deceive the public and use no deal for his own electoral gain?

The Prime Minister: I am afraid I do not agree with what the right hon. Lady said about no deal. As I said on the steps of Downing Street, I think there will be bumps on the road, but this is a very great country and a very great economy; and we will get it done. I am afraid that the most fatal thing to getting a deal is for this country to show that it is so apprehensive about coming out on other terms as to accept anything that the EU prescribes. That is, I am afraid, the course down which the right hon. Member for Islington North (Jeremy Corbyn) is beckoning us to go. That would be a disaster.

Harriett Baldwin (West Worcestershire) (Con): I warmly welcome the Prime Minister’s announcement at the G7 to give more money to Education Cannot Wait and the leadership he has consistently shown on the importance of girls’ education around the world. Will he commit to continuing to champion this cause and seek for more of our aid budget to be spent on global education?

The Prime Minister: I thank my hon. Friend for everything she has done, both on the development front and in the Foreign and Commonwealth Office, to champion female education around the world. I believe that 12 years of quality education is the single most effective policy for solving most of the ills of the world.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): The Prime Minister has made a number of wild and unsubstantiated claims about the negotiations. Can I ask him directly: did the UK’s chief Brexit negotiator, Frost, in a Tuesday 27 August EU sub-committee meeting, link the rationale for talks with the EU article 50 taskforce to “domestic political handling reasons”? Yes or no?

The Prime Minister: I do not comment on leaks. Even if I did, I have got no idea, quite frankly. I think it is highly unlikely.

Mr David Gauke (South West Hertfordshire) (Con): The Prime Minister will be aware that many of us are concerned that we are currently on course to leave the European Union without a deal on 31 October and that we will not have time to negotiate and legislate for a new deal. Those concerns were not allayed by reports in The Daily Telegraph this morning that suggested that it was stated in a strategy meeting on 29 July that the Government were going to run down the clock. Nor are our concerns allayed by the suggestion that the Attorney General, on 1 August, said that removing the backstop altogether would mean that we would not be able to reach a deal. Are those reports accurate?

The Prime Minister: I do not comment on leaks—

[Interruption,]—Even in pages as hallowed as the ones described. What can I tell my right hon. Friend—he asked me exactly the same question this morning—is that we are working for a deal, and I believe that we will get a deal. It should be a deal that I think everybody in this House would want to support and that, above all, their constituents would want to support. They want and we want this business to be over and for us to leave the EU on 31 October.

Anna Soubry (Broxtowe) (IGC): Further to the question asked by the right hon. Member for South West Hertfordshire (Mr Gauke), will the Prime Minister confirm that Dominic Cummings described the renegotiations as a “sham”? Will he also tell the House—a simple yes or no will do—whether it is true that he rang the editor of The Daily Telegraph and remonstrated with him about those reports, of which we have all now heard? Yes or no, Prime Minister—did you ring him up?

The Prime Minister: I am grateful to the right hon. Gentleman. As I said, I saw the story on the front of the Telegraph this morning. It seemed to me wholly implausible, but—I can happily answer her question on that—I have not seen fit to ring any journalist today on any matter, because as you can imagine, I have been working flat out to get out of the EU on 31 October.

Greg Hands (Chelsea and Fulham) (Con): When it comes to alternative arrangements to the backstop, the commission that I co-chair is making real progress. Yesterday, we published a revised withdrawal agreement and a political declaration. We are hosting a conference in Dundalk next week, bringing together parliamentarians from across these islands. I thank the Prime Minister for the meetings that I have had with his team and I assure him that our proposals are in very good shape going forward.

The Prime Minister: I thank my right hon. Friend for the fantastic work that he has done with many colleagues to prepare for the alternative arrangements that really do hold out the prospect of a solution to the problem of
[The Prime Minister]

the Northern Irish border—[Interruption.] If the hon. Gentleman would care to study the report, he might elucidate himself on that matter. There are a number of proposals that have been made, and indeed, many others, that hold out real hope of progress, but those are not the only areas in which we are making progress. There are several areas in which we are now discussing how the UK can retire whole and perfect from the EU while retaining the integrity of the market in Ireland. That is a hard thing to achieve, but it can be done.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): First, I apologise to the Prime Minister because I did explode a little when he said something about loyalty and I thought about the loyalty that was sometimes deficient when we had a different Prime Minister—the right hon. Member for Maidenhead (Mrs May). My apologies for that, but the one thing that I really welcome out of the G7 statement he made is what he said about girls’ education. My daughter was a special adviser to a former Foreign Secretary. Will he tell me whether it is right that a special adviser could be treated like the young woman was in No. 10—to be sacked on the spot and marched out of No. 10 by an armed police officer? Is that the way to treat women in work, or is it not?

The Prime Minister: I thank the hon. Gentleman for the support that he gives to our campaign and the UK cause of 12 years of quality education for every girl in the world, and indeed, I thank members of his family for what they have done to support that campaign. On staffing matters, I will not comment, as he would expect.

Mr John Baron (Basildon and Billericay) (Con): Most of us in this place would prefer a good trade deal to no deal at all, but will the Prime Minister reflect on the fact that of the top 10 of the EU’s trading partners, half trade on WTO no-deal terms? Will he therefore continue to put to the sword this ludicrous suggestion that Britain would be incapable of trading on such terms? We would prosper.

The Prime Minister: My hon. Friend is totally right. There is a huge opportunity for the UK to recover its standing, which it used to have before 1973, as a great individual actor and campaigner for global free trade. That is what we are going to do, not just with a great free trade deal with our EU friends, which of course will be the centrepiece of our negotiations, but with free trade deals around the world.

Caroline Lucas (Brighton, Pavilion) (Green): Ten million pounds to protect the rain forest is welcome, but far more effective would be to stand up to President Bolsonaro, who is deliberately accelerating and encouraging these fires to open up more of the Amazon, threatening indigenous communities and accelerating the climate crisis. Will the Prime Minister do the right thing and refuse any future trading arrangements with Brazil unless and until high environmental and human rights standards are properly and fully enforced?

The Prime Minister: I would be reluctant to encourage any measure now that did anything to reduce free trade around the world. It would be much better to support the reforestation of Brazil in the way we are. We have a campaign to plant 1 trillion trees.

Steve Brine (Winchester) (Con): As the Prime Minister knows, my constituents are passionately pro-deal, and I think he is too; in fact I know he is—he has told me that personally and he has told the House many times. But can I bust one of the most dishonest myths of all, which is that one cannot respect the referendum result and be in favour of leaving with a deal? That is where I and, I think, all my constituents are. The Prime Minister has said today that the chances of a deal have increased and that things are moving. What evidence of progress can he put before the House before the vote this week? It could be critical to where people such as me go.

The Prime Minister: I would just make one point: before we began our efforts, it was common ground with the EU27 that every dot and comma of the withdrawal agreement was immutable and could not be changed, but that is no longer the case. We are already shifting them, in Ireland, in Berlin and in France. Progress is being made, and now is not the time to slacken that work.

Stewart Malcolm McDonald (Glasgow South) (SNP): Ruth Davidson walked last week, the Prime Minister’s majority in this place has gone this week, and he might even expel his hero Churchill’s grandson from his own party. I do not care what he does to his own party, but I take exception to the impact of his policy on Scotland. Would Scots not be better to vote for independence so as to maintain our place in the EU?

The Prime Minister: Scots did not swallow that argument in 2014—[Interruption.] No, they rejected it by a thumping majority. They could see that they were better off together with the rest of the UK, and so it remains.

Richard Drax (South Dorset) (Con): Does my right hon. Friend agree that the last thing we hear about in this place is the democratic will of the 17.4 million people who voted to leave the EU? Make no mistake: the motion, if passed tonight, and the Bill on Wednesday would mean nothing less than revocation of article 50, as to maintain our place in the EU?

The Prime Minister: My hon. Friend is entirely right. I am afraid that too many people who want to vote for the motions tonight and tomorrow really seek to frustrate the will of the people and to overturn and cancel the result of the referendum.

Jessica Morden (Newport East) (Lab): Did the Prime Minister have an opportunity at the G7 to discuss the steel industry? I ask this on behalf of the 380 employees of Cogent Orb in Newport who yesterday received the devastating news that Tata is to close its plant. It is tragic for them, and tragic as it is the only plant in the UK that produces electrical steel that could, with Government encouragement, be a part of the supply chain for electric vehicles.

The Prime Minister: A huge amount of work is going on at the moment in respect of the Tata investments. The hon. Lady will have seen what was achieved recently with British Steel in Scunthorpe and Skinningrove. I thank my right hon. Friend the Business Secretary for that, and indeed the previous Business Secretary for his
work in getting the deal done. We will indeed ensure that British steel—UK steel—is used in the supply chain for electric vehicles.

**Ross Thomson** (Aberdeen South) (Con): Canada is in the Commonwealth, and is a close friend, ally and defence to trade. Will my right hon. Friend update the House on the nature of his discussions with the Canadian Prime Minister Justin Trudeau in Biarritz?

The Prime Minister: My discussions with Prime Minister Trudeau were extremely friendly. We look forward to rolling over the comprehensive economic and trade agreement—the free trade deal—with Canada and taking our relations to new heights.

**Meg Hillier** (Hackney South and Shoreditch) (Lab/Co-op): Once again we have heard bluff and bluster from the Prime Minister, after a summer during which he found a veritable forest of magic money trees. Can he tell me where he will find the money—or has he found a pot of gold?

The Prime Minister: May I invite the hon. Lady to listen to the Chancellor’s spending review statement tomorrow? If she is seriously opposing this spending on schools, hospitals and police when it is well within the limits of fiscal prudence—if that is really what the Labour Party is all about now—I think she should say so.

Mr Owen Paterson (North Shropshire) (Con): Can my right hon. Friend confirm that, during his various conversations over the past few weeks, he has made it absolutely clear to all our neighbours and partners that we will establish complete sovereign control over our exclusive economic zone from 1 November and that we will negotiate, like a perfectly normal, independent maritime nation, reciprocal arrangements with our neighbours? In that context, has he already begun negotiations with our Nordic neighbours, given that arrangements with them would normally be settled over the coming few weeks with a view to a 1 January start?

The Prime Minister: I can certainly confirm that we will be out of the common fisheries policy by 2020. We will take back control of our fisheries—unlike the Scottish National Party, which, in a supine and invertebrate way, would hand them back to Brussels.

Jess Phillips (Birmingham, Yardley) (Lab): I beg the Prime Minister to answer the question that I am going to ask, rather than just saying “No comment” as if this were a magazine interview.

Along with others, I have filed papers for a legal case against the Prorogation of Parliament, because I do not want the Domestic Abuse Bill—for which so many people in this House have worked so hard—to fall. I signed my witness statements yesterday. I had to go to my mother-in-law’s to print them, because I do not have a printer, but I think that they probably have one at No. 10.

Is it true that senior civil servants have refused to sign witness statements for ongoing legal proceedings relating to the Prorogation? Were the director of legislative affairs and the Cabinet Secretary asked to do so, and did they agree? I signed mine; did they?

The Prime Minister: As the hon. Lady would imagine, the proper processes were gone through to ensure that we were able to announce a Queen’s Speech. Opposition Members have been calling for a Queen’s Speech for week after week, and the hon. Member for Walsall South (Valerie Vaz) has demanded one. [Interruption.] She has. We will also ensure that the Domestic Abuse Bill, the Animal Welfare (Sentencing) Bill and other Bills receive proper consideration and are rolled over.

Mark Pritchard (The Wrekin) (Con): This is, of course, a G7 statement, and the Prime Minister is a celebrated internationalist, but may I make a local point? The people of Shropshire, in five constituencies, voted overwhelmingly for Brexit. Can my right hon. Friend make a slight departure from great matters of state and reassure the good people of Shropshire that Brexit will be delivered?

The Prime Minister: I can, and the surest way to deliver Brexit with a deal is to vote with the Government, both tonight and tomorrow.

Nick Thomas-Symonds (Torfaen) (Lab): For automotive manufacturers in my constituency and beyond, the WTO tariffs that would apply in the case of a no-deal Brexit would not only wipe out their profits but often exceed them. Why should anyone take what the Prime Minister says about jobs and investment seriously when he has been so reckless with people’s livelihoods?

The Prime Minister: We are working with all sectors, including automotive supply chains, to protect their interests, but of course the best way to ensure that we do not have a no-deal Brexit is to support the Government and to oppose the measures that the Leader of the Opposition is putting forward.

Vicky Ford (Chelmsford) (Con): May I thank my right hon. Friend for mentioning Ben Stokes in his speech? I was lucky enough to be there that day, and it reminded me that sometimes even the most difficult of challenges can be achieved. I do believe it will be possible to achieve an agreed negotiation with the EU, although it is difficult. If it is achieved on 17 October, is there sufficient time for this House to approve all the necessary legislation before the end of that month?

The Prime Minister: Yes, indeed there is time, and we have gone over that thoroughly. I am delighted by my hon. Friend’s confidence; she speaks as someone well-acquainted with the ways of Brussels and the EU, and she will know that the deals are always done, as it were, on the steps of the court in the final furlong. That is where we will get the deal.

Liz Kendall (Leicester West) (Lab): Can the Prime Minister completely set the record straight on this? If Parliament passes legislation requiring him to request an extension of article 50 beyond 31 October, will he abide by the law?

The Prime Minister: I have answered this question twice before. We will abide by the law, but I have to say I think it is a quite incredible thing to propose, deleterious
to the interests of this country and this Government, and it will make it impossible for us to get the deal this country needs.

David Tredinnick (Bosworth) (Con): Will my right hon. Friend explain in greater detail the steps taken at the G7 to protect endangered species?

The Prime Minister: I can indeed explain. My hon. Friend will recall that under the Kyoto protocol, targets were set for the reduction of greenhouse gases; what the world now wants to see is specific targets—quanta—for the protection of endangered species, whether flora or fauna. It is a tragedy that the number of elephants in the wild is down now to about 300,000 and the number of lions down to perhaps 15,000; we are seeing the tragic reduction of species around the world, and the world needs to work together to prevent that loss of habitat and loss of species, and that is what we agreed to do at G7. [Interruption.] The right hon. Member for Islington South and Finsbury (Emily Thornberry) does not care about it, but, believe me, the people of this country care passionately—they care passionately about what is happening to animals around the world. She is totally indifferent to it, but my constituents certainly are not.

Alison McGovern (Wirral South) (Lab): The Prime Minister tells us he is going to Dublin on Monday to see the Taoiseach where no doubt he will be asked, as he has been asked today, about his proposals for the backstop, so may I ask if he has seen the comment from former Member of this House Gavin Barwell, who says that he has “had same reports re ‘sham negotiations’ from multiple govt sources” and that if it is not true, the Government should publish their proposals to replace the backstop? Why will he not do that?

The Prime Minister: We do not negotiate in public, but I think I have given the House quite a lot already about what we want and what we want to do. The one thing that will stop us achieving this is if our negotiating ability is neutralised by this House of Commons.

Huw Merriman (Bexhill and Battle) (Con): In order to get the leverage to get this great deal through that the Prime Minister is working on, he has said that any Member on these Benches who does not vote tonight in support of the Government will lose the Whip and indeed not be able to stand again as a Conservative MP. Working on that basis, in the event that a deal is reached, which I very much hope it will be, will that treatment apply to those MPs who do not vote for his great deal?

The Prime Minister: I think my hon. Friend can take it that what is sauce for the goose is sauce for the gander.

Rachel Reeves (Leeds West) (Lab): Your argument seems to be that you have a plan but that you just cannot share it with the House, or indeed with Chancellor Merkel, and that we just have to trust you; and that Parliament, which has a mandate—unlike your Government, who no longer have a majority—should not legislate against a no deal because that would somehow scupper your plans, which nobody knows. Prime Minister, why should we trust that you have a plan and, indeed, that you can deliver it?

The Prime Minister: I will tell you why, Mr Speaker. It is because the alternative is more delay, more chaos, more confusion and uncertainty for British business, and the infinite protraction of UK membership of the EU at the behest of the EU itself. That is what the Leader of the Opposition is proposing.

Maggie Throup (Erewash) (Con): Does my right hon. Friend agree that if the leaders of Europe are willing to give the Government time to bring forward new proposals for leaving the EU with a deal, ahead of the crucial summit on 17 October, so should this House?

The Prime Minister: My hon. Friend is completely right. We need time to get this deal over the line. The crucial summit will be on 17 October—that is when the deal is generally expected to be done—and I would kindly ask the House not to fetter the ability of our negotiators to do that deal.

Stella Creasy (Walthamstow) (Lab/Co-op): In response to the suggestion by Chancellor Merkel that a deal could be done in 30 days and that alternative proposals could be put forward, the Prime Minister said: “You rightly say the onus is on us to produce those solutions… You have set a very blistering timetable of 30 days—if I understood you correctly, I am more than happy with that.” Given that the Prime Minister accepted the 30-day challenge and said that the onus was on this place and this country to come up with solutions, why will he not answer the question from the hon. Member for Winchester (Steve Brine)? [Interruption.] Wait for it, Prime Minister! That is the question that we are all asking: where is the evidence that, halfway towards his own deadline, he has done anything at all?

The Prime Minister: I really think that the hon. Lady should learn to count. The 30-day timetable may have begun, but it has not elapsed. What our friends and partners want to see is that the House of Commons is not going to block Brexit. They are not going to make a concession to this side, to our country, until they know that the House of Commons is not going to block Brexit. We will be bringing forward our proposals in due time, long before the 30 days are up, but what we want to see is that the UK Parliament stands behind our negotiators. And that is what they want to see in Brussels.

Stephen Hammond (Wimbledon) (Con): I voted for the withdrawal agreement three times, so I am pleased to hear that the Prime Minister expects to make progress throughout September and October. He will know that it was the policy of the previous Prime Minister to keep this House regularly updated. For those of us who are considering how to vote tonight, were he to reconsider his decision and make statements throughout the whole of September and October, that would be a material factor.
The Prime Minister: I am grateful to my hon. Friend; we have battled together on many fronts. I can commit, of course, to updating the House regularly on this matter. It is highly unlikely that you could keep me away—when the House is sitting—and that is what I will do. Indeed, my hon. Friend can expect a statement right now from the Chancellor of the Duchy of Lancaster, so he does not have to wait until September.

Mr Pat McFadden (Wolverhampton South East) (Lab): The Prime Minister has described the consequences of a no-deal exit as a few “bumps in the road”. If that is the case, is not the right time to have a general election after his few bumps in the road have been implemented, when he can fully own the consequences, rather than relying on making statements about them before they have actually happened?

The Prime Minister: I do not want an election; I want to deliver Brexit on 31 October, and I think that that is what the people of this country want.

Mr Shaihash Vara (North West Cambridgeshire) (Con): The United Kingdom already has close links with India, not least because of the valuable contribution made by the 1.6 million who make up the British-Indian diaspora. What discussions did my right hon. Friend have at the G7 with Prime Minister Modi of India about strengthening those ties post Brexit?

The Prime Minister: I did indeed have an extremely good conversation with Prime Minister Modi, and we agreed to strengthen our co-operation not just on the security side, where clearly the UK and India stand shoulder to shoulder in the fight against terror, but on military co-operation in the Asia-Pacific region, where we share many interests, and, of course, on free trade as well—doing a big free trade deal with India. I thank my hon. Friend for everything he does to promote that incredibly important relationship.

Jim Shannon (Strangford) (DUP): I thank the Prime Minister for his statement. The G7 has delivered great things for the Global Fund’s fight against AIDS, saving an estimated 27 million lives worldwide, but does the Prime Minister agree that its primary function is to see countries come together for mutual benefit? What benefit does the Prime Minister believe the 2019 G7 summit brought to the United Kingdom of Great Britain and Northern Ireland?

The Prime Minister: As I said in my statement, the UK depends on a global trading system that is open. One of the most important things agreed at the G7—in the face of rising tensions between China and America—was to support the WTO and the rules-based international system. I was delighted that Washington actually made a commitment, which I hope will be followed through, to return their member to the appellate body of the WTO in Geneva, which is important for global free trade.

Jeremy Lefroy (Stafford) (Con): Further to the question from my hon. Friend, the Member for Chelmsford (Vicky Ford), when the Prime Minister brings this deal to us next month—I very much hope and I am sure he will—will he explain whether plans are in place to pass all the legislation between 19 October and 31 October? That seems an awful lot to do in that time, so it is vital that we get that assurance.

The Prime Minister: Of course. Other hon. Members have asked exactly the same question today. I can certainly make this offer: we would be very happy to brief my hon. Friend on exactly how that can be done. We are sure it can be done.

Kate Hoey (Vauxhall) (Lab): When there is a conflict between what the people of this country voted for after being asked a question by this Parliament and the many Members in this Parliament who seem to want to stop the people’s decision being implemented, whose side is he on?

The Prime Minister: The hon. Lady has been very valiant on this issue for many years, and I support and agree with her. After 45 years of EU membership—the institution has changed radically since the British people were last consulted—it was right to ask people whether they thought that their future belonged in that federalising, tightly integrating body, because that went to the questions of their identity, their future and what they thought of their country. When they returned their verdict, it was absolutely right for us to agree with and implement that verdict, and this House of Commons has promised many times to do so. I hope we now get on and do it.

Robert Halfon (Harlow) (Con): My constituents, 68% of whom voted to leave, are incredibly dismayed about what they see as shenanigans in Westminster to try to stop Brexit. Does my right hon. Friend agree that if we do not deliver Brexit by 31 October, constituents in Harlow and across the country will have incredible mistrust in our Parliament and our democracy?

The Prime Minister: My right hon. Friend puts his finger on the issue. If we fail to deliver Brexit, we risk incurring a fatal lack of trust not just in the major parties—in all parties—but in our democracy itself.

Lady Hermon (North Down) (Ind): I think the Prime Minister owes the people of Northern Ireland some explanation of why he and his Government have treated the Good Friday agreement—the Belfast agreement—in such a careless and cavalier manner. That agreement has kept stability and peace in Northern Ireland since it was signed 21 years ago.

It is reported that the Crown Solicitor’s Office in Belfast has advised the Government that a no-deal Brexit would be in contravention of the Good Friday agreement, so I call upon the Prime Minister to publish today, in full—he owes that to the people of Northern Ireland, and certainly to this House—any legal advice he has received from the Crown Solicitor’s Office about how a no-deal Brexit would contravene the agreement.

The Prime Minister: I thank the hon. Lady, and I know she has been a long-standing campaigner for peace in Northern Ireland. However, I must respectfully say to her that, actually, it is the backstop and the withdrawal agreement itself that undermine the balance...
of the Good Friday agreement because, in important matters, they give a greater preponderance to the voice of Dublin in the affairs of Northern Ireland than they do to the UK—the UK having left the EU. That is a simple fact, and I do not think it is widely enough understood. That is one of the reasons the withdrawal agreement itself is in conflict with the Good Friday agreement.

As for the advice the hon. Lady asks about, I have not seen any such advice.

Sir Desmond Swayne (New Forest West) (Con): I once took a train to Manchester to negotiate the price and purchase of a Morris Minor, having purchased only a one-way ticket. It was not a sensible negotiating strategy, was it?

The Prime Minister: No, it was not. I do not know what happened to my right hon. Friend and his Morris Minor, but we intend to do a much better deal in Brussels over the next few weeks.

Peter Kyle (Hove) (Lab): The Prime Minister admonishes this House that the EU is looking to see whether we will block Brexit, but he is almost oblivious to the fact that he twice voted against the deal that the EU signed off. Why is it okay for him to vote against it, but not us?

The Prime Minister: I think what everybody in this House wants to do—I hope it is what they want to do—is to bring Brexit to a conclusion and to get this thing done. If the hon. Gentleman wants to deliver Brexit with a deal, the best thing he can do is support the Government tonight and tomorrow.

Rachel Maclean (Redditch) (Con): I warmly welcome my right hon. Friend’s commitment to getting us out of the EU on 31 October, for which 62% of my constituents in Redditch voted. Does he agree that the greatest damage to our democracy, in the eyes of the silent majority of our constituents out in the country, is to fail to honour that promise?

The Prime Minister: I could not have put it better myself. I am very grateful to my hon. Friend.

Chris Bryant (Rhondda) (Lab): If a police officer in Tonypandy or Maerdy arrests a suspect, he or she can immediately, and in real time, consult all the EU databases of criminality, which is essential to being able to send criminals to prison. Border officers can also consult those databases when a person hands over their passport. If we leave without a deal, as the former Prime Minister rightly said, there will be no deal on security. How will we make sure that the people are safe if we leave without a deal on 31 October?

The Prime Minister: I have no doubt that we will continue bilateral arrangements with our EU friends to ensure that both of our populations are protected, but I am glad that the hon. Gentleman gives me the opportunity to remind the House that we are recruiting another 20,000 police officers to make this country safer and one of the safest in the world.

Several hon. Members rose—

Mr Speaker: Order. Statement, the Chancellor of the Duchy of Lancaster. [Interruption.] I am sorry. We have heard 53 Back Benchers, and we must move on to the next statement.
Leaving the EU: Preparations

5.4 pm

The Chancellor of the Duchy of Lancaster (Michael Gove): This is the first time I have appeared at the Dispatch Box since I moved on from the Department for Environment, Food and Rural Affairs. I would like to take this opportunity to thank the superb team of civil servants at that Department, who do so much to improve the lives of so many across this country.

With your permission, Mr Speaker, I would like to make a statement about preparations for our departure from the European Union. More than three years ago, in the biggest exercise in democracy in our country’s history, the British people voted to leave the EU, but so far this Parliament has failed to honour that instruction. Now, our Prime Minister has made it clear that we must leave by 31 October, and so we must. Trust in this House depends on it and trust in our democracy depends on it.

Of course, this Government are determined to secure our departure with a good deal, one that paves the way for a bright future outside the single market and the customs union, and the response the Prime Minister has received from European leaders shows that they are ready to move—they want a deal, too. And they are moving because the Prime Minister has been clear that matters must be resolved by 31 October. If we drift, the incentive on them to deliver will quickly dissipate, so I hope that my colleagues in the House of Commons will give the Prime Minister the time and the space he needs to pursue the opening he has secured and to get a good deal that we can all support.

But of course we must be prepared for every eventuality; the European Union may not change its position sufficiently before 31 October, and it may be that a deal is not secured. So we must be ready to leave without a deal on 31 October. Leaving without a deal does not mean that talks with our European partners end altogether. In those circumstances, after we depart without a deal in place, we will all want to discuss how we can reach new arrangements on trade and other issues. But while those conversations go on, we must ensure that we are ready for life outside the EU as a third country, trading on World Trade Organisation terms.

There has been extensive speculation about what leaving without a deal might mean for businesses and individuals. Moving to a new set of customs procedures, adjusting to new border checks and dealing with new tariffs all pose significant challenges, and nobody can be blithe or blasé about the challenges we face or the scale of work required. But provided the right preparations are undertaken by government, business and individuals, risks can be mitigated, significant challenges can be met and we can be ready. Leaving without a deal is, of course, not an event whose consequences are unalterable; it is a process for which we can all prepare, and our preparations will determine the impact of the change and help us also to take advantage of the opportunities that exist outside the EU.

We have, of course, to prepare for every eventuality, and that is the function of Operation Yellowhammer. It is an exercise in anticipating what a reasonable worst-case scenario might involve and how we can then mitigate any risks. Operation Yellowhammer assumptions are not a prediction of what is likely to happen; they are not a base-case scenario or a list of probable outcomes. They are projections of what may happen in a worst-case scenario, and they are designed to help government to take the necessary steps to ensure that we can all be ready in every situation.

Since the new Government were formed, at the end of July, new structures have been put in place to ensure that we can be ready in every situation and that we can accelerate our preparations for exit. Two new Cabinet Committees have been set up—XS and XO—to discuss negotiating strategy and to make operational decisions about exit respectively. XO meets every working day to expedite preparations for exit, and we are in regular contact with our colleagues in the devolved Administrations, including the Northern Ireland civil service, and thousands of the best civil servants across the UK are working to ensure the smoothest possible exit.

We have all been helped by the Chancellor’s move to double Brexit funding for this year, announcing an additional £2.1 billion, on top of expenditure already committed. So £6.3 billion in total has been allocated to prepare for life outside the EU. That money is being used to provide practical help to businesses and to individuals.

Guaranteeing the effective flow of goods across our border with the EU is, of course, central to our preparations, and that will require action by business, to adjust to new customs procedures, and intervention by government, to ensure the freest flow of traffic to our ports. That is why Her Majesty’s Revenue and Customs has announced an additional expenditure of £16 million to train thousands of customs staff, traders and hauliers, so that trade with the EU continues as smoothly as possible. It is also why today we are announcing £20 million more to ensure that traffic can flow freely in Kent and trucks arriving at Dover are ready to carry our exports into the EU.

On business, we have automatically allocated an economic operator registration indicator—EORI—number to 88,000 companies across the UK, and businesses can also register for transitional simplified procedures to delay the submissions of customs declarations and postpone the payments of duties. New transit sites have been built in Kent to smooth the flow of goods into the EU, and we are recruiting 1,000 new staff to help to maintain security and to support flows at the border.

The Government will do all that we can to support businesses to get ready, but many of the steps required to ensure the smooth flow of trade fall to business. We will provide advice, finance and flexibility over how revenue payments may be settled, but it is important that businesses familiarise themselves with the new requirements that exit will involve. That is why we have launched a public information campaign, “Get ready for Brexit”, to give everyone the clear actions that they need to prepare. As well as TV and radio advertising, there is now a straightforward, step-by-step checker tool, available on the Government’s website at gov.uk/brexit, so we can all identify quickly what we may need to do to get ready.

The Government have also acted to provide assurance that business and individuals can have the maximum level of confidence about the future. We have signed continuity agreements with countries, covering more than £90 billion in trade. We have replacement civil nuclear energy trading agreements with Canada, America,
There are undoubted risks and real challenges in leaving without a deal on 31 October, but there are also opportunities and new possibilities for our country outside the EU. It is my job to mitigate those risks, overcome those challenges and enable this country to exploit those opportunities and extend to every citizen those new possibilities. That is why I commend this statement to the House and why I am confident that as a nation our best days lie ahead.

5.14 pm

Jon Trickett (Hemsworth) (Lab): This is the first opportunity that I have had to congratulate the right hon. Gentleman on his appointment. He may regard it as a poisoned chalice, but no doubt the Prime Minister thought it appropriate that he took it.

I thank the Minister for his courtesy in providing advance sight of the statement—it was rather vacuous, but we did have a good chance to study it carefully. He makes much of the work that has been carried out by civil servants who have been working under intense pressure preparing businesses, individuals and wider society for Brexit. We acknowledge the very hard work of all those civil servants and thank them for their service, and we welcome the work that the Government are doing in that respect. However, the truth is that £6.3 billion is being spent on Brexit preparations, yet it is too little now, because it is too late. Even if all the preparations had been carried out in time and in a more comprehensive way, the country would still have no idea whether we will leave with a deal or with no deal.

Let me come straight to the point, because there are significant omissions in the Minister’s statement. There is no mention, for example, of medical supplies, but in the past 24 hours serious-minded health leaders have warned that no deal could result directly in medical shortages, affect treatment for UK nationals in Europe and exacerbate the already difficult NHS crisis. It has been reported that the Government are now stockpiling body bags because of concerns that there may be an increase in the mortality rate. Will the Minister assure the House that that is not the case, but if it is, will he explain what he is doing about it?

The statement mentions that 1 million EU citizens have been given settled status. We welcome that, but there are more than 3 million here. The Government’s prevarication over time and their inadequate preparations right from the beginning have caused great anxiety and left millions of people who live here, pay taxes here, have made their lives here and have their children here wondering what their future holds. It is a mark of the slow progress that is being made that the Government have not resolved the status of UK citizens who are living in Europe, as the Minister said.

The Minister talks about getting businesses ready; yet it is only a few weeks ago that these serious-minded business leaders demanded an independent inquiry into what a no-deal Brexit would consist of, amid accusations that vital information about potential problems was deliberately being held back by the Government—that was from the business community itself.

In the early part of his statement, the Minister made much of trust—trust in this House and trust in democracy—but the truth is that the Government are playing fast and loose both with democracy and with
the House. I say that because of the proposal that the House be prorogued and because the Prime Minister’s staff are now hinting at a possible cynical general election, which we are ready for: One way or another, the Government are set on closing down the House of Commons for weeks when the country is facing one of the most difficult times in our recent history. If there is an election—this is a very important point—the direction of the country and its relationship with the EU will be hotly debated. We and the country will need full access to all the relevant information. The Minister’s statement conceals more than it reveals, but can he confirm that, during an election period or a Prorogation period, whichever it is, civil service preparations for Brexit will continue through the election purdah if necessary? Can he confirm whether, during the purdah, Ministers will continue to provide political guidance to civil servants on Brexit? I give notice now that the Opposition will seek immediate access to the civil service and ask to be kept fully informed, as is the convention, of all the information that the House and the country have been denied about all developments. That request must be responded to the minute the election is called.

Just eight weeks ago, the current Prime Minister told his party and the country that the chances of a no-deal Brexit were a million to one against. Yet this morning, the former Chancellor, who is no longer in his place, stated that no progress has been made and that there are no substantive negotiations going on. Is that true? The two positions cannot be easily reconciled. Either there is progress or there is not. Having heard the Prime Minister in the Chamber just now, it is clear that most people still have no idea.

To most informed observers, however, it appears that the Government’s favoured deal—whatever they say—is no deal, so let us listen to the Minister’s own words from earlier this year. He said:

“Leaving without a deal…would undoubtedly cause economic turbulence. Almost everyone in this debate accepts that.”

He went on to say:

“We didn’t vote to leave without a deal”.

That was from the man who led the whole campaign to leave the European Union. He was for May’s deal and against no deal, but now he is the Minister for no deal. How does he reconcile the progress of his career?

The House must be allowed to see the detailed assessments contained in the Yellowhammer dossier. The truth is that the Minister is hiding it, but why? The media are reporting that the Yellowhammer papers—even the watered-down versions that he is working on—paint such a disastrous picture of the country after no deal that the Government dare not publish them. Yet shockingly, leaked excerpts talk of potential shortages, delays and even protests on the streets.

Is it not a disgrace that the Government intend to close Parliament down for five weeks without allowing the House to scrutinise their detailed preparations for no deal? Members have a right to know what those preparations are, as has the country. After all, it was this Minister who said:

“We are a parliamentary democracy, and”—

“proroguing Parliament in order to try to get no deal through…would be wrong.”

Those were his exact words. But that is precisely what the Government are now trying to do. How can he justify the amount of resources being spent on preparations for no deal without any scrutiny or accountability to this House? It is simply unacceptable.

Under normal purdah rules, the Select Committees looking at Brexit preparations and Yellowhammer could also be suspended, leaving absolutely no scrutiny by Members of the Government’s plans. When it comes to Yellowhammer, the media appear to be better informed than the House, so let me briefly ask the Minister some questions.

Mr Speaker: Order. The hon. Gentleman, who is well in excess of his time, can ask two or three questions, but they need to be in a sentence or two.

Jon Trickett: What assessments has the Minister received about disruption at the ports? What assessments have been made and reported to him about the situation in Ireland? What assessments has he received about the impact of no deal on food prices? All these matters must be addressed by the House, so let him place the documents in the Library so that we all can explore them.

Michael Gove: I am grateful to the hon. Gentleman for his questions. I am also grateful to him for asking me how I reconcile the progress of my career—it is a question my wife asks me every night, so I am grateful to him for repeating it. I have enormous respect and affection for the hon. Gentleman. We both represent constituencies that voted to leave the European Union, and both of us are impatient to see us do so. When a Brexit delay was suggested in January 2019, he said that it “sounds like the British establishment doing what it always does, which is ignoring the views of millions of ordinary folk, and that I am not prepared to tolerate.” Comrades, neither am I, which is why we have to leave on 31 October.

The hon. Gentleman said that civil servants are doing a fantastic job in the preparations, and I join him in paying tribute to them for their work. He asked about medical shortages. Sadly, medical shortages sometimes occur, whether we are in or out of the European Union, as we have seen recently with the hormone replacement therapy shortages, which my right hon. Friend the Secretary of State for Health and Social Care is doing so much to help counter. But that is a shared issue for us all. Two thirds of the medical supplies that reach the Republic of Ireland pass through the narrow straits. That is why it is so important that we secure a deal, not only to safeguard our superb NHS, but to help citizens in Ireland, who are our brothers and sisters, too.

The hon. Gentleman also asked about the EU settled status scheme. He made the point that 1 million people have received the status so far, and he asked about progress. Every day, 15,000 more people are applying. The settled status scheme is working. He is absolutely right that now is the time for our European partners to extend the same generosity to UK citizens as we are extending to EU citizens.

The hon. Gentleman talked about the money being spent. At the beginning of his questions, he said that £6.3 billion was too little, too late, but subsequently at the end of his statement he asked how we can justify
such expenditure. I think that is the fastest U-turn in history, in the course of just six minutes. He also talked about our contemplation of a “cynical” general election. I thought it was the policy of the Opposition—certainly the Leader of the Opposition—to welcome a general election at the earliest possible opportunity. [Interjection.] I see the Leader of the Opposition seeking guidance on this question from Mr Speaker.

Mr Speaker: Order. I know the Minister will not want to mislead the House. The Leader of the Opposition was simply alerting me to his experience of visiting Romania, which is somewhat tangential to—indeed, entirely divorced from—the Minister for the Cabinet Office’s ruminations and lucubrations, which we do not need.

Michael Gove: Thank you very much, Mr Speaker. We all know how much the Leader of the Opposition enjoyed seeing Celtic play in Romania.

The hon. Member for Hemsworth (Jon Trickett) asked me about the extent of our negotiations, and they are extensive; the Prime Minister, my right hon. Friend the Secretary of State for Exiting the European Union and the Prime Minister’s sherpa have been visiting every single European capital to ensure that we can advance our negotiations. But one thing is critical: if we are to succeed in these negotiations, we need to get behind the Prime Minister. If the motion before the House is passed tonight and the legislation that it gives effect to is passed tomorrow, we will be allowing the European Union to dictate the length of any extension and to put any conditions it wishes to on that extension. That would totally undermine the Government’s capacity to negotiate in the national interest.

It has been said of some in the past that they sent out ruminations and lucubrations, which we do not need. Well, Labour’s approach to negotiations is not just breaking the bat; it is blowing up the whole pavilion. It is no surprise that Labour Members want to sabotage our negotiations, because they also want to sabotage their own negotiations. Labour’s policy on negotiation is to have an infinitely long extension, to negotiate a new deal with Europe, to bring it back to this country, and then to argue that people should vote against that deal and vote to remain. How can we possibly have confidence in the Leader of the Opposition to negotiate in Europe when his own party does not have confidence in him to secure a good deal for the British people?

Damian Green (Ashford) (Con): Those of us who live in east Kent, where the efficient operation of the Dover-Calais route is essential for the smooth running of our entire road network, have a particular reason to wish my right hon. Friend well in his new task, particularly if he has announced today to ensure the increasingly smooth running of the road network, but can he tell the House what arrangements Her Majesty’s Revenue and Customs has put in place for customs clearance of lorries coming into this country? Specifically, where is that going to happen?

Michael Gove: My right hon. Friend makes a very good point. There are two aspects to this issue: lorries coming into this country and lorries leaving this country. When it comes to lorries coming into this country, thanks to the application of transitional simplified procedures, any duty that needs to be paid can be deferred. Of course, we will be prioritising flow over revenue, which means that we will not be imposing new checks, certainly in the first months after any no-deal exit. I agree with my right hon. Friend that a no-deal exit is undesirable. For lorries that are leaving the country, there will be six new transit sites—five in Kent and one in Essex—to ensure that hauliers leaving the UK can take advantage of the common transit convention and its provisions.

Stephen Gethins (North East Fife) (SNP): May I put on record my thanks to the officials who have been given the impossible task of trying to make sense of this Government’s plans and to do something that they should never have been asked to do when it comes to no deal? [Interjection.] The hon. Member for Shrewsbury and Atcham (Daniel Kawczynski) may laugh, but these officials are working incredibly hard because of the Government’s ineptitude.

Today in Holyrood, we see a tale of two Governments. Today, the Scottish Government have set out their programme for government to tackle a climate emergency, improve public services and introduce a fairer economy. Yet here we debate food shortages, medicine stockpiling, price increases and job losses; the height of political failure. It was only apt that the Minister quoted Geoffrey Howe earlier, who of course was attacking his own Prime Minister during an ongoing Tory civil war. I notice that nobody is arguing that this is a good idea any more. This is a Government who have no idea what they are doing and making it up as they go along. No wonder they want to duck, dive and dodge any kind of scrutiny whatsoever.

We were warned before that Parliament would need to sit. Does the Minister agree with the Health Secretary that prorogation goes against everything that the men who waded on to those beaches in Normandy fought and died for? The Minister likes to quote others; does he still agree with that?

On food prices, what will the impact be on food banks—on the most vulnerable, already hit by austerity from this disastrous Tory Government? What level of medicine shortages is acceptable to the Government? On the £6.5 billion, from which public services is that to be taken? Finally—I cannot quite believe I am asking this question—does the Minister still believe in the rule of law, and will he accept laws passed by this Parliament?

Michael Gove: May I welcome the hon. Gentleman to his position? May I also say that I am very grateful for his invitation to campaign in his constituency at the next general election? Given that he has a majority of just two, he is a brave as well as a principled man.
Daniel Kawczynski (Shrewsbury and Atcham) (Con): Tory gain.

Michael Gove: I think my hon. Friend is right. In Crail and Anstruther, as well as in St Andrews, I think people are looking forward to Conservative representation in North East Fife in due course.

The hon. Gentleman talks about a tale of two Governments. Even as the Scottish Government are unveiling their programme today, they are doing so, after 10 years in government, with education standards declining and the number of people in the health service, including doctors, declining—and unfortunately, as the recent “Government Expenditure and Revenue Scotland” figures show, Scotland, were it an independent country, would have the biggest deficit of any nation in Europe. That is hardly a record of success.

The hon. Gentleman asks about Prorogation. Prorogation is necessary before every Queen’s Speech. One can no more be against Prorogation in order to ensure a Queen’s Speech than one can be against the functioning of this Parliament, properly constituted.

The hon. Gentleman asks about food prices. Of course food prices fluctuate—some go up and some go down—but the temporary tariff schedule that we have put in place will protect consumers and ensure that in many cases food prices are either stable or drop.

Ultimately, the problem for the hon. Gentleman is that Scottish National party Members may talk about democracy, but we have had two major referendums in this country, both of which they seek to overturn. They want to ignore the vote to stay in the United Kingdom and they want to ignore the vote to leave the European Union. Their policy is take us back into the EU. That would mean abandoning the pound, abandoning coastal communities in Scotland, and once more recognising that the Scottish National party wants separatism and Brussels rule ahead of a strong United Kingdom and the benefits that it brings to the citizens of the whole UK.

Sir Mike Penning (Hemel Hempstead) (Con): Does the Secretary of State agree that trust—trust in this Parliament and trust in politicians—is the most important thing in any democracy, and that any party that goes out on a manifesto saying that it wants to leave the European Union and does not honour that cannot be trusted ever again in government?

Michael Gove: My right hon. Friend makes a very good point. The Labour party said on page 24 of its 2017 manifesto that it was committed to leaving the European Union and respecting the referendum result, and the overwhelming majority of Labour Members—not all—voted for article 50, which set this year as the legal default date for departure from the European Union. I absolutely respect the rule of law, and so should the Labour Members who voted to leave the EU.

Michael Gove: Of course we want to make sure that any documents we publish accurately reflect the range of possibilities that leaving the European Union might entail. Thousands of pages of information were published in the technical notices that were published by my right hon. Friend the Brexit Secretary. It is also the case that on gov.uk/brexit there is much information about what leaving the European Union would entail. The right hon. Gentleman specifically refers to the Yellowhammer document. The point about the Yellowhammer document is that it is an aid to Ministers in order to ensure that we can deal with the reasonable worst-case scenario. Of course, the assumptions in the Yellowhammer document are arrived at independently by civil servants, and rightly so.

Daniel Kawczynski: The BBC is constantly engaging with Polish diaspora groups in this country to accentuate potential problems over the EU resettlement scheme. Could the Secretary of State give me an assurance of what money has been afforded to ensure that the maximum number of EU citizens are processed as quickly and efficiently as possible in the event of no deal?

Michael Gove: My hon. Friend makes a very good point. He is a consistent champion for the rights of Polish people in the UK and elsewhere. The largest single community of EU citizens in our country is composed of Polish citizens. We were remembering earlier the anniversary of the second world war. We honour the sacrifice of those Polish soldiers, airmen and sailors who fought alongside us for democracy, and it is our moral duty to ensure that Polish citizens in this country are given the opportunity to stay and to enjoy the rights of which we are all proud and for which their forebears fought so proudly.

Catherine McKinnell (Newcastle upon Tyne North) (Lab): A no-deal Brexit, according to Government messaging, is something we can completely prepare for as long as we spend enough money on advertising, while at the same time so crucial and fundamental that it must be kept on the table as part of the negotiations. It cannot be both. Which is it?

Michael Gove: I thank the hon. Lady for her question. The legal default position is that we leave on 31 October. If the EU will not move and we do not secure a good deal, we need to be prepared for that eventuality. That is the necessary outsourcing of article 50, for which I think the hon. Lady voted, along with many other colleagues across the House.

Catherine McKinnell indicated dissent.

Michael Gove: If she did not, I can only apologise. I think a majority of her Labour colleagues did, but I salute her independence of mind on that issue.

The broader point I would make is that, because it is an eventuality for which we have to prepare, it is prudent that we should prepare, but one thing that I think the hon. Lady and I agree on is that it is infinitely preferable that we leave with a deal. That is why we should give the Prime Minister the space and time to negotiate, which is why I hope that she, along with me, will decline to vote for any motion today that would fetter the Prime Minister’s discretion.
Mark Pawsey (Rugby) (Con): Last week, I visited a logistics business in my constituency that sends parcels to the Republic of Ireland, and I heard about the concerns of its customers about the need for paperwork. The business has offered to do it and charge for the time spent—about 20 minutes per form—but I understand that many businesses simply will not bother, which will lead to a loss of valuable export sales. Clearly, the best thing is to keep the existing arrangements, but what further advice can my right hon. Friend give to my constituent and his customers?

Michael Gove: My hon. Friend makes a very good point. There are some specific proposals that help to deal with parcels of a lower value and can facilitate their flow across borders, but I suggest that his constituents contact gov.uk/brexit—the Government Digital Service website—or, indeed, HMRC. If he would care to write to me, I can ensure that all the facilitations and easements available are in place for his constituency’s firms and employees.

Mr Ben Bradshaw (Exeter) (Lab): Why should anyone believe Government claims that meaningful talks are taking place in Brussels to avoid no deal when the rest of Europe flatly denies that and the Prime Minister’s own chief of staff has said that that claim is a deliberate sham to run down the clock to a no-deal Brexit?

Michael Gove: I have huge respect for the right hon. Gentleman, but if he were to look at the number of air miles clocked up by my right hon. Friend the Brexit Secretary and talk to those involved in the negotiations with the Brexit Secretary, the Prime Minister and the Prime Minister’s official negotiator, David Frost, he would see that there has been intensive negotiation with our EU partners. For example, the Prime Minister just last week spent five days in France talking to not only Emmanuel Macron but other European leaders to ensure that we can leave with a deal.

Andrew Bowie (West Aberdeenshire and Kincardine) (Con): As 36,000 delegates gather in Aberdeen to discuss and debate the future of the energy industry, can my right hon. Friend confirm that plans will be put in place in the event of no deal to maintain our just-in-time customs model, on which that industry and so many others in Scotland depend?

Michael Gove: My hon. Friend is a brilliant advocate for the oil and gas sector, which does so much to ensure that the north-east of Scotland is an economic powerhouse. We are working intensively with those in the energy sector and elsewhere to ensure that their business models can be robust for the future.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): I have been contacted by local manufacturers and food producers who are deeply worried about no-deal tariffs. One, an exporter, says that the price of his exports to the EU will go up by 30%, and he called it “manufacturing suicide.” Another is an importer; the price of his imports will go up by 50%. A third told me that they might have to close down altogether. Can the Secretary of State confirm that all his preparations are being made for the eventuality of a no deal, to ensure that both those industries can function properly?

Michael Gove: My hon. Friend is absolutely right. One of the sectors that we most need to help and support is of course the haulage sector—this follows on from the question asked by the right hon. Member for Leeds Central (Hilary Benn)—and we are moving at pace to meet many of its concerns. However, as I have said at the Dispatch Box today and previously, the sector that faces some of the biggest challenges in the event of a no-deal exit is undoubtedly agriculture, and within agriculture, undoubtedly upland farmers, particularly sheep farmers. The Department for Environment, Food and Rural Affairs is working on steps to ensure that if, as we anticipate, a common external tariff is placed on sheepmeat exports, and therefore the price of sheepmeat falls, we can support hill farmers, who do so much for our country by producing high-quality food and safeguarding the environment we love.

Hilary Benn (Leeds Central) (Lab): It was reported yesterday that analysis done for the Department for Transport in the last fortnight says that in the worst case, the average delay for lorries and freight at Dover would be one and a half days, and in the best case, there would be a wait of two to three hours—either of which would cause chaos. Can the Secretary of State confirm for the House that the Government have received that analysis? What has the freight industry had to say to him about it? It has been warning for some time that it does not think the Government are prepared.

Michael Gove: The right hon. Gentleman is absolutely right that representatives of the freight industry have asked us to accelerate preparations for no deal. That is something that I and my right hon. Friend the Secretary of State for Transport have done. On Friday, I had the opportunity to visit Calais to talk to Ministers and the president of the regional assembly. They said that they proposed to take a pragmatic approach to ensure the maximum flow, and we shall be revisiting those assumptions in the light, not just of those talks, but of the other steps we are taking.

John Stevenson (Carlisle) (Con): Farming and the food and drinks manufacturing sector matter to the economy of Carlisle and Cumbria. Clearly, future relations with the EU will also be significant to those industries. Can the Minister confirm that he believes that adequate preparations are being made for the eventuality of a no deal, to ensure that both those industries can function properly?
More broadly, I would welcome the opportunity to talk to the right hon. Lady’s constituents about what we can do, because the Treasury is making money available for companies that are fundamentally viable but may face particular turbulence in the event of no deal, to ensure their survival in the future. I would be more than happy to talk to her about that.

Mary Robinson (Cheadle) (Con): Thousands of people in the UK, and in my constituency, are dependent on the chemical industry. Much of that, of course, has been previously governed by regulation in compliance with the EU. As we leave, what discussions has the Secretary of State had with those companies and with Europe about UK REACH and its implementation?

Michael Gove: My hon. Friend makes a very important point. Those who work in the chemicals industry are absolutely vital to the health of our economy. Hitherto, the regulation of chemicals within the European Union has been governed by the operation of the REACH directive. We are replicating that in UK law and we have had extensive discussions and are putting in place steps to ensure that the chemicals industry can continue to manufacture and export as before. It is one of those industries whose business model, as we leave the European Union, necessarily requires Government support to ensure its continued health.

Martin Whitfield (East Lothian) (Lab): Great mention has been made of the freight industry and the importance of guaranteeing the effective flow of goods across the border. Can the Secretary of State explain what has been done since February with regard to the ISPM—international standard for phytosanitary measures—on wood pallets? Two thirds of the pallets in this country do not comply with European Union requirements.

Michael Gove: The hon. Gentleman makes a very important point about the nature of wood pallets, and we have been working with the industry to ensure that we can mitigate the consequences.

Luke Graham (Ochil and South Perthshire) (Con): Earlier today, the chairman of the British Medical Association in Scotland went on record to say that there are shortages of medical supplies in Scotland due to Brexit. Can my right hon. Friend give assurances that that is not the case and that the Cabinet Office is engaging directly with the devolved Administrations, to make sure that we have strong maritime security and that the rights of our fishermen can be respected. We want to work in a co-operative way with other European countries, and indeed with countries outside the European Union such as Norway and the Faroes, to ensure that we can manage stocks sustainably and revive coastal communities.

Ruth George (High Peak) (Lab): There have been reports in the newspapers that the reunification of families will cease if we leave the European Union without a deal. Will the Minister clarify the Government’s position on that and confirm that all children who are stranded without family in the UK will be able to apply as now, under the Dublin agreement, to be reunited with their families?

Michael Gove: I am grateful to the hon. Lady for raising that question, and I am disturbed by reporting to that effect. The rights of EU citizens in this country, and of course their dependants, will be protected, but if she wants to furnish me with the report to which she refers, I will look closely into it and, of course, write to her.

Alex Chalk (Cheltenham) (Con): It would be infinitely preferable to secure a deal, which is why I and many hon. Members have voted three times to do exactly that. Can my right hon. Friend assure me that in any circumstances the security of supply of medicines will be assured and that those medicines will be flown into the UK if necessary?

Michael Gove: My hon. Friend, as ever, makes two characteristically acute points. I voted for the withdrawal agreement on every opportunity presented to the House. I had hoped that more colleagues on the Opposition Benches would have done so. I am grateful to those colleagues on the Opposition Benches who have done so, because it will be infinitely preferable if we leave with a deal. However, my hon. Friend is also right that, as well as ensuring the freest possible flow of goods—including medicines—over the short straits, there should be additional capacity, both at sea and in the air, to safeguard citizens in this country.

Dr Philippa Whitford (Central Ayrshire) (SNP): For the last couple of years, along with the president of the Royal College of Radiologists, I have been raising the
issue of radioisotopes. I was ignored and patronised, and then reassured at the beginning of that year that it was all sorted and that they had been flown in. However, on 23 July a new contract was put out to tender with a closing date last week, which means that it is not sorted at all. Could the Minister possibly explain what is going to happen about radioisotopes on 1 November?

Michael Gove: I would hope that no one would ignore or patronise the hon. Lady, who had a very distinguished record as a physician even before she came into the House. She speaks with great authority on these issues. Unless I misunderstood it, her point refers to the fact that the Department for Transport has issued a new tender for sea freight. I understand that that tender has been well subscribed, and we should have sea freight in place. We will also have air freight in place, as I mentioned in response to my hon. Friend the Member for Cheltenham (Alex Chalk), to ensure that not just radioisotopes but all medical supplies necessary for the effective functioning of the NHS across the United Kingdom are available. I hope to stay in regular touch with the hon. Lady, because her commitment to the health of our NHS is second to none.

Steve Brine (Winchester) (Con): I thank my right hon. Friend for making time to meet me during the recess and for today's statement. Returning to the issue of medicine supply, one constituent wrote to me recently asking about her epilepsy medication. She said, "If we can't get it easily, it will tip my life upside down." She and I, as her MP, do not need ifs and buts or scare stories; we need hard facts. This is not a "nice to have and we'll do our best to have in the awful event of a no deal Brexit." This is absolutely critical. We need categorical assurance from the Minister at the Dispatch Box that there will not be a shortage of medicine supply in addition to the shortages there are at the moment—I know that as a former Minister in the Department of Health and Social Care—after Brexit.

Michael Gove: My hon. Friend was a brilliant Health Minister and he knows that medical supplies have been termed as category 1 goods. As I mentioned earlier, as well as making sure that we have the freest possible flow across the short straits, there is additional maritime freight capacity and air capacity to ensure that vital drugs will be in place. I can therefore reassure him, his constituent and those living with epilepsy who need that medicine that it will be there.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): Having previously worked as a supermarket fruit and vegetable assistant, I know how perishable and fragile supply chains are. I was therefore surprised to hear the Minister say on Sunday that a no-deal Brexit would cause no shortage of fresh food. Sure enough, soon afterwards the British Retail Consortium and the Northern Ireland Retail Consortium said that that, quite simply, was not true. It said: "it is impossible to mitigate" as stockpiling is not possible with such perishable produce. Will the Minister therefore accept that his statement on Sunday was inaccurate?

Michael Gove: I express my solidarity with the hon. Gentleman. I, too, worked with fresh fruit and vegetables when I was a food hall porter in the Aberdeen branch of British Home Stores in the 1980s, so I absolutely appreciate how important it is to ensure we have a ready supply of fresh fruit of vegetables and a wide range of them. The British Retail Consortium, with which I have worked, has been working incredibly hard to make sure we have access to the full range of foods we currently enjoy. It is the case that while the price of some commodities may rise, the price of other commodities may fall, but I am absolutely certain that consumers will continue to have a wide choice of quality of fresh foodstuffs in the event of no-deal Brexit.

Bill Grant (Ayr, Carrick and Cumnock) (Con): I am sure that my right hon. Friend will agree that business leaders and business associations will be listening intently to this afternoon's debate. They have suffered three years of uncertainty, and endless and pointless Brexit debate. What certainty and reassurance going forward can the Minister give to business leaders who have suffered uncertainty?

Michael Gove: My hon. Friend is absolutely right that business wants certainty. The best certainty we can give is to make sure we secure a good deal with the European Union, which is why I hope everyone across the House will give my right hon. Friend the Prime Minister the time and space necessary to secure that good deal on which he has been working so hard.

Luciana Berger (Liverpool, Wavertree) (Ind): Further to the question we have just heard about food shortages, on Sunday the Minister said that there will be no shortages of fresh food. He has just told us that there will be a wide choice. Does he accept what the British Retail Consortium said, which is that his initial claim was "categorically untrue" and that a no-deal Brexit would be "the worst of all worlds for our high streets and those who shop there"?

Michael Gove: The hon. Lady, like me, wants to avoid a no-deal Brexit if at all possible. The British Retail Consortium, supermarkets and others involved in providing our food have been doing important work to make sure we continue to have a wide choice and a ready supply of the fresh food that we all enjoy.

Sir Desmond Swayne (New Forest West) (Con): Earlier in the year, when it appeared momentarily that we might leave without a deal, Mr Barnier announced that there would not, after all, be a hard border and that other arrangements would be relied upon. Where could he have possibly got that idea?

Michael Gove: I think very possibly from some of the wise and thoughtful speeches that have been made by my right hon. Friend.
Education Funding

5.54 pm

The Secretary of State for Education (Gavin Williamson): With permission Mr Speaker, I am delighted to make a statement today confirming the Prime Minister’s weekend announcement. The Government have committed an extra £14 billion to our schools across England over the next three years, ensuring that funding for all schools can rise at least in line with inflation next year. I take this opportunity to thank my predecessor, my right hon. Friend the Member for East Hampshire (Damian Hinds), for all the groundwork he did ahead of this settlement.

The funding announcement includes a cash increase, compared with 2019-20, of £2.6 billion to core schools funding next year, with increases of £4.8 billion and £7.1 billion in 2021-22 and 2022-23. That is in addition to the £1.5 billion per year that we will continue to provide to fund additional pension costs for teachers over the next three years. The additional investment delivers on the Prime Minister’s pledge to ensure every secondary school will be allocated at least £5,000 per pupil next year and that every primary school will be allocated at least £3,750, putting primary schools on the path to receiving at least £4,000 per pupil the following year.

We are allocating funding so that every school’s per pupil funding can rise at least in line with inflation and to accelerate gains for areas of the country that have been historically underfunded, with most areas seeing significant gains above inflation. We will ensure that all schools are allocated their gains under the formula in full next year by removing the cap on gains that underfunded schools have seen over the past two years. This underpins our historic reforms to the overall schools funding system, so that a child with the same needs benefits from the same funding, wherever they live in the country.

I can reaffirm our intention to move to a hard national funding formula, where schools’ budgets are set on the basis of a single national formula, as soon as possible. We recognise that this will represent a significant change and we will work closely with local authorities, schools and others to make the transition as smooth as possible. We are determined that no pupil will be held back from reaching their full potential. This additional investment includes over £700 million to support children with special educational needs and disabilities, so that they can access the education that is right for them and the education they need. That is an increase of over 11% on the funding available this year.

Since 2010, education standards in this country have been transformed, but we are determined to go further still. On top of this funding investment, we have announced a package of measures that will intensify our efforts to support all schools in delivering consistently high standards to every single pupil in this country. We will begin a consultation to lift the inspection exemption for outstanding schools, so that parents have up-to-date information and reassurance about the education in their child’s school. We will also provide additional funding to allow strong academy trusts to expand, building on the success of the academy programme as a powerful vehicle to deliver excellence and school improvement in every school.

We will increase the level of support available to some of the most challenging schools that require improvement—those that have not been judged good by Ofsted in over a decade—by giving them more support from experienced school leaders so they can deliver for the children that turn to them and expect the very best in their education. To ensure the extra funding for schools delivers better outcomes and improves efficiency, we will continue to expand the school resource management programme, supporting schools in making every single pound count. We will also work closely with Ofsted and others to make sure that parents have the information they need about how schools are utilising their funding.

There are no great schools without great teachers and this settlement underlines our determination to recognise teaching as the high-value, prestigious profession that it is. The £14 billion investment announced last week will ensure that pay can be increased for all teachers. Subject to the school teachers’ review body process, the investment will make it possible to increase teachers starting salaries by up to £6,000, with the aim of reaching a £30,000 starting salary by 2022-23. This would make starting salaries for teachers among the most competitive in the graduate labour market. That sits alongside reforms to ensure that our teachers have the highest-quality training, not only supporting those already in the profession but attracting even more brilliant graduates into the classroom to make a difference to children’s lives. We will make sure that teaching continues to be attractive throughout a teacher’s career, launching a group of ambassador schools to champion flexible working and share good practice.

A key element in supporting our teachers and leaders is to ensure that they have the tools and support to create safe and disciplined school environments. That is why we have made £10 million available to establish national behaviour hubs. The hubs programme will be led by Tom Bennett and will enable schools that have already achieved an excellent behaviour culture to work with other schools that have struggled to drive improvement. In addition to that investment, we will consult on revised behaviour and exclusions guidance to provide clarity and consistency to headteachers on the action that they can take when pupils do not follow rules. It is vital that we ensure that every child succeeds in their school environment and make sure that schools are a safe place for pupils to study.

We will also be investing an extra £400 million in 16-to-19 education. This total includes £190 million to raise the base rate of funding, from £4,000 at present to £4,188 next year. The additional investment is a 7% increase in overall 16-to-19 funding. The total also includes £120 million for colleges and school sixth forms so that they can deliver crucial subjects, such as engineering, that are so vital to our nation’s future. Colleges and further education providers will receive an extra £25 million to deliver T-levels and an extra £10 million through the advanced maths premium.

A new £20 million investment will also help the sector to continue to recruit and retain brilliant teachers and leaders and provide more support to ensure high-quality teaching of T-levels. There will be £35 million more for targeted interventions to support students on level 3—A-level equivalent—courses who failed their GCSE maths and English. Together, this package will ensure that we are building the skills that our country needs to thrive in the future.
I am sure that many in the House will be eager to know what this announcement means for their local area and constituents. When the information is ready, I will write to Members with further details on the impact on schools in their local areas. Now more than ever is the time to invest in the next generation. That is what this party and this Government are doing, making sure that our children get the very best. I commend this statement to the House.

6.4 pm

Angela Rayner (Ashton-under-Lyne) (Lab): Let me welcome the new Secretary of State to his place and thank him for advance sight of the statement. Of course, we already had some advance sight of it thanks to the norm now being that the press get the information before this House, but unfortunately today’s announcements do not quite live up to their billing. The new Prime Minister said, “I will reverse the education cuts.” Judging from his performance today, he has a tendency to over-promise.

Perhaps the Secretary of State can confirm just how much funding has been cut since 2010 and how many of those cuts are left in place. As welcome as it is that the Government have finally accepted the failures of austerity, they will not fool anyone into thinking that it is over. As teachers and parents start this term, too many will be in schools that are facing an immediate financial crisis. Will he tell the House why there is nothing for this year and why next year’s funding falls a full £1 billion short of reversing the cuts to school budgets? Is it not the case that this commitment will benefit the most affluent areas while disadvantaged schools get less? The Education Policy Institute found that a pupil eligible for free school meals would receive less than half the funding of their affluent peers. How fair is that? How can the Secretary of State start his tenure by refusing resources for those who need it most? Perhaps it is about starting as they mean to go on—no more nice Conservatives, but the same old nasty party, trying to hoodwink the public.

On teachers’ pay, I am glad that, after six years running of missed recruitment targets, the Government have finally recognised the damage done by austerity, but the devil is in the detail. Will the Secretary of State assure us that this will not be funded by flattening or cutting the pay of more experienced teachers—the very people, I am sure he will agree, we need to keep in the classroom? Will he increase the teachers’ pay grant or will schools have to fund it? Are academies still exempt or does he now accept that national pay must apply to all schools?

Above all, will the Secretary of State reassure us that support staff will not pay the price? The leaked document in the media was rather revealing. It admitted that “No 10 and… the Treasury… have been keen to… express concerns about the rising number” of teaching assistants. Let me say that I join parents, teachers, heads and those who care for our children with special educational needs and disabilities—I, too, value teaching assistants—and I declare a direct interest because my son started a mainstream secondary school today. With the help of valued teaching assistants, he was able to do that. The question is: do the Government value them, too? Will the Education Secretary promise us now that he will defend school support staff who do such a vital job? That is all the more important, given the work that they do with children with SEND. He has promised £700 million extra this year, but that is the shortfall that councils already face. The Local Government Association has put next year’s deficit at £1.2 billion, so will he tell us whether he accepts that estimate and whether there will be any further funding on top of that amount in future years?

The Government have finally admitted that there is a crisis in further education, but we know that the Education Secretary came back from the Treasury with just half of what he thought was needed. Will he confirm that there is less than £200 million for increasing the base rate, little more than a real-terms freeze? Other funding is ring-fenced for certain courses—will he tell us which subjects and how that will be distributed? The Secretary of State has made welcome commitments on teachers’ pension costs, but will those commitments extend to further and higher education? Is there any sign of an increase in pay for further education staff, or will they continue to fall behind teachers in schools?

Why was there not a single penny for adult education? The same goes for early years. The hourly rate for providers has not increased since 2017. Sure Start funding has collapsed and the additional funding for maintained nursery schools runs out at the end of the next financial year. Will that be addressed tomorrow, or have the youngest children been forgotten? It is the same story with this Prime Minister: empty promises, hollow words and numbers so dodgy he would probably put them on the side of a bus. If he thinks he will fool anyone, he better think again.

Gavin Williamson: I thank the hon. Lady for such a kind and warm welcome to me in my new role; it was very generous of her. She raises a number of important points. We are talking about cash and a total settlement—including pensions—for schools that is worth £18.9 billion over three years. That does not even touch upon the Barnett consequentials for the devolved nations of Scotland, Wales and Northern Ireland.

The issue of 16-to-19 education is one close to my heart, and the hon. Lady was right to highlight the fact that we are delivering an extra half a billion pounds—the £400 million plus £100 million to deal with pension pressures. I think most people would welcome such an announcement. She is right to highlight the important issue of children with special educational needs and making sure that they get the right level of support and everything they need in the classroom, which is why, in the next financial year, we will deliver more than £700 million extra for those children. Even Opposition Members should recognise that is a significant increase, and those increases will continue over the following three years.

We have set out a three-year settlement for schools to give them the confidence to plan for and invest in their future. The hon. Lady raises the important issue of teaching assistants. I absolutely agree with her: they are incredibly important. My wife, who is a teaching assistant, tells me repeatedly how important they are, and I would never disagree with my wife.

Lucy Powell (Manchester Central) (Lab/Co-op): Give her a pay rise, then.
**Gavin Williamson:** I might have to declare an interest.

I have seen the impact that teaching assistants have had on so many children’s lives. We all know that teachers can transform what a child can achieve in a classroom, and teaching assistants are an important part of that. I hoped the hon. Member for Ashton-under-Lyne (Angela Rayner) would welcome the new £30,000 starting salary for those coming into teaching. It is an important and bold move that shows the value we put on the teaching profession, as we value all those who teach—not just those just joining the profession, but those who have been in it for many years, which is why in my statement I made it clear that part of that money was to ensure they benefit from pay rises as well. As the hon. Lady will know, 85% of the spend of a school is on its workforce, which is why we have ensured such an important and large financial settlement over the next three years.

Let us look at what the Opposition have done. They have opposed every reform that has driven up standards, driven up attainment, driven up the life chances of children in this country. What will they do in the future? They will oppose every reform and change that we introduce to drive up the life chances of children in this country. Even when we bring forward the largest funding announcement for schools in a generation, they do not have the good grace to welcome it.

**Robert Halfon** (Harlow) (Con): I strongly welcome this spending settlement. We should celebrate it, not denigrate it. It is incredibly important. The Education Committee did some work on school funding. My right hon. Friend mentioned the excellent three-year funding settlement. The Department of Health and Social Care has a 10-year strategic plan. Does he not agree that, as we suggested in our report, there should be a 10-year strategic plan for education to give further stability to the education system? Will he also please support more funding for apprenticeships for people from disadvantaged backgrounds?

**Gavin Williamson:** My right hon. Friend makes an important point—the Education Committee’s report was an important reference point for me when I came into this role—and is right that setting out as long a term education strategy as possible gives the best chance for everyone in the education sector to plan in the best possible way. That is why I was so keen to land a three-year funding deal. We will certainly strive to give as much certainty as possible. He also raises the important point of apprenticeships, especially for those from the most disadvantaged backgrounds. We need to see what more we can do to encourage those from the most disadvantaged backgrounds to take up this brilliant route into work and success, and I look forward to meeting him to discuss in greater detail how we can achieve this as swiftly as possible.

**Carol Monaghan** (Glasgow North West) (SNP): While I welcome the Secretary of State to his new position, I find it extraordinary that he is standing at the Dispatch Box as Secretary of State once again.

The announcement of any additional funding for schools is welcome, but there has to be more clarity and detail about the money. Teachers in England have been undervalued and underpaid for far too long, and while the Government’s announcement on teachers’ pay is positive, far more could be done. In Scotland, the starting salary for teachers is already £26,700, rising to £32,000 after one year, which is £7,000 more than for their counterparts in England. When will the Secretary of State match that level of funding? Moreover, rather than in 2022-23, will he give teachers in England the uplift they deserve now?

Academies in England are not bound by nationally agreed pay scales, and teachers are often paid at far lower levels, so will the Secretary of State now ensure that academy teachers in England are paid at the nationally negotiated pay levels, at a bare minimum? While increased primary funding is welcome—it is rising to £4,000, I think—it is still £1,000 less than the average funding in Scotland. It is simply not good enough. Scotland has the highest rates of positive destinations for young people anywhere in the UK—a sign of the success of Scottish education. Will the Secretary of State commit to looking at good practice in Scotland?

Finally, the impact of a no-deal exit on schools cannot be underestimated. The leaked document from the Department for Education in August outlined that rising food costs could mean free school meals costing £40 million to £85 million more than at present. Will the Secretary of State detail the contingency planning he has done to ensure that schools can provide free school meals?

**Gavin Williamson:** I thank the hon. Lady for her characteristically warm welcome to me at the Dispatch Box. A lot of people in Scotland will be very interested to know whether the £1.9 billion extra that the Scottish Government will get will go directly to schools, or whether it will go to more pet projects of the SNP.

Teachers and parents will be fascinated to know whether it will go to more pet projects of the SNP. A lot of people in Scotland will be very interested to know whether the £1.9 billion extra that the Scottish Government will get will go directly to schools, or whether it will go to more pet projects of the SNP. Teachers and parents will be fascinated to know whether the SNP will guarantee that.

**Several hon. Members rose—**

**Mr Speaker:** Order. A considerable number of right hon. and hon. Members are seeking to catch my eye, but I point out to the House that there is an important business of various kinds to follow ereulong, and there is, as a result, a premium on brevity from Back and Front Benchers alike. Moreover, unusually, I cannot guarantee that everybody who wishes to take part in the statement will be able to do so.

**Sir David Evennett** (Bexleyheath and Crayford) (Con): I warmly welcome my right hon. Friend’s statement on education funding. It is really good news. We must ensure that our young people have the skills they need to succeed in our modern economy. Does he agree that investing in further education is the best way to achieve this?

**Gavin Williamson:** My right hon. Friend is absolutely right. It is a critical point and the reason we were so keen to secure such a significant increase in funding for the 16-to-19 sector. The FE sector provides us with many opportunities to look at how we can invest more, create more opportunities for young people and ensure that people understand that pursuing a vocational career is just as important as pursuing academic interests.

**Layla Moran** (Oxford West and Abingdon) (LD): The Institute for Fiscal Studies has described the Education Secretary’s figure of £14 billion extra for schools as “somewhere between meaningless and misleading.”

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It calculates that the real-terms increase will be more like £4.3 billion by 2022-3. That is just enough to reverse the cuts that have been made since 2015, so eight years later schools will, in essence, receive nothing. Given the importance of numeracy to the national curriculum, does the Secretary of State regret not doing his sums properly?

**Gavin Williamson:** I know that the hon. Lady has long campaigned in the f40 group for changes in school funding, and I thought that my statement might give her an opportunity to welcome the changes that we have implemented, which will benefit her constituents so much. We have been very clear about the amount of money that we are providing: a total of £18.9 billion for schools, of which £4.5 billion will cover pension costs, with the additional half a billion pounds going to 16-to-19 education. We will of course work closely with the Institute for Fiscal Studies in explaining our figures.

**Mr William Wragg** (Hazel Grove) (Con): Extra money for our schools would ordinarily be welcomed, but I suppose we are in quite unusual times.

I welcome my right hon. Friend to his post and thank him for his announcement on behalf of the schools in Stockport, but may I ask him a slightly technical question? Would he consider increasing the minimum per pupil funding block as a proportion of the national funding formula?

**Gavin Williamson:** We always keep that issue under review, and I will come back to my hon. Friend. Friend when we have made further decisions on it. Let me take this opportunity to thank him for being such a doughty campaigner for the schools in his constituency, fighting to ensure that they receive extra funds and continue the brilliant work that they are doing.

**Meg Hillier** (Hackney South and Shoreditch) (Lab/Co-op): We need to beware the smoke and mirrors. There has been an 8% cut in per pupil funding, and it will take a while for an inflation-linked increase year on year to catch up with that. The Secretary of State said that Ofsted might have a role in looking into how schools spend the money. Is he giving Ofsted new powers and new funding to enable it to investigate the way in which schools spend their funds, which is currently not its responsibility?

**Gavin Williamson:** We will update the House in due course on how we will work with Ofsted in that regard, but I think that one of our most important reforms has been ensuring that Ofsted can inspect outstanding schools, because I had picked up some concern among unions, parents and teachers about the fact that a number of schools had not been inspected for a long time.

**Mr John Whittingdale** (Maldon) (Con): Is my right hon. Friend aware that many good schools, such as William de Ferrers School in my constituency, had made heroic efforts to find savings in recent years, to eliminate budget deficits, and were now, very reluctantly, having to consider increasing class sizes and dropping subjects? May I therefore thank him for recognising the need for extra funds? Will he confirm that in areas such as mine where substantial development is taking place, these funds will allow pupils who are moving into the constituency to enjoy a good education?

**Gavin Williamson:** An important element of the funding settlement that we have agreed with the Treasury is a recognition of demographic change that different parts of the country are experiencing, so that we can ensure that enough school places are provided. More than 1 million places have been created in the last nine years, and there is no doubt that more will be needed in the future.

**Several hon. Members rose—**

**Mr Speaker:** The hon. Member for Manchester Central (Lucy Powell) is invariably the winner of the “biggest smile” competition.

**Lucy Powell:** I do try, Mr Speaker.

I welcome the Secretary of State to his post. We in the Education Committee look forward to giving him a good grilling, hopefully fairly soon. I also welcome his announcement, which is long overdue, but may I ask him about the crucial early years and, in particular, about our maintained nursery schools, about which he has said nothing? Their funds will run out very soon, but they are the jewel in the crown of social mobility, and the amount that they need is a tiny fraction of what he has announced today.

**Gavin Williamson:** I thank the hon. Lady for her kind words. She has raised an important point. I took the opportunity to visit a maintained nursery school in Sheffield to gain a proper understanding of the value that those schools bring and their impact on children in the early years. Obviously, my statement concerned school funding for 16 to 19-year-olds, but we constantly keep that issue under review, and I am examining it very closely.

**Sarah Newton** (Truro and Falmouth) (Con): I welcome the investment and the package to support schools and further education colleges in Cornwall, but how much will each of our schools and colleges receive in the next three years? The three-year multi-year settlement is very important.

**Gavin Williamson:** I know that my hon. Friend has been a doughty campaigner for schools and further education colleges in her constituency. One of the first pieces of correspondence I received was from her, demanding more for Cornwall, as we would expect of her. I shall write to the Members of Parliament who are affected, including my hon. Friend, and explain in detail the impact on the funding settlement in October, when we have finalised the figures. We received the broad settlement from the Treasury only last week.

**Nic Dakin** (Scunthorpe) (Lab): The £200 uplift in 16-to-18 funding is welcome—but it is only a start; it is for only one year; and it falls short of the £760 per student for which Raise the Rate campaigners asked. Will the Secretary of State take an early opportunity to put that right?

**Gavin Williamson:** This is a 4.7% increase. I know that the hon. Gentleman is a distinguished lecturer, and that he inspired many pupils in the course of his career.
before entering the House. I look forward to discussing with him how we make the best possible investment to deliver the best possible outcomes for all those children in further education.

Jeremy Wright (Kenilworth and Southam) (Con): The Secretary of State’s announcement of additional funds is very welcome, but as governors and head teachers need to plan in advance does he agree that what he said about the predictability and understandability of the funding system is almost as significant? Will he ensure that as the system is designed in detail he keeps an eye on ensuring that it stays so?

Gavin Williamson: My right hon. and learned Friend makes an important point. I know that he represents a county that has historically faced funding challenges and that he has always campaigned for them to be addressed, and I am pleased to be able to do that. I will take his words very much to heart and ensure that we retain clarity and simplicity, as well as always ensuring that schools have a view as long-term as the funds that they will be receiving.

Stephanie Peacock (Barnsley East) (Lab): We in Barnsley have lost nearly a third of our teaching assistants and school support staff. As a former teacher, I am aware of the vital job that they do, but the Secretary of State did not mention them once in his statement, and, despite his warm words in answer to my hon. Friend the Member for Ashton-under-Lyne (Angela Rayner), we have still not been given any firm commitments. Will he rule out funding his plans by cutting school support staff further?

Gavin Williamson: We are giving schools the largest funding package in a generation. I know how much all schools value the amazing work that teaching assistants do every single day throughout the year. They have always made that a key part of their investment, and I am sure that they will continue to do so. However, as the hon. Lady may know, I do not determine staffing levels, how schools spend their money, or on which staff they spend that money.

Henry Smith (Crawley) (Con): I welcome the additional school funding announced by my right hon. Friend the Prime Minister and the Education Secretary, which will benefit 17 schools in Crawley, but will my right hon. Friend say a little more about support for children with special educational needs?

Gavin Williamson: I know that my hon. Friend has been campaigning with many other colleagues who have been affected by historic lower levels of school funding in certain counties, and the result of his campaigning is the settlement that we have announced today. Special educational needs are a vital issue for every school in every part of the country, and it is vital for us to ensure that the level of funding is right. The £700 million that will be provided in the first year will have a direct impact in ensuring that those children have the level of provision and support that is required.

Louise Haigh (Sheffield, Heeley) (Lab): Some of the consequences of the chronic underfunding of special educational needs have been a huge rise in the number of exclusions and an increase in the number of parents forced to home-educate their children because they cannot find school places for them. What measures will the Secretary of State attach to this funding to ensure that there are enough specialist places and enough support in mainstream education to keep children with special educational needs in schools?

Gavin Williamson: It is always vitally important that we do everything we can to support children with special educational needs in mainstream schools, but I would point out that the numbers of exclusions from schools are lower today than they were when there was last a Labour Government.

Andrew Percy (Brigg and Goole) (Con): May I begin by congratulating Goole academy on going from being in special measures a few years ago to this year achieving the best results ever in the school’s history?

I know from my time in the classroom that no teacher likes to see a child excluded, but on some occasions it is appropriate, for the child and the wellbeing of other pupils, for children not to be in classroom. Will the Secretary of State therefore turn his attention to ensuring we have better and proper alternative provision for children who cannot be dealt with in mainstream school?

Gavin Williamson: I join my hon. Friend in congratulating Goole college on the turnaround it has been able to achieve. I know my hon. Friend. Friend has a lot of experience in this field, having taught for many years himself, and I will take on board his point, because it is absolutely vital that we ensure that every child in school is able to get the type of education that we want them to get and not be disrupted by others, so ensuring we have the right provision for those children to go to is vital.

Karin Smyth (Bristol South) (Lab): The question is whether parents have the information they need for utilising school funding. In Bristol South, as few as a quarter of primary schools and no secondary schools will receive any of this money, so what is the Secretary of State’s message to the other 75% of schools and their parents?

Gavin Williamson: I can assure the hon. Lady that provision has been made for local authorities to deliver more money for every school in England.

Neil O’Brien (Harborough) (Con): I warmly welcome this huge investment and the decisive action to undo the historically unfair underfunding of areas such as Leicestershire, but if we are to have a hard formula will my right hon. Friend look closely at the position of small schools, on which I led a debate before the summer? Will he look at the lump sum so we that can have not just more funding for our schools but support for small schools, too?

Gavin Williamson: Having had the great opportunity to visit Beauchamp college and Saint George’s primary school in my hon. Friend’s constituency, I know that they have been delivering the very best education for the children in Leicestershire, but it is also important to recognise the challenge that small schools face, and we keep that constantly under review.
Paul Farrell (Newcastle-under-Lyme) (Lab): Special needs education is, we know, in crisis across the country, but in the county the right hon. Gentleman and I share—Staffordshire—there are woeful discrepancies between different areas. In the last academic year, no education, health and care plan was completed within the statutory time limit in Newcastle-under-Lyme and Staffordshire Moorlands, compared with 75% elsewhere, while in the Secretary of State’s own area the proportion was only 24%. When is he going to step in and act in the interests of children with special needs in our county?

Gavin Williamson: What we always take with great seriousness is how we can enhance and support all those with special educational needs. I am looking at this very closely, along with my hon. Friend the Member for Saffron Walden (Mrs Badenoch), the Minister for children, to ensure that children who have that need for support get it as swiftly as possible, and that is why we are delivering an extra £700 million in the next financial year.

Steve Double (St Austell and Newquay) (Con): As a member of the f40 campaign, may I warmly welcome the Secretary of State’s announcement today, and particularly the extra funding for further education? In St Austell, we face particular challenges in maintaining A-level provision, so will the Secretary of State or the appropriate Minister meet me to see how this extra money can be used to secure A-level provision?

Gavin Williamson: My hon. Friend has long campaigned for a better and fairer funding settlement for Cornwall, and it is a great pleasure to be able to deliver that. I would be delighted to meet him and his colleagues in Cornwall regarding how best we can improve A-level provision in Cornwall.

Sarah Jones (Croydon Central) (Lab): We have seen a 53% increase in school exclusions over the last few years—a 53% increase—and half of all those children have special educational needs and are not getting the support. The anger about that is a sign of distress. How on earth is a renewed emphasis on exclusion going to help those children when we need more money spent on special educational needs?

Gavin Williamson: It is absolutely vital to ensure proper discipline in every single school, but it is also vitally important that those children who need the most support have that provided either within their school setting or, if they are excluded, by ensuring proper provision is provided for them outside.

European Union (Withdrawal)

Application for emergency debate (Standing Order No. 24)

Mr Speaker: I now call the right hon. Member for West Dorset (Sir Oliver Letwin) to make an application for leave to propose a debate on a specific and important matter that should have urgent consideration under the terms of Standing Order No. 24. He has up to three minutes in which to make his application.

Mr Peter Bone (Wellingborough) (Con): On a point of order, Mr Speaker.

Mr Speaker: Order.

Mr Bone rose—

Mr Speaker: Resume your seat.

Mr Bone: It is about democracy.

Mr Speaker: Resume your seat. I do not require any lectures in democracy from the hon. Gentleman; I will advise him of precisely what the position is, and it will brook of no contradiction.

First, the hon. Gentleman was rather laggardly and slow in rising when I had already called the right hon. Member for West Dorset—untypically so, I readily acknowledge.

Secondly, I say to the hon. Gentleman, in terms of crystal clarity, that if he wishes to raise a point of order he will of course have an opportunity to do so; I challenge him to identify any occasion upon which I have sought to deny him, and I do not do so. I am simply saying that I will take the application first. There is subsequently a ten-minute rule motion before we proceed to any debate, if there be such. The hon. Gentleman is never knowingly understated or not heard when he wishes to be; I will hear him. Patience, sir; it will be rewarded. I call Sir Oliver Letwin.

6.36 pm

Sir Oliver Letwin (West Dorset) (Con): Thank you, Mr Speaker. I can be brief; in the light of the Government’s decision to prorogue Parliament next week it has become an urgent matter for Parliament, and particularly this House, to discuss whether it can accept a no-deal exit. I therefore ask you to grant an urgent debate under Standing Order No. 24.

Mr Speaker: I am grateful to the right hon. Gentleman for his application, which is not entirely a matter of surprise either to Members of the House or large numbers of people outside it. I have heard what he said; I am familiar with his rationale; and I am satisfied that the matter is proper to be discussed under the terms of Standing Order No. 24. Does the right hon. Gentleman have the leave of the House?

Application agreed to.

Mr Speaker: The right hon. Gentleman clearly enjoys the support of the House. I will go further; I will be my normal generous self to the hon. Member for Wellingborough (Mr Bone) in advertising for those who
did not hear it that he was robustly objecting, which he is absolutely entitled to do. People need be in no doubt that there was an objection. In these circumstances, it is necessary for at least 40 Members to rise in their places to support the application. There is a very much larger number than 40 Members rising in support, so the right hon. Member for West Dorset (Sir Oliver Letwin) has obtained the leave of the House.

The debate will be held today as the first item of public business. It will last for up to three hours—that is to say, if it starts before seven o’clock—and it will arise on a motion that the House has considered the specified matter set out in the application by the right hon. Gentleman.

We now come to the ten-minute rule motion. [Interruption.] The hon. Member for Wellingborough is gesticulating—I will not even say chuntering—in a mildly eccentric manner from a sedentary position, and I am all agog to learn more of what he wishes to raise in his point of order.

Mr Bone: On a point of order, Mr Speaker. It was really just a procedural point, and I draw your attention to Standing Order No. 24 on page 33 of the Standing Orders. When a Standing Order No. 24 application is notified on a Tuesday, this has to be done by 10.30 in the morning. I inquired in the Vote Office after 10.30 this morning and was told that no Standing Order No. 24 application had yet been made, although they were expecting one. So it seemed to me that in those circumstances, this application could not be heard today and that it should have been heard tomorrow. That was why I was trying to make my point so early on, so that we did not have to go through with it. That seems very clear.

Mr Speaker: I understand the hon. Gentleman’s rationale, and I thank him for explaining his agitation to raise his point at an early stage. However, I must advise him—I must admit I thought he would have known this, because he is a keen partisan of parliamentary opportunities for Back Benchers—that the responsibility of a Member seeking to make such an application is to lodge that application with the Speaker. I can advise the hon. Gentleman that the application was lodged with me and my office yesterday evening, so it was well in time. Moreover, I hope that I carry the House with me in observing that, whatever people think of the right hon. Member for West Dorset (Sir Oliver Letwin), his courtesy is unsurpassed by any other Member of this House, and it was partly on account of that courtesy and because he wanted his intentions to be entirely intelligible that he was keen that his motion, if judged orderly, should be published as early as possible. It was published some hours ago. So the hon. Member for Wellingborough has had a good try, but I think that his efforts on this occasion on that point have been exhausted. I would suggest that the courteous thing to do now would be to proceed with the ten-minute rule motion, for which the hon. Member for Croydon South (Chris Philp) has been patiently waiting.

Clean Air

Motion for leave to bring in a Bill (Standing Order No. 23)

6.41 pm

Chris Philp (Croydon South) (Con): I beg to move,

That leave be given to bring in a Bill to make provision about mitigating air pollution, including through the use of low emission zones; to prohibit vehicle idling; to restrict the approval and sale of vehicles with certain engine types; to require local authorities to undertake tree-planting and to take steps to promote the use of electric propulsion systems in buses and taxis; and for connected purposes.

The story of—[Interruption.]

Mr Speaker: Order. This is most unfair on the hon. Gentleman, who is raising an important matter. May I please appeal to right hon. and hon. Members who are not as keenly attentive to the contents of the ten-minute rule motion as I would like to be to continue their conversations outside the Chamber? It is only fair that the hon. Gentleman, who has booked his slot, should be heard in speaking up for his cause and his constituents.

Chris Philp: Thank you, Mr Speaker. I am delighted to see so many colleagues attending to hear this ten-minute rule motion this afternoon. I always knew that clean air was a topic that would command widespread interest across the House.

The story of Ella Kissi-Debrah is a tragic one. Ella lived near Lewisham, just 80 feet from the north circular, one of south London’s most congested highways. As a south London MP, I can testify to the notorious congestion and pollution on that road. Ella tragically died of asthma and acute respiratory failure in 2013 after experiencing three years of seizures. Her mother Rosamund believes that pollution caused her daughter’s death. Earlier this year, the Attorney General and the High Court gave permission for a new inquest to formally investigate the link between pollution and Ella’s death. Of course we cannot generalise from one case, but the evidence suggests that Ella’s mum is right about the serious health risks of air pollution, especially nitrous oxides and particulate matter.

In 2016, a report by the Royal College of Physicians found that air pollution cuts short an estimated 40,000 lives a year in the UK, and that the young, the old and those with medical conditions are most at risk. Evidence to a joint Select Committee in 2018 said that air pollution was the second-largest cause of avoidable death after smoking. The Committee also found that health impacts ranged from causing premature births to respiratory and heart disease and dementia. My own twins were born very prematurely at 25 weeks, and reading that Select Committee report, I wondered whether air pollution in London had contributed to their extreme prematurity. The joint Select Committee’s report findings are corroborated by academic studies, including those published in The New England Journal of Medicine.

Much progress has been made since 1970, and nitrous oxide and particulate pollution has reduced by about 70%, but the truth is that we must do much more. The Government’s clean air strategy, published in January this year, recognises that. In particular, it recognises the importance of the World Health Organisation limit of
10 micrograms per cubic metre for PM 2.5 particulates, which is much lower than the EU limit of 25 micrograms per cubic metre, but it is an inescapable fact that pollution levels in the UK are too high. As a south London MP, I see that in my own constituency. The A23, which runs through Croydon and includes the Purley Way, is much too polluted, and I am sure many colleagues around the House, particularly those from urban areas, have similar problems in their own constituencies.

The Government’s clean air strategy has many commendable ideas to address this, including action to fund electric vehicle charging roll-out and measures to prohibit the most polluting wood-burning stoves. I see that the Minister of State, Department for Transport, my hon. Friend the Member for Mid Norfolk (George Freeman) is in his place. However, the clean air strategy needs to be put on a statutory footing, and this Parliament needs to follow previous Parliaments in passing a Clean Air Act, as we did to great effect in 1956, 1968 and 1993.

We also need to go much further than the measures proposed in the clean air strategy. For example, we should be looking at vehicle idling where cars are left stationary with their engines running. The sight of cars parked with their engines running outside schools is a sight that every parent, including me, finds very worrying. Efforts to stop this on a voluntary basis have not worked, and I think that fines similar to parking tickets will be more effective at stopping this behaviour. Trees absorb huge amounts of pollution, so planting more trees in urban areas will help. Specifically, moss walls had been found to be particularly effective in absorbing airborne heavy metals, with each section absorbing emissions equivalent to 42 diesel cars per month.

Speaking of diesel cars, they play an especially damaging role in air pollution. Governments of both colours and the European Union encouraged diesel cars over the last 20 or 30 years because of their lower CO\textsubscript{2} emissions, but they emit far more particulates and nitrous oxide emissions than petrol cars, which hugely damages air quality on the streets where those cars are driven. It is worrying that sales of new diesel cars went up from 18% of new car sales in 2001 to a peak of 50% in 2015. This is especially problematic because the real-world emissions of diesel cars are six times higher than the emissions made in laboratory conditions. The Volkswagen scandal underscored the problems, when Volkswagen intentionally cheated the emissions testing regime. It is vital that we hold manufacturers such as Volkswagen to account for the damage they have done to our clean air.

Buses and taxis should be a particular focus, because they are often regulated or operated by local authorities. In London, only 155 buses out of 9,000 are fully electric, whereas in China, every single one of the 16,000 buses in the city of Shenzhen is electric. Even Santiago in Chile has more than twice the number of electric buses that London does. I would like to see all our buses and taxis electrically operated. If we do that, it will cut London’s transport emissions by 20%.

There is a great deal more that a Clean Air Act could do, and it is of vital importance to our nation’s health that we have such an Act. If by some great misfortune this private Member’s Bill does not reach the statute book in the three or four days between now and Prorogation—extraordinary though that sounds—I very much hope that a Clean Air Act will feature in a future Queen’s Speech.

There are many issues that divide this House. I expect that we will hear a great deal of discord and disagreement in the coming hours and days, in which I may well participate, but on this issue of clean air I hope that this House may speak as one. I commend the Bill to the House.

Question put and agreed to.

Ordered,

That Chris Philp, James Gray, Gillian Keegan, Mrs Maria Miller, Sir Henry Bellingham, Sarah Newton, Ms Harriet Harman, Ellie Reeves, Mr Steve Reed, Sir Edward Davey, Douglas Chapman and Jim Shannon present the Bill.

Chris Philp accordingly presented the Bill.

Bill read the First time; to be read a Second time on Wednesday 4 September, and to be printed (Bill 432).
Mr Speaker: I remind the House—it is a case of reminding as reference was made to this matter only a few moments ago—that a paper with the terms of the motion has been distributed.

6.51 pm

Sir Oliver Letwin (West Dorset) (Con): I beg to move,

That this House has considered the matter of the need to take all necessary steps to ensure that the United Kingdom does not leave the European Union on 31 October 2019 without a withdrawal agreement and accordingly makes provision as set out in this order:

(1) On Wednesday 4 September 2019

(a) Standing Order No. 14(1) (which provides that government business shall have precedence at every sitting save as provided in that order) shall not apply;
(b) any proceedings governed by this order may be proceeded with until any hour, though opposed, and shall not be interrupted;
(c) the Speaker may not propose the question on the previous question, and may not put any question under Standing Order No. 36 (Closure of debate) or Standing Order No. 163 (Motion to sit in private);
(d) at 3.00 pm, the Speaker shall interrupt any business prior to the business governed by this order and call a Member to present the European Union (Withdrawal) (No. 6) Bill of which notice of presentation has been given and immediately thereafter (notwithstanding the practice of the House) call a Member to move the motion that the European Union (Withdrawal) (No. 6) Bill be now read a second time as if it were an order of the House;
(e) in respect of that Bill, notices of Amendments, new Clauses and new Schedules to be moved in Committee may be accepted by the Clerks at the Table before the Bill has been read a second time;
(f) any proceedings interrupted or superseded by this order may be resumed or (as the case may be) entered upon and proceeded with after the moment of interruption.

(2) The provisions of paragraphs (3) to (18) of this order shall apply to and in connection with the proceedings on the European Union (Withdrawal) (No. 6) Bill in the present Session of Parliament.

Timetable for the Bill on Wednesday 4 September 2019

(3) (a) Proceedings on Second Reading and in Committee of the whole House, any proceedings on Consideration and proceedings up to and including Third Reading shall be taken at the sitting on Wednesday 4 September 2019 in accordance with this Order.
(b) Proceedings on Second Reading shall be brought to a conclusion (so far as not previously concluded) at 5.00 pm.
(c) Proceedings in Committee of the whole House, any proceedings on Consideration and proceedings up to and including Third Reading shall be brought to a conclusion (so far as not previously concluded) at 7.00 pm.

Timing of proceedings and Questions to be put on Wednesday 4 September 2019

(4) When the Bill has been read a second time:

(a) it shall, notwithstanding Standing Order No. 63 (Committal of bills not subject to a programme order), stand committed to a Committee of the whole House without any Question being put;
(b) the Speaker shall leave the Chair whether or not notice of an Instruction has been given.

(5) (a) On the conclusion of proceedings in Committee of the whole House, the Chairman shall report the Bill to the House without putting any Question.
(b) If the Bill is reported with amendments, the House shall proceed to consider the Bill as amended without any Question being put.
(6) For the purpose of bringing any proceedings to a conclusion in accordance with paragraph (3), the Chairman or Speaker shall forthwith put the following Questions in the same order as they would fall to be put if this Order did not apply—
(a) any Question already proposed from the Chair;
(b) any Question necessary to bring to a decision a Question so proposed;
(c) the Question on any amendment, new clause or new schedule selected by the Chairman or Speaker for separate decision;
(d) the Question on any amendment moved or Motion made by a designated Member;
(e) any other Question necessary for the disposal of the business to be concluded; and shall not put any other Questions, other than the Question on any motion described in paragraph (16) of this Order.
(7) On a Motion made for a new Clause or a new Schedule, the Chairman or Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

Consideration of Lords Amendments and Messages on a subsequent day

(8) If any message on the Bill (other than a message that the House of Lords agrees with the Bill without amendment or agrees with any message from this House) is expected from the House of Lords on any future sitting day, the House shall not adjourn until that message has been received and any proceedings under paragraph (10) have been concluded.

(9) On any day on which such a message is received, if a designated Member indicates to the Speaker an intention to proceed to consider that message—
(a) notwithstanding Standing Order No. 14(1) (which provides that government business shall have precedence at every sitting save as provided in that order), any Lords Amendments to the Bill or any further Message from the Lords on the Bill may be considered forthwith without any Question being put; and any proceedings interrupted for that purpose shall be suspended accordingly;
(b) proceedings on consideration of Lords Amendments or on any further Message from the Lords shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement; and any proceedings suspended under subparagraph (a) shall thereupon be resumed;
(c) the Speaker may not propose the question on the previous question, and may not put any question under Standing Order No. 36 (Closure of debate) or Standing Order No. 163 (Motion to sit in private) in the course of those proceedings.

(10) If such a message is received on or before the commencement of public business on Monday 9 September and a designated Member indicates to the Speaker an intention to proceed to consider that message, that message shall be considered before any order of the day or notice of motion which stands on the Order Paper.

(11) Paragraphs (2) to (7) of Standing Order No. 83F (Programme orders: conclusion of proceedings on consideration of Lords amendments) apply for the purposes of bringing any proceedings on consideration of Lords Amendments to a conclusion as if:
(a) any reference to a Minister of the Crown were a reference to a designated Member;
(b) after paragraph (4)(a) there is inserted –
"(aa) the question on any amendment or motion selected by the Speaker for separate decision;".
(12) Paragraphs (2) to (5) of Standing Order No. 83G (Programme orders: conclusion of proceedings on further messages from the Lords) apply for the purposes of bringing any proceedings on consideration of a Lords Message to a conclusion as if:

(a) any reference to a Minister of the Crown were a reference to a designated Member;
(b) in paragraph (5), the words “subject to paragraphs (6) and (7)” were omitted.

Reasons Committee

(13) Paragraphs (2) to (6) of Standing Order No. 83H (Programme orders: reasons committee) apply in relation to any committee to be appointed to draw up reasons after proceedings have been brought to a conclusion in accordance with this Order as if any reference to a Minister of the Crown were a reference to a designated Member.

Miscellaneous

(14) Standing Order No. 82 (Business Committee) shall not apply in relation to any proceedings on the Bill to which this Order applies.

(15) No Motion shall be made, except by a designated Member, to alter the order in which any proceedings on the Bill are taken, to recommit the Bill or to vary or supplement the provisions of this Order.

(16) (a) No dilatory Motion shall be made in relation to proceedings on the Bill to which this Order applies except by a designated Member.

(b) The Question on any such Motion shall be put forthwith.

(17) Proceedings to which this Order applies shall not be interrupted under any Standing Order relating to the sittings of the House.

(18) No private business may be considered at any sitting to which the provisions of this order apply.

Motion under section 3(2)(b) of the Northern Ireland (Executive Formation etc.) Act 2019

(19) No motion may be made by a Minister of the Crown under section 3(2)(b) of the Northern Ireland (Executive Formation etc.) Act 2019 prior to Monday 9 September.

Royal Assent

(20) At the sittings on Monday 9 September, Tuesday 10 September and Wednesday 11 September, the House shall not adjourn until the Speaker shall have reported the Royal Assent to any Act agreed upon by both Houses.

Proceedings in next Session of Parliament

(21) The provisions of paragraphs (22) and (23) of this order apply to and in connection with proceedings on a Bill in the next Session of the present Parliament if—

(a) the European Union (Withdrawal) (No. 6) Bill has been read the third time in the present Session of Parliament but has not received the Royal Assent;
(b) the Speaker is satisfied that the Bill is in similar terms to the European Union (Withdrawal) (No. 6) Bill in the present Session of Parliament;
(c) notice of presentation of the Bill is to be given by a designated Member.

(22) Where the conditions in paragraph (21) are met, Standing Order No. 14(11) (which relates to precedence in respect of private Members' Bills) shall not apply in respect of the Bill in the new Session and notice of presentation of that Bill may be given on the first day of the new Session accordingly.

(23) Where the conditions in paragraph (21) are met, the provisions of paragraphs (1), (3) to (9) and (11) to (18) shall apply to proceedings on and in connection with the Bill in the new Session as they apply to the European Union (Withdrawal) (No. 6) Bill and any reference in this order to Wednesday 4 September shall apply as if it were a reference to the second day of the new Session.

Interpretation, etc

(24) In this Order, “a designated Member” means—

(a) the Member in charge of the Bill in the present Session of Parliament; and
(b) any other Member backing the Bill in the present Session of Parliament and acting on behalf of that Member.

(25) This order shall be a Standing Order of the House.

This Motion arises because of four facts. The first fact is that, over the past six weeks, the Government have not produced a single indication of any viable proposal to replace the backstop by any alternative likely to prove acceptable to the EU. The likelihood of the Government reaching a deal at the European Council meeting on 17 and 18 October on the terms that the Government themselves have set is accordingly slight.

The second fact is that this is the last week in which Parliament will have the ability to block a no-deal exit on 31 October, because the Government are proroguing us until 14 October, and they have made it clear that they will fight in the courts any legislation proposed and passed to mandate an extension of the article 50 process. There will not be time after 14 October for Parliament both to legislate and for that legislation to be enforced on a reluctant Government through the courts.

The third fact is that, in the absence of a deal with the EU on the terms that the Government themselves have set and in the absence of an order from the Supreme Court that the Government should apply to extend the article 50 period, the Government will lead our country into a no-deal exit on 31 October. That has been made clear by the Prime Minister on repeated occasions.

The fourth and final fact is that, instead of constituting a threat to the EU that will force them to capitulate and remove the backstop, the Government’s intention or willingness to lead the country into a no-deal exit is a threat to our country. The Prime Minister is much in the position of someone standing on one side of a canyon shouting to people on the other side of the canyon that if they do not do as he wishes, he will throw himself into the abyss. That is not a credible negotiating strategy, and it is also not a responsible strategy, given that the rest of us are to be dragged over the edge with the Prime Minister.

Mr John Baron (Basildon and Billericay) (Con): I thank my right hon. Friend for giving way. Most of us in this place would prefer a good trade deal to no deal, but does he not understand that, in any negotiation, the chances of a bad deal materially increase if one signals to the other side that one is not prepared to walk away? Does he not see that?

Sir Oliver Letwin: These are difficult matters of judgment, and I respect the judgment that my hon. Friend makes, but it is different from mine. When we were negotiating the coalition between the Conservative party and the Liberal Democrats, which gave rise to a rather good Government, we were sitting around wondering how to conduct those negotiations. We came to the conclusion that actually we should disobey the rules of negotiation that my hon. Friend is describing and offer a bold and imaginative offer to the other side, which was then accepted, and we formed a coalition on the terms on which we wished to form it by mutual accord. That is the way in which I believe these negotiations can proceed. To offer a threat that actually harms us many times
more than those against whom the threat is supposedly levelled is not, as I say, a credible negotiating strategy. I accept that our judgments differ on that, but that is my judgment. It is a matter for the House to decide which of the two judgments is correct.

Crispin Blunt (Reigate) (Con): Will my right hon. Friend give way?

Sir Oliver Letwin: Before I give way, I will say that this will be the last intervention I will take before I move on a bit.

Crispin Blunt: If my right hon. Friend recalls, the Foreign Affairs Committee’s report on no deal two weeks before we gave notice under article 50, which was unanimously agreed across a Committee wholly split on the merits of the issue, concluded that the damage that would be done by the failure to get an agreement between the United Kingdom and the European Union would be greater for the European Union in material terms, but greater for the United Kingdom in proportionate terms. However, the absolute damage being represented on the other side is at stake, so his negotiation—

Mr Speaker: Order. It is very selfish if an intervention is so long as to prevent other people from getting in.

Sir Oliver Letwin: I agree with my hon. Friend that the proportions are different from the absolutes, but I fear that my hon. Friend’s Committee’s report was deficient, in my view, in an important respect. There is a counterbalancing point from the EU’s perspective, and that is that actually demonstrating that it causes great pain proportionately to the country that is doing it is regarded as a significant political, ideological and geopolitical advantage. We have no similar advantage, so the threat to our prosperity and the welfare of our people is the only issue that arises, whereas for the EU there is a positive advantage in a no-deal exit to be balanced against the absolute and proportionately much smaller effect on the member states’ economies. Again, my hon. Friend and I may differ in that judgment, but that is the judgment that we are asking the House to make, and I take the view that I have espoused.

In the light of the four facts—the slender chance of a deal being struck on the Government’s terms; the fact that this is Parliament’s last chance to block a no-deal exit on 31 October; the fact that without a parliamentary block the Government are willing to take us into a no deal; and the fact that prospect of such a disorderly and undemocratic no-deal exit is a threat to our prosperity and our Union, rather than an effective negotiating strategy with the EU—we are putting forward to the House tomorrow a Bill that a deal is in sight, he should do all he can to prevent a no-deal exit on 31 October, they will have the opportunity to do so if, but only if, they vote for this motion this evening. I hope they will do so.

Dr Caroline Johnson (Sleaford and North Hykeham) (Con): I thank my right hon. Friend for giving way. He said just now that he thinks there is only a very slender chance of a deal—I disagree with him on that point—and also that he wishes to block no deal. If he sees little or no chance of a deal and little or no chance of no deal, what is the point of an extension to 31 January just to do this again and again? Can he not see the damage that would be done to businesses by having this process repeated every three months ad infinitum?

Sir Oliver Letwin: Uncertainty does create difficulty for business. A no-deal exit will create a great deal more difficulty for business, in my judgment.

Sir Oliver Letwin: I am afraid that I will not give way again.

I do not say it is easy to do it by 31 January, but I am sure it will not be done by 31 October. We are between a rock and a hard place, and in this instance the hard place is better than the rock—it is as simple as that. It is decision time. If hon. Members across the House want to prevent a no-deal exit on 31 October, they will have the opportunity to do so if, but only if, they vote for this motion this evening. I hope they will do so.

7 pm

Jeremy Corbyn (Islington North) (Lab): I rise to support the motion in the name of the right hon. Member for West Dorset (Sir Oliver Letwin).

During my time in this House, every Prime Minister has accepted that there can be honourable disagreements, and I have had many disagreements with each and every one of them. That has led to many votes in this House, which have not always been entered into with certainty on the outcome or on victory, but both sides have always done so safe in the knowledge that this Parliament is sovereign and can act as an effective block on any abuse of power. I therefore urge all MPs on all sides to stand up for what is right and for what they believe in and to support this cross-party move.

Thelma Walker (Colne Valley) (Lab): Does my right hon. Friend agree that, if we are to trust the Prime Minister that a deal is in sight, he should do all he can to show evidence of the progress he has made in the negotiations over the summer and publish the Government’s proposals?

Jeremy Corbyn: My hon. Friend makes a pertinent point because, in the six weeks or so since the Prime Minister took office, apparently no proposals have been put to the European Union and there have been no substantive negotiations. He keeps talking about the prospect of progress being made. Well, one would have thought he would have something practical to report to the House by this stage, and, so far, he has not.
James Cartlidge (South Suffolk) (Con): If a motion for an October general election comes forward before the end of the week, will the right hon. Gentleman vote for it? Yes or no.

Jeremy Corbyn: We are ready for a general election, ready to take on this Government and ready to win a general election to end austerity and poverty across this country, but just look at what we face: a Government determined to subvert the democratic process and to force through a policy that a majority of this House do not support and that has been defeated emphatically twice in this House; a Government who are so determined to continue on their reckless path that they are willing to use every trick in the book and to find every loophole to try to silence this House, and we cannot stand idly by.

Sir Patrick McLoughlin (Derbyshire Dales) (Con): I think I am correct in saying that, in 2015, the Leader of the Opposition voted for the referendum. Did he mean to abide by the result?

Jeremy Corbyn: Yes, the Labour Opposition did support the referendum and did take part in the referendum campaign. We also made it very clear at the general election that we would not countenance a no-deal exit from the European Union because of the damage it would do. We cannot hope for another opportunity further down the line to stop this Government’s destructive course. There is no more time—they have taken it away—and this may be our last opportunity. Today we must act.

Danielle Rowley (Midlothian) (Lab): Many constituents and businesses in Midlothian have contacted me, and they are very worried about the grave danger of a no-deal Brexit and the effect it would have. What does my right hon. Friend think about the effect of a no-deal Brexit on our people and businesses across the country?

Jeremy Corbyn: I was with my hon. Friend in Scotland last week, and we heard concerns from many people, particularly those who trade extensively with Europe, about the effect of a no-deal Brexit and the damage it would do to their businesses and the jobs that go with them.

Vicky Ford (Chelmsford) (Con): The right hon. Gentleman says he wants to avoid a no-deal exit, but he voted against the deal three times. Exactly what changes to the withdrawal agreement would he like to see if he were ever to vote for it?

Jeremy Corbyn: I think I am right in saying that on two occasions I voted alongside the Prime Minister against those deals.

I understand that Members on both sides of the House are under a great deal of pressure in what is, regrettably, an extremely volatile political climate, but if you truly trust in what all the analysis shows—including the Government’s own analysis, as was demonstrated earlier—if you believe in what the experts say and if you understand that a no-deal Brexit will be a disaster for this country, you must act now.

With that in mind, I pay tribute to those who have shown the political courage to boldly stand up for what they believe in by bringing this debate to the House. The bullying and the threats to Conservative Members from their own side is unprecedented, but let me offer some words of encouragement. [ Interruption. ] It is all right; I am trying to help. Standing by your principles does not always damage your future prospects.

Mr Baron: I thank the right hon. Gentleman for giving way, but may I suggest that he should be careful with his selection of evidence? The Treasury, the International Monetary Fund and the Bank of England all made predictions of doom and gloom if we voted to leave in 2016. They said there would be economic disaster by Christmas 2016, and they were all wrong.

Since then there has been record low unemployment, record manufacturing output and record investment, in the full knowledge that no deal is better than a bad deal.

Jeremy Corbyn: I thank the hon. Gentleman for that intervention. The only problem is that it flies in the face of all the facts that are published day in, day out. The value of the pound is falling and manufacturing industry is falling, and I will come on to a number of other industries that are seriously at threat.

I pay tribute to those people across all parties who have come together and continued to work to make a stand against this Government’s reckless and shambolic approach. The Prime Minister says that now is not the time for Parliament to make this stand. He says the chances of a Brexit deal are improving and that the outlines of an agreement are in the making, yet all the evidence points to the contrary. So far, in their six weeks in office, this Government have spent more time trying to avoid scrutiny and trying to silence Parliament than focusing on getting a good deal for this country. With weeks to go until we crash out of the European Union, they have failed to bring forward any new proposals, especially with regard to the Irish backstop.

Even if the Government had worked up new plans or presented a way forward, it seems very unlikely that the EU would agree to the Prime Minister’s red line of scrapping the backstop. As the Attorney General reportedly put it, such a proposition would be a “complete fantasy.”

The reality is that no progress has been made in Brussels, nor is there likely to be. This reckless Government only have one plan: to crash out of the EU without a deal, at whatever price to our industry, to people’s jobs and to people’s living standards.

Several hon. Members rose—

Jeremy Corbyn: I have given way many times to Conservative Members, so I will continue.

That is why so many people across this House will stand up to say no to no deal. It has been exposed today, as reported in The Daily Telegraph, that the Prime Minister’s chief of staff called negotiations a “sham” and that the real strategy is to run down the clock. That is why it is incumbent on us, as Members of Parliament, to act today. Voting to block no deal will not kill the positive momentum in Brexit negotiations, because there is no momentum in the Brexit negotiations to kill. What we are asking MPs today to do is to rule out playing Russian roulette with this country’s future, with our industry, our national health service and people’s jobs and livelihoods all at stake for the Government’s trying to retain power.
Let us not forget what no deal means for this country. No deal will decimate our manufacturing industry. No deal will destroy our agricultural sector.

**Mr Jim Cunningham** (Coventry South) (Lab): I am sure my right hon. Friend knows that the west midlands group of MPs has undertaken lots of consultations. We have another meeting tomorrow with businesses in the west midlands, because they are concerned about the implications of no deal. Does he agree that it is imperative that we get a proper deal to safeguard the millions of jobs up and down the country, particularly those in the west midlands and Coventry?

**Jeremy Corbyn**: My hon. Friend is right to say that the west midlands will be particularly hard hit, because so much of its industry relies on just-in-time deliveries from the continent, as well as exports to it, and on a manufacturing process that means that, if any interruption whatsoever happens, there is chaos immediately at the point of production, as well as at the transport system that supplies those places. There has to be some realistic understanding in this House of the implications of a no-deal Brexit for the west midlands, as well as for other parts of this country.

**Mr Shaielsh Vara** (North West Cambridgeshire) (Con) rose—

**Jeremy Corbyn**: I have given way many times to many people, and I am sure the hon. Gentleman will make a wonderful contribution when he gets to make his speech.

No deal threatens peace and stability in Northern Ireland, and threatens our policing and counter-terrorism co-operation with Europe. No deal will mean food shortages and medical shortages, and it will bring chaos to our ports and transport networks. Earlier, we had a Minister at the Dispatch Box proudly telling us that 1,000 more staff have been employed to deal with congestion that will be happening at the channel ports. Is that not an indication of the Government’s own admission of what the problems are going to be if we leave with no deal?

Our economy is already fragile—the economy contracted in the last quarter and manufacturing has contracted at the fastest pace for seven years—and no deal would accelerate that decline. As I said, now is not the time to play Russian roulette with our economy. These are not the warnings of some ultra-remain group. These are warnings outlined in the Government’s own assessments and the warnings of leading industry figures. Members do not have to take my word for it. They do not have to listen to me if they do not want to. Instead, they can listen to the likes of Make UK, which represents 20,000 British manufacturing companies and has said that leaving without a deal would be “the height of economic lunacy”.

They can listen to the National Farmers Union, which has said that no deal would have a “devastating impact” on British food and farming and “must be avoided at all costs”.

Or they can listen to the British Medical Association, which has made clear:

“The consequences of ‘no deal’ could have potentially catastrophic consequences for patients, the health workforce and services, and the nation’s health.”

We must listen to what every sector of society is telling us regarding the damage of a no-deal Brexit and what it will do to our society and our economy. If we, as a Parliament, do not make this stand today, there may not be another opportunity—it may simply be too late. We must listen to those warnings. If people in this House know better than the BMA, the NFU or Make UK about their own sectors, or know better than the trade unions that represent the people working in those plants and delivery facilities all over the country, they should say so now. I have met trade unionists all over the country in the past few months and spoken to the TUC about this. They are all deeply worried about the continued job losses in manufacturing because of the uncertainty that no deal will bring.

I understand that there will be some concern about the Bill that may follow this debate—some concern from Members across the House that supporting such a Bill would be an attempt to block Brexit or reverse the results of the 2016 referendum. That is not the case; this Bill does not close other options to resolve the Brexit impasse. The Bill is about preventing a damaging no deal, for which this Government have no mandate and for which there is very little public support. The Bill is designed purely to provide vital breathing space in order to find an alternative way through the Brexit mess that this and the previous Government have created.

Today is another historic day in Parliament. It is our chance to seize this last opportunity and to stand up to a bullying Government who have shown themselves ready to dodge scrutiny and silence debate. If we do not act today, we may not get another chance. Whether people voted leave or remain, they did not vote to shut down democracy. The very large number of people who were on the streets last Saturday, from both the leave and remain views, were very concerned about the way in which this Government are trying to shut down debate, shut down democracy and lead us into what I believe would be the problems of a no-deal Brexit. So I urge all MPs today to do what they believe to be right for their constituents—for their jobs, their living standards and their communities—and support the proposal today that we may debate the Bill tomorrow and prevent a no-deal Brexit, with all the damage it would do to our community and to our society.

7.16 pm

**The Leader of the House of Commons (Mr Jacob Rees-Mogg)**: It is a pleasure to speak in this debate, brought to us by my right hon. Friend the Member for West Dorset (Sir Oliver Letwin) and to follow the Leader of Her Majesty’s Opposition.

The Prime Minister has said, including in his statement earlier, that this Government are absolutely committed to delivering Brexit on 31 October. We must deliver the largest democratic mandate in this nation’s history. Delivering the referendum result requires this House to respect the voice of the people as expressed in that historic vote—so far, the House has failed to do so. And now, instead of backing the Prime Minister and giving him the best possible chance of securing a deal before the UK leaves the European Union on 31 October, we find ourselves debating a proposition that seeks to confound the referendum result again. Mr Speaker, I wish to be clear: what is proposed today is constitutionally irregular.
Peter Kyle (Hove) (Lab): Would the right hon. Gentleman remind the House: how many times did he vote against the deal?

Mr Rees-Mogg: The deal is dreadful, which is why the Prime Minister is getting a better one—if only the House would let him. However, this is irregular, both in terms of the approach to allowing SO 24s on substantive motions and in terms of the subversion of Parliament’s proper role in scrutinising and the Executive’s in initiating.

Lady Hermon (North Down) (Ind): The right hon. Gentleman will know the importance of the Good Friday agreement to the people of Northern Ireland. He will also know, as a Unionist, that without a deal there will be an inevitable hardening of the border between the Republic of Ireland and Northern Ireland, which will incentivise Sinn Féin to agitate for a border poll to take Northern Ireland out of the United Kingdom and into the Republic of Ireland—into a united Ireland. How on earth could he defend the indefensible?

Mr Rees-Mogg: Because I simply disagree with the hon. Lady—there would have to be a political desire to impose a hard border, and neither the United Kingdom nor the Government of the Republic of Ireland have such a desire.

Neil Gray (Airdrie and Shotts) (SNP): I have a certain fondness for the right hon. Gentleman, stemming from our time on the restoration and renewal Committee some years ago. I will tell him what is constitutionally irregular: shutting down Parliament, shutting down debate and shutting down the ability of MPs to hold this Government to account. Can he therefore tell me when he became aware of the Prime Minister’s plan to shut down Parliament in order to force through a no-deal Brexit? Papers in the Court of Session today suggest that this was the Prime Minister’s plan on 16 August.

Mr Rees-Mogg: As Parliament is not being shut down—cannot be shut down—I could not be aware of plans to do something that is not happening, so the hon. Gentleman is simply wrong.

Mr Baron: My right hon. Friend will be aware that the majority of Members—colleagues—who will vote against the Government tonight voted to trigger article 50, which said that we would leave the EU with or without a deal. It was very simple and very clear. Which bit does he think they now do not understand?

Mr Rees-Mogg: They do not like losing referendums and never accepted the result.

I must come back to the constitutional issue, because this motion risks subverting Parliament’s proper role in scrutinising and the Executive’s in initiating. You in particular, Mr Speaker, have a grave responsibility, of which I know you are well aware, to uphold the norms and conventions that underpin our constitution, but we all have a role to play, and it does considerable damage when some of us choose to subvert rather than reinforce—to hinder rather than to polish—our constitution.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): The Leader of the House is talking about the alleged subversion of democracy. He seemed not to answer the hon. Member for Airdrie and Shotts (Neil Gray), so I ask clearly: first, on what date did the Leader of the House first become aware of the plan to prorogue Parliament? Secondly, have any officials from his office, 10 Downing Street or elsewhere, whether political advisers or civil servants, been conducting communications away from the normal channels, in such a way that would not comply with the terms of candour and disclosure necessary for the court proceedings that are currently taking place?

Mr Rees-Mogg: If people were carrying out discussions without candour, I would not know about them so would not be able to tell the hon. Gentleman whether they had happened. I carry out all my discussions with candour and—if anybody is interested—the Privy Council’s function is reported in the Court Circular.

Mr Vara: Were we to leave the EU on a no-deal basis, in effect that would mean that we would operate on World Trade Organisation rules. Given that the EU currently operates on WTO rules with a number of countries—including the US, China, Russia, Argentina, Australia, New Zealand and many others—does my right hon. Friend agree that we should not be fearful of trading on WTO rules outside the EU? We already trade on WTO rules in the EU.

Mr Rees-Mogg: My hon. Friend makes a brilliant and incisive point and is absolutely right.

We need to examine what is being put forward to the House and to consider the concerning and odd fact that it is actually being permitted in the first place. Let us look at Standing Order No. 24 and the approach we are taking. As you know, Mr Speaker, I take an interest in the rules of the House.

Mr Kenneth Clarke (Rushcliffe) (Con): I was astonished to hear my right hon. Friend agree that we would be perfectly all right to proceed on WTO rules. Does he accept that WTO rules will require the European Union to apply tariffs against our agriculture, fisheries and much of our manufacturing, in line with the tariffs it imposes against other third-party countries, and that WTO rules will require us to have a closed border in Ireland to enforce those restrictions? We cannot have it one way and another: we either obey the WTO rules or we ignore those as well and pretend we are going into some never-never land, but my right hon. Friend cannot simply accept calmly the argument that WTO rules would do no damage to our economy.

Mr Rees-Mogg: I must confess that I am surprised by my right hon. and learned Friend’s astonishment because I have been making the case for WTO rules for some time. It has been a sensible way to proceed and will allow us to carry on trading as we do with many other countries.

Mr Dominic Grieve (Beaconsfield) (Con): My right hon. Friend says that the House’s role is one of scrutiny, and I agree, yet does he not see that there is an incompatibility between that scrutiny and in fact taking steps through Prorogation to deprive us of the effective opportunity to carry it out? When considering that, he may also agree with me that so much in this House depends on trust. How can we have trust when there
have already been a number of examples of the Government’s making inaccurate statements, such as, first, that the papers prepared for its Yellowhammer briefing were the product of a previous Administration when they were not; and secondly, and perhaps most pertinently, when it appears that the facts as stated by the Government as to the reasons for Prorogation have turned out to be entirely inaccurate and are now causing the Government considerable difficulties over their duty of candour in litigation? When he aggregates all that together, perhaps my right hon. Friend might begin to understand why many of us have finally decided that this House must take action.

Mr Rees-Mogg: My right hon. and learned Friend is very learned but his learning does not always lead him in the right direction. The Prorogation is completely routine. When I was first—and, indeed, last—at this Dispatch Box, Opposition Front Benchers were asking for the Session to be brought to an end. We were merely being our obliging selves in leading forth to a new Queen’s Speech in the general course of events.

Chris Bryant (Rhondda) (Lab): Will the Leader of the House give way?

Mr Rees-Mogg: In due course, because we always like to hear from the hon. Gentleman, who informs and educates us when he speaks—

Chris Bryant: Can I do it now?

Mr Rees-Mogg: No. We are going to have to wait for this informing and educating. We are all bating our breath for it, but I like to keep people on tenterhooks for the time being, because I wish to talk about our old friend “Erskine May”, which sets out your role, Mr Speaker. The chief characteristics attached the office of Speaker to his own view about my judgment in this matter. I completely accept that as well as I accept his right to question your impartiality, Mr Speaker, but, as with the umpires at Edgbaston who saw eight of their decisions sent for review and overturned, accepting somebody’s impartiality is not the same as accepting their infallibility. It is worth noting what a wise and scholarly Speaker once said—indeed, this wise and scholarly Speaker said as recently as last year that a debate held under Standing Order No. 24 motion debates which have contained terms. The reality of the matter is that there have been previous occasions upon which there have been Standing Order No. 24 motion debates which have contained what I would prefer to call evaluative motions, notably First Report, 19 April 2018; Vol. 639, c. 475.]

As far as I am aware, no change has been made to Standing Order No. 24, yet the decision has changed—varius et mutabilis semper dictor.

Chris Bryant: The Leader of the House said earlier that Parliament is not being suspended, but in this case it is. He knows perfectly well that Select Committees will not be able to sit, and as according to the Bill of Rights, there will be absolutely no proceedings of Parliament while Parliament is prorogued. I want Parliament to prorogue, but I want it to prorogue only for four or five days so that we can do our job of scrutinising the Government through proceedings in Parliament. That is the point: we want a Queen’s Speech but we also want to be able to come back and do our job.

Mr Rees-Mogg: The hon. Gentleman knows the procedures of this House only too well. He knows that we are about to go, in some cases, to the seaside for party conferences—in the case of my party, to a major city centre. That is why we are taking four or five days of parliamentary time and simply going over the normal recess. That is not in any sense an abuse.

Mr Peter Bone (Wellingborough) (Con): Will the Leader of the House go back to his point about Standing Order No. 24? It seems to me that he is absolutely correct—as Mr Speaker was correct in his previous statement—that this could not be on a substantive motion. If the motion, which appears to be substantive, is carried tonight, it seems to me that the Government would have every right to declare it ultra vires and ignore it.

Mr Speaker: Order. I know that the hon. Gentleman will not presume to argue with the judgment of the Chair, entitled as he is to the possession and expression of his opinion. What I say to him in order to help him and to assist the Leader of the House is this: if, in the judgment of the Chair, a motion under Standing Order No. 24 is expressed in neutral terms, it will not be open to amendment—if it is judged to be expressed in neutral terms. The reality of the matter is that there have been previous occasions upon which there have been Standing Order No. 24 motion debates which have contained what I would prefer to call evaluative motions, notably on 18 March 2013 and on 11 December 2018 with which I feel sure the Leader of the House is familiar. It is in conformity with that practice that I have operated. I have taken advice of a professional kind, and I am entirely satisfied that the judgment that I have made is consistent with that advice. My attitude is simply to seek to facilitate the House. The Leader of the House rightly referred to my responsibility as grave and solemn, and I completely accept that as well as I accept his right to his own view about my judgment in this matter. I have sought to exercise my judgment in discharging my responsibility to facilitate the House of Commons—to facilitate the legislature. I have done it; I am doing it; and I will do it to the best of my ability without fear or favour—or, to coin a phrase, come what may, do or die.

Mr Rees-Mogg: I am grateful, as always, Mr Speaker, for your contribution to the debate. It is always very useful that your words are referred to and that the House should be reminded of them. It was suggested by you that this matter should be referred to the Procedure Committee and that the motion should be amended, which it has not been.

Several hon. Members rose—

Mr Rees-Mogg: This motion is extraordinary in a number of ways.

Joanna Cherry (Edinburgh South West) (SNP) rose—
Mr Rees-Mogg: I will, of course, give way to the hon. and learned Lady.

Joanna Cherry: I am grateful to the right hon. Gentleman for giving way. I wonder whether I might go back to the matter raised by the right hon. and learned Member for Beaconsfield (Mr Grieve). It was revealed in court this morning in a case raised in my name and that of 70 other Members of this House that on 16 August the Prime Minister agreed to a suggestion that Parliament should be prorogued on 9 September, but on 25 August a No. 10 spokesperson said “the claim that the Government is considering proroguing Parliament in September in order to stop MPs debating Brexit is entirely false.” Does the right hon. Gentleman accept that the spokesperson misled MPs and the public on 25 August?

Mr Rees-Mogg: I am sorry to say that the most obvious understanding of the ordinary use of the English language, which normally the hon. and learned Lady is pretty good at, makes it quite clear that the two statements are entirely compatible. The Prorogation is the normal Prorogation to have a new Session; it is not to stop debate on matters related to the European Union.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP) rose—

Mr Rees-Mogg: I am sorry to say that the most obvious understanding of the ordinary use of the English language, which normally the hon. and learned Lady is pretty good at, makes it quite clear that the two statements are entirely compatible. The Prorogation is the normal Prorogation to have a new Session; it is not to stop debate on matters related to the European Union.

Angus Brendan MacNeil: I thank the right hon. Gentleman for giving way. He spoke earlier about candour. The need for candour means that he has to accept that, when it comes to WTO, all countries bar three in the world are in regional trade associations—the three that are not are South Sudan, Somalia and East Timor, and they will probably soon be joined by the UK if we have a hard Brexit. The fact that all these countries, bar three, are in regional trade associations means that they do not exclusively trade on WTO terms. Therefore, when he talks about taking the UK to a place where we do not exclusively trade on WTO terms—made it quite clear that the two statements are entirely compatible. The Prorogation is the normal Prorogation to have a new Session; it is not to stop debate on matters related to the European Union.

Angus Brendan MacNeil: I thank the right hon. Gentleman for giving way. He spoke earlier about candour. The need for candour means that he has to accept that, when it comes to WTO, all countries bar three in the world are in regional trade associations—the three that are not are South Sudan, Somalia and East Timor, and they will probably soon be joined by the UK if we have a hard Brexit. The fact that all these countries, bar three, are in regional trade associations means that they do not exclusively trade on WTO terms. Therefore, when he talks about taking the UK to a place where we do not exclusively trade on WTO terms—made it quite clear that the two statements are entirely compatible. The Prorogation is the normal Prorogation to have a new Session; it is not to stop debate on matters related to the European Union.

Sir Oliver Letwin: I understand that my right hon. Friend wishes to intervene.

Mr Rees-Mogg: On 16 August, I was at Lords watching a game of cricket, unless it was one of the days when it rained. On the WTO issue, our trade with the United States on WTO terms—I know that the hon. Gentleman is expert in these matters—has grown faster since the creation of the single market than our trade with European Union.

Sir Oliver Letwin: I am very grateful to my right hon. Friend for giving way. I understand his views and his concerns about the supposed constitutional irregularity of these proceedings, and no doubt in the future all these things can be debated. Will he accept that, as a nation, we stand at present at a moment that will have a profound effect on the welfare of our people, that the sovereign Parliament of this country clearly deserves an opportunity to be able to decide whether it will accept a policy of no-deal exit or not and that that overwhelmingly matters more than whether the Standing Order No. 24B, which has “where” in it—misdrafted in all probability by the then Leader of the House—has a particular meaning or does not have a particular meaning?

Mr Rees-Mogg: There is, I am sorry to say, a stunning arrogance to that view. It fails to understand where sovereignty comes from. [Interruption.] I do indeed dare to say this, and I say it to my right hon. Friend.

Mr Speaker: Order. I recognise that there are strongly held views on both sides of the House on all aspects of this matter, but the Leader of the House must be heard.

Mr Rees-Mogg: Sovereignty in this House comes from the British people. The idea that we can overrule 17.4 million people is preposterous, and the idea that our rules do not exist to protect the people from arrogant power grabs is mistaken. Those rules are there for the protection of the people.

Several hon. Members rose—

Mr Rees-Mogg: I have given way so many times and to many distinguished Members, and it is now time to come on to this extraordinary and unprecedented motion.

Parliament is attempting to set aside Standing Order No. 14 to give precedence to the European Union (Withdrawal) (No. 6) Bill. This motion goes further and seeks to claim an unknown and unquantified number of subsequent days for consideration of Lords amendments and messages. It is a fundamental principle that the Government are able to transact their business in this House—a principle that this House has long accepted and messages. It is a fundamental principle that the Government are able to transact their business in this House—a principle that this House has long accepted in Standing Order No. 14. This motion also sets aside, in a new parliamentary Session, the Standing Orders that apply in relation to the presentation of private Members’ Bills. The motion would allow a designated Member—or a few of the Illuminati who are taking the powers to themselves—to give notice of the presentation of this Bill on the first day of a new Session and then provide time for debate on this Bill on the second day of the new Session, interrupting the Queen’s Speech debate.

There is an established process for the House debating the Queen’s Speech—a process that this Bill would undermine. Although the Outlawries Bill has its First Reading just before the start of the Queen’s Speech debate, this Bill is only read the First time as a formality and not debated. To interrupt the Queen’s Speech debate to debate a Back-Bench Bill, such as the one proposed in this motion, would be unprecedented. The Government have an obligation to bring forward their business, and the Queen’s Speech and the debate that follows form one of the great set pieces of the parliamentary calendar, where the Government are rightly scrutinised and held to account, and that is being interrupted.

David Linden (Glasgow East) (SNP) rose—

Mr Rees-Mogg: I give way to the very patient hon. Gentleman.

David Linden: I want to come back to a point made by the hon. Member for Wellingborough (Mr Bone). He has said quite a lot, as a Brexiteer, that we would be
taking back control of our laws. Can the Leader of the
House be crystal clear at the Dispatch Box tonight that
if the Bill passes in this House and in the other place,
the Government will not stop it getting Royal Assent—if
we are taking back control of our laws?

Mr Rees-Mogg: The law will be followed. We are a
country that follows the rule of law and this Government
assiduously follow constitutional conventions, unlike
some other Members of this House.

Sir William Cash (Stone) (Con) rose—

Mr Rees-Mogg: I understand that my hon. Friend
wishes to intervene.

Sir William Cash: The intervention of my right hon.
Friend the Member for West Dorset (Sir Oliver Letwin)
can only be described as breathtaking. In support of the
assertion by my right hon. Friend the Leader of the
House that it was weighted with great arrogance, may I
ask him to be good enough to confirm that in fact the
European Union Referendum Bill, as enacted, was a
sovereign Act of Parliament, which deliberately
gave the right to the British people, and not to the British
Parliament, to make the decision on the question of
remain or leave?

Mr Rees-Mogg: My hon. Friend is of course right.
We report to the British people; they are our bosses.

Several hon. Members rose—

Mr Rees-Mogg: I give way to my hon. Friend the
Member for Chelmsford (Vicky Ford), who has been so
patient.

Vicky Ford: I am grateful to the Leader of the House.
Getting back to the bigger picture, the Prime Minister
made it very clear in his speech last night and in his
statement today that his preferred outcome is to leave
with a deal. Can the Leader of the House confirm that
that is also his preferred outcome and that, if a deal is
agreed at the next European Council, sufficient time
will be made in this Chamber to ensure that we legislate
for that deal?

Mr Rees-Mogg: My hon. Friend is absolutely right,
and I can say, both personally and as bound by collective
responsibility, that I am in favour of a deal.

Several hon. Members rose—

Mr Rees-Mogg: We must allow other Members to
speak. I see that time’s wingèd chariot is speeding away,
and therefore I must get on to the separation of powers.
[Interruption.] Well, if the hon. Gentleman wants me
to carry on all night, I will do my best.

Today’s debate goes to the heart of our constitution
and the roles of the Executive and of Parliament. These
are matters of careful balance. It is for the Government,
by virtue of their ability to command the confidence of
this House, to exercise Executive power. That includes
the order of business and the bringing forward of
legislation. It is for Parliament to scrutinise, to amend,
to reject or to approve. Indeed, the scrutiny of the
Executive is one of the core functions of Parliament.
These complementary and distinctive roles are essential
to the functioning of the constitution.

Ministers are of course accountable to Parliament for
their decisions and actions, and Parliament can make
clear its views. It is not, however, for Parliament to
undertake the role and functions of the Executive. The
constitutional convention is that Executive power is
exercised by Her Majesty’s Government, who have a
democratic mandate to govern. That mandate is derived
from the British people and represented through this
House.

Mr Speaker, when we look at this constitution, we see
that we are protected by our rules, our orders and our
conventions. We will remember from “A Man for All
Seasons” that it is those rules, laws and conventions that
protect us from the winds of tyranny, and if we take
away those protections, as the right hon. Member for
West Dorset proposes to do, we lose our protections.
It is therefore on the basis of this convention that the
Government, not Parliament, are responsible for
negotiations with the European Union. Parliament as a
whole cannot negotiate for the UK; that is the role of
the Government, in exercising Executive power to give
effect to the will of the nation.

These roles are fundamental and underpin the country’s
uncodified constitution. The Government draw power
from Parliament, but the Government may at any time
be removed by the tried and tested motion of a confidence
debate. The fact is that Parliament has not been willing
to go down that route, and the reason is that the
Opposition are afraid of that route and run away from
it, because they do not dare have the Leader of the
Opposition as the Head of Government. They are
frightened. [Interruption.] The hon. Member for Brent
Central (Dawn Butler) says that there is time. Let me
say, as Leader of the House, that if the Opposition want
a motion of confidence, this Government will always
obey the constitutional convention and make time for
it. But they are afraid—they are white with fear—because
they do not want the right hon. Gentleman in No. 10
Downing Street.

Daniel Kawczynski (Shrewsbury and Atcham) (Con):
Does my right hon. Friend agree that if the House
succeeds in stripping our Prime Minister of the key
negotiating card of no deal, the likelihood of that
outcome will be that much accentuated?

Mr Rees-Mogg: My hon. Friend is absolutely right; it
would make the negotiations that much harder.

Let us now turn to the substance of what we are
debating. Ostensibly, the purpose of the Bill is to stop
no deal. But the Government want a deal. We are
willing to sit down with the Commission and EU member
states to talk about what needs to be done and to
achieve a deal. That must involve the excision of the
anti-democratic backstop. The Government have also
been clear that we must respect the referendum result
and that the UK will be leaving the EU on 31 October,
whatever the circumstances. Unless and until the EU agrees
to negotiate, we will be leaving with no deal on 31 October.

My right hon. Friend the Chancellor of the Duchy of
Lancaster made a statement earlier today, in which he
informed the House of all that is being done to ensure
that we are ready for all eventualities. The good boy
scouts that we are, we are prepared.
Mr Rees-Mogg: I will definitely give way to the hon. Member for Wallasey (Ms Eagle).

Ms Angela Eagle (Wallasey) (Lab): I thank the right hon. Gentleman for giving way. Does he not realise that, in proroguing Parliament for five weeks—the longest Prorogation, right in the middle of a political crisis, since 1945—he and his Government have deliberately prevented scrutiny that would be legitimate in this House, hence the situation we find ourselves in now? Will he now confirm at the Dispatch Box that if the Bill passes through this House and the other place, he will speed Royal Assent and that his Government will not act against the law?

Mr Rees-Mogg: I do not wish to be pedantic, but one of the constitutional niceties is that we are Her Majesty’s Government, not mine, and we are led by my right hon. Friend the Member for Uxbridge and South Ruislip (Boris Johnson). The important issue here is that Prorogation is a routine start for a new Session, and we are losing a similar number of days to the number we would lose in a normal Prorogation.

Several hon. Members rose—

Mr Rees-Mogg: I will give way to the hon. Member for Bradford West (Naz Shah), but she is trumped, momentarily, by the Chair of the Brexit Committee.

Hilary Benn (Leeds Central) (Lab): I am extremely grateful to the Leader of the House for giving way. Now that Mr Speaker has made it clear that there is nothing at all irregular about his acceptance of this motion, and given that the Leader of the House accepts, as I presume he does, that the House is in charge of its own procedures, how can there be anything constitutionally irregular in the House choosing—if it passes the motion and then the Bill tomorrow—to instruct the Government that there is an outcome to the Brexit negotiations that it is not prepared to accept, which is leaving without a deal on 31 October?

Mr Rees-Mogg: The right hon. Gentleman conflates irregular and improper. The motion is unquestionably irregular, even though it is not improper—the two are different concepts, as I am sure he fully understands. It is of course for the House to regulate its own proceedings, but a fundamental principle of our constitution is that the Government command the confidence of the House. [Interruption.] Ah! From a sedentary position an hon. Gentleman says that the Government do not. Now, that is the lock that would undo this constitutional conundrum, because the House dare not say that it has no confidence in the Government—it is frightened of that—and therefore it tries to take away confidence on specifics while maintaining confidence in the generality. That is not a proper constitutional position to be in.

Several hon. Members rose—

Mr Rees-Mogg: It is very difficult to choose to whom to give way, but I did promise the hon. Lady.

Naz Shah (Bradford West) (Lab): I am grateful to the right hon. Gentleman. He has referred many times in his speech to accountability. Within that vein of accountability, may I ask him a simple question: on what date did he become aware of the Prime Minister’s intention to prorogue Parliament?

Mr Rees-Mogg: I have been asked that question, and I understand that there are papers in court. I do not know when I was told that it was happening, although I did have to take a flight out to Aberdeen for a meeting of the Privy Council. I would need to consult my diary and my telephone records, and I would not wish to say something that was inaccurate.

Let us get back to what is happening here. I was saying that we, being good boy scouts, are well prepared for leaving with or without a deal, and it is absurd for MPs to attempt to bind the Prime Minister’s hands as he seeks to agree a deal that they can support ahead of the European Council.

The European Union (Withdrawal) (No. 6) Bill would make it harder to deliver the two things that the public want from Brexit: certainty and for it to be delivered. The Bill does not do this. It is nothing but legislative legerdemain and a vehicle for extension after extension.

Dr Caroline Johnson: My constituents in Sleaford and North Hykeham voted overwhelmingly to leave and are very concerned about this proposed Bill, which, as they see it, would block Brexit. Will my right hon. Friend confirm my understanding that if the Bill were to pass, the options available would be to the EU and that those options would be to agree a largely pointless three-month extension, which would almost certainly be repeated; to offer a deal of the EU’s choice, not negotiated by our Government; or no deal? Does my right hon. Friend agree that that is not taking back control for this Parliament or this Government, but ceding it entirely to Brussels?

Mr Rees-Mogg: My hon. Friend is absolutely right. What is happening is a deliberate attempt to sow the seed for an extension long enough for a second referendum or simply to stop us leaving at all. It is about denying Brexit, and the fact that the Bill mandates updates on negotiations and motions on those updates on a rolling 28-day basis clearly envisages either a lengthy extension or possibly indefinite vassalage. These seeds could grow into legislation to be introduced on 15 January, 12 February and every 28 days thereafter to command the Government to take specific actions. The aim is to create a marionette Government in which there is only nominal confidence, and it defies the convention in what we are doing today—a convention of great importance, that emergency legislation is passed only when there is a consensus.

Governments less benign than this one may in future learn from this process and ram through any legislation they feel like. Without consensus, those on the Opposition Benches should be very careful about emergency legislation, for they may find they are at the wrong end of it in the future. We should be trying to help the Prime Minister in his chance to negotiate, not trying to bind him hand and foot: not only do we want to be the vassal state of the European Union; we wish to send the Prime Minister, bound hand and foot, to go and negotiate with the European Union.

Several hon. Members rose—
Mr Rees-Mogg: Mr Speaker, you will be glad to know that I am drawing gently to a close, and therefore I fear that time for interventions, except from my very old friend, the right hon. Member for Hackney South and Shoreditch (Meg Hillier), the Chair of the very distinguished Committee that she is the Chair of. [Laughter.]

Mr Speaker: Send him a note!

Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): For once, the right hon. Gentleman has made an error and over-promoted me, but I thank him for his distinctive comments.

There is a serious point here: we are a representative democracy, not a direct democracy. I take that judgment seriously, as I know do colleagues across the House. The Government do not have a majority and are in uncharted constitutional territory, so it is absolutely right and proper that we exercise our judgment in the interests of the country to avoid, at the very least, a no-deal Brexit. For all the right hon. Gentleman’s talk, we must exercise that judgment, and that is what we are doing. It is entirely responsible.

Mr Rees-Mogg: I am afraid that I disagree with the hon. Lady, and I must confess that I am astonished that she is not a right hon. Member. Something must have gone wrong with the Privy Council, of which I am now Lord President, for that not to be the case. [ Interruption. ] Oh, the hon. Member for Rhondda (Chris Bryant) feels that he has also not been justly promoted; I am sorry.

Chris Bryant: No, you’ve been unjustly promoted!

Mr Speaker: Order. I do not think that the Leader of the House was planning to invite the hon. Member for Hackney South and Shoreditch (Meg Hillier) to join him in Balmoral, so I am not sure that it makes a great deal of difference in the immediate circumstances.

Mr Rees-Mogg: Thank you, Mr Speaker. I am afraid that the hon. Lady is wrong because there is a routine constitutional procedure to deal with the situation she describes, and that is the vote of confidence. Yes, we are a representative body, but where does our sovereignty come from? Here I am in agreement with the Scots: sovereignty comes from the people to Parliament. We hold it in trust for them and they gave us an instruction. If we follow this route, we are left with but three options: we have to accept the deal with its anti-democratic backstop; we have to keep on extending, because Parliament would never accept that we are ready to leave; or we could simply revoke and tell 17.4 million people that they were wrong.

The approach taken today is the most unconstitutional use of this House since the days of Charles Stewart Parnell, when he tried to bung up Parliament. Usurping the Executive’s right is unconstitutional; the abuse of emergency debates to do so is unconstitutional; and the Bill itself is yet more unconstitutional. A. V. Dicey said that all conventions have “one ultimate object, to secure that Parliament or the Cabinet...shall in the long run give effect to the will...of the nation”. These conventions are being disregarded today, and so, by extension, is the will of the nation. Parliament sets itself against the people. Sovereignty comes from the people to Parliament. It does not come to Parliament out of a void. If Parliament tries to challenge the people, this stretches the elastic of our constitution near to breaking point. We should recognise that the people are our masters and show ourselves to be their lieges and servants, not place ourselves in the position of their overlords. As we come to vote today, I hope that all Members will contemplate the current constitutional confusion and consider the chaos that this concatenation of circumstances could create.

7.56 pm

Ian Blackford (Ross, Skye and Lochaber) (SNP): It is a pleasure to follow the Leader of the House. I remind him that Lord Cooper in the Court of Session said that parliamentary sovereignty is a purely English concept that has no counterpart in Scottish constitutional history. In Scotland, the people are sovereign, and that, of course, will be a matter of importance as the people of Scotland decide what their future will be.

I am rather surprised by the right hon. Gentleman, who has always been a student of the rights of the House, because the harsh reality is that the reason we are in this situation—that Parliament is to be prorogued—is that the Prime Minister has instructed three stooges to go to Balmoral to give an instruction to the Queen to shut this place down. For all the pronouncements that this is normal, it most certainly is not normal for Parliament to be prorogued for five weeks, and we know that the simple reason is that the Government are running away from the powers and responsibilities that this House has. It is shameful and disgraceful, and in that regard I am deeply honoured and privileged to endorse the motion in the name of the right hon. Member for West Dorset (Sir Oliver Letwin).

The Scottish Government have today launched an ambitious programme for government that is aimed at tackling climate change, building a fairer economy, reducing inequality and improving the lives of citizens across Scotland—a Government getting on with their day job, 12 years into government yet still focused on making life better for those in Scotland. But while the Government in Holyrood are stepping up to meet the challenges facing both Scotland and the world, Westminster is quite literally shutting down. It is very much a tale of two Governments. While the Scottish National party is doing everything here and in Edinburgh to move Scotland forward, the threat to our economy and society from the right-wing Brexiteer cabal occupying Downing Street cannot be mitigated. They must—they will—be stopped.

“A sham” is what reports say one of the Prime Minister’s advisers has called his EU negotiation strategy. “Running down the clock” is what the Telegraph is reporting those close to the Prime Minister as saying his strategy is. A “complete fantasy” is how reports say the Attorney General advised the Prime Minister over his approach to the backstop. The tall tales of this Prime Minister are being exposed by the media by the minute. Sources are exposing the smoke and mirrors behind those playing games in No. 10. Does the Prime Minister think this is a game? If so, it is a very, very dangerous game. Make no mistake, the Prime Minister is acting like a dictator—shutting down Parliament, ripping up democracy and silencing the people.

Stephen Doughty: The right hon. Gentleman is making some very strong points. Does he agree that if the Government were serious about negotiating and there
were serious negotiations going on, the negotiation team would not have been cut to a quarter of the size that it was under the previous Prime Minister, and there would not be meetings happening where the chief negotiator is saying that the rationale for talking to the Brexit team in the EU is “domestic political” handling?

Ian Blackford: The hon. Gentleman is absolutely correct. It is a complete sham to say that negotiations are taking place. This is simply a Government who are driving us towards no deal, and Parliament, thankfully, is standing up for its rights.

The Prime Minister seems to have forgotten that we in this place have been elected to represent the will of our constituents, and we on the SNP Benches have been elected to serve the people of Scotland—the people of Scotland who have overwhelmingly voted to remain in the European Union. Yet this Prime Minister, by proroguing Parliament, has decided to ignore the will of the Scottish people, sidelined their interests and silenced their voices. I say to Scottish Conservative Members: do not stab Scotland in the back tonight; stand together with us. For once—for once—stand up for Scotland’s interests. The Prime Minister clearly thinks he can do whatever he wants with Scotland and get away with it. The SNP is here today to tell him that we are not having it.

Since coming to office, the Prime Minister has not given Parliament the opportunity to debate the constitutional crisis facing these islands. Despite Parliament previously ruling out leaving on a no-deal basis, the Prime Minister is pedalling us towards the cliff edge, risking a no-deal Brexit that risks jobs and food and medicine supplies. The population of the United Kingdom is being threatened by this Government.

Angus Brendan MacNeil: The first observation I would make about this Government is that it is amazing how much they are in thrall to the date of 31 October given to them by Donald Tusk—the EU date that has now become sacrosanct for Brexiteers. The other thing that strikes me about this Government is that they are looking to have a jingoistic pre-hard-Brexit election, but they fear a post-Brexit election when there are empty shelves and a lack of medicines, because a lack of food on the shelves and a lack of medicines do not election victories make. They will be decimated after they do the damage, so they want to cut and run and see if they can get it over the line before they do the damage.

Ian Blackford: My hon. Friend is correct.

The responsibility of this House is to make sure that we do not have the catastrophe of a no-deal Brexit—to protect us from that risk. Yes, we want an election, but we want an election safe in the knowledge that we have protected our citizens from a no-deal Brexit. That is the right thing to do. Let us remind ourselves that the Prime Minister has not been elected by the people; he has been put in power by Conservative party members. He should put himself in front of the people. But let us, in the first case, work together—work collectively—to remove the cliff edge of 31 October.

Patricia Gibson (North Ayrshire and Arran) (SNP): Does my right hon. Friend recall very clearly, as I do, that on 6 April 2016 we were told by the then Chancellor of the Duchy of Lancaster, “The day after we vote to leave the EU, we will hold all the cards.”? Does that not simply show that this Government are being run by a hopeless, naive group of fantasists?

Ian Blackford: It grieves me to see what is taking place, because, in effect, what has happened with the election of the Prime Minister is that the Vote Leave campaign now runs the Government. The harsh reality is that Conservative Back Benchers who are prepared to put our national interests before party interests are going to be forced out of their party. The Tory party has been taken over by a cult, and that does nothing—absolutely nothing—for our democracy.

Mr Chris Leslie (Nottingham East) (IGC): The right hon. Gentleman is completely right that Scotland would be harmed by no deal, just as my constituents in Nottingham would be harmed by no deal. He is absolutely right to say that this Bill is required as an insurance policy against no deal. Does he also agree that anything that dissolves Parliament before 31 October, whether through Prorogation or a jingoistic election—as the hon. Member for Na h-Eileanan an Iar (Angus Brendan MacNeil) said—would put our constituents at risk, because there simply is not the time to put all the legislation and preparations in place for that insurance policy before 31 October?

Ian Blackford: The hon. Gentleman is right to signify that we are facing a constitutional crisis.

I applaud Members of Parliament right across this House who have worked together collectively over the course of the past few weeks because we understand the risk to our economy and to our communities. Thank goodness that Members of Parliament have shown that desire to work across the House. We in the SNP have made it clear that we will work with everyone else to make sure that we remove the cliff edge. We have done that consistently ever since 2016. We want an election, but when we can get to the safe landing place where we have no deal taken off the table for 31 October.

But I say—in no way do I mean it as a threat to anyone in this House—that the people of Scotland deserve the right to be able to determine their own future. We cannot allow ourselves to be taken out of the European Union against our will. We have a mandate from the 2016 Scottish elections to deliver a referendum for the people of Scotland. It is absolutely right that the people of my country who want to remain as a European nation should have that choice. The Prime Minister and his Brexiteer cohorts are not going to drive Scotland out of the European Union against its will.

Joan Ryan (Enfield North) (IGC): Does the right hon. Gentleman, like me, feel somewhat disrespected by the Leader of the House, who disrespected our Speaker and his decisions and everybody who has supported this motion? I am proud to have my name on it and proud to stand with people who are willing to put country before party, country before self. I was not sent here by my constituents to make them poorer or to put their jobs and their healthcare at risk. That is our
overriding priority—we are here to stop a no-deal Brexit. This is not about whether we are remainers or Brexiteers. Many people who voted for Brexit would continue to do so, but not for a no-deal Brexit. There is no majority in the country or in this House for a no-deal Brexit, which is a disaster for the people of this country—of all four nations.

Ian Blackford: The right hon. Lady makes a very passionate case.

We must reflect on what is in the Yellowhammer document. It is not made up. It is not by anybody on this side of the House. It is the Government recognising the risks to the people of the United Kingdom. We have a Government who are telling us that there is a potential risk to food supplies and to medical supplies, particularly for those who need epilepsy drugs. Good grief—contained within the document is talk about a limited risk to water supplies for hundreds of thousands of people. Just think about this: think about a Government who are telling the people of the United Kingdom, “We cannot guarantee that you’re going to have a water supply.” What on earth are we doing?

The nub of this is that it is about ideology. However people voted in the Brexit referendum, they certainly did not vote for this. The Treasury published a document last year showing that a no-deal Brexit could reduce GDP over a 15-year period by something close to 10%.

Just dwell on this: we are talking about an impact on the economy that is four times greater than the economic crisis of 2008—the economic crisis that ushered in a decade of austerity. It is the height of irresponsibility for any politician to think that we should be supporting no deal, putting constituents on the dole. Unemployment is never a price worth paying, but this Government are prepared to put the people of the United Kingdom on the dole. We will not sit back and allow that to happen.

Ged Killen (Rutherglen and Hamilton West) (Lab/Co-op): The right hon. Gentleman is making a very passionate case as to why no deal will be such a disaster. Does he agree that we must once and for all dispense with the notion that it is some kind of bargaining chip in these negotiations? Shooting yourself in the foot because you do not get what you want is not a negotiating position.

Ian Blackford: I am grateful to the hon. Gentleman; he is absolutely correct. It is delusional, and the Government should start telling the truth to people.

Dr Philippa Whitford (Central Ayrshire) (SNP): Does my right hon. Friend agree that what we hear from the Prime Minister is because he knows there is no majority here for a no-deal Brexit, because he knows there is no support from the public for a no-deal Brexit and because he knows what we all know: that a no-deal Brexit is catastrophic for the lives of citizens across these islands.

The right hon. Gentleman is making a very passionate case. The deepening of the democratic deficit under the leadership of the Prime Minister is because he is absolutely correct. It is delusional, and the Government are heading us towards the cliff edge of no deal. That is the reality.

The deepening of the democratic deficit under the Prime Minister is despicable. This decision is an outrageous assault on basic democratic principles, yet the Prime Minister and his cronies will argue that this is normal. A suspension, he argues, is quite right and proper—what ridiculousness. I know that the Prime Minister has never been one to deal in facts, but let me make it clear for Members. In the last 40 years, Parliament has never been prorogued for longer than three weeks. In most cases, it has been prorogued for only a week or less. To try to argue that five weeks is normal is, if we are being polite, disingenuous.

The reason we are here today—the reason why we, for want of a better phrase, are taking back control of the Order Paper on a cross-party basis—is to stop the Prime Minister running down the clock and obstructing the democratic right of MPs to debate, vote and represent the will of the people who sent us to this place. This shameful act from the Prime Minister is because he knows there is no majority here for a no-deal Brexit, because he knows there is no support for the public for a no-deal Brexit and because he knows what we all know: that a no-deal Brexit is catastrophic for the lives of citizens across these islands.

Just in office, the Prime Minister is toying with our democratic processes. Ruth Fox, director of the Hansard Society, said that it was an “affront to parliamentary democracy”. Why? Because the Prime Minister wants things his own way, and at any cost. The real reason he cannot bear for Parliament to sit and debate is that he knows he does not have the majority to support his disastrous plans to destroy our economy with a no-deal Brexit. What an embarrassment to parliamentary democracy. Well, the Prime Minister cannot stop MPs doing their jobs. We will be heard, and democracy must be respected.

Just last week, I was proud that my party signed a declaration alongside MPs from across the parties in Church House, warning the Government:

“Any attempt to prevent parliament sitting, to force through a no-deal Brexit, will be met by strong and widespread democratic resistance.

Has the Prime Minister still not listened? Even today, a cross-party group of politicians is in Edinburgh for a full hearing in the Court of Session, attempting to prevent the Prime Minister from proroguing Parliament. My hon. and learned Friend the Member for Edinburgh South West (Joanna Cherry) has already called on the Prime Minister to swear on oath his reasons for the Prorogation of Parliament. Will the Prime Minister do so? I think we know the answer to that. We also have a group of experts in constitutional law, human rights and justice arguing in The Times that the recent decision to prorogue Parliament sets a dangerous precedent and, furthermore, is incompatible with Executive accountability to Parliament as prescribed by the constitution.

Has the Prime Minister no shame? This is a blind power grab, showing total arrogance and contempt for the electorate. Instead of giving the people a new Prime Minister who listens to their wishes, he has robbed the people of all power. What does shutting down Parliament on a whim mean for this Prime Minister or a future Prime Minister? For us from Scotland, what protection do we have if any UK Prime Minister sought to shut down the Scottish Parliament? We need to protect our Parliament from this Prime Minister.

It is clear that this House is not supportive of the Prime Minister’s actions. This emergency debate is crucial, as MPs today need to carve a way forward to allow emergency legislation against no deal to be passed. The cross-party Bill seeks to ensure that the UK will not
leave the EU without a deal unless Parliament consents to such an outcome. It will also require the Prime Minister to then extend article 50. That is a crucial step to prevent a catastrophic no deal, to protect our economy and our communities. This is how we can come together to avoid a no-deal Brexit, to protect the interests of citizens across these islands and, fundamentally to protect not simply the rights of Parliament or parliamentarians but the rights of the people.

The denial of Parliament having its say denies people in Scotland and across the UK their say against a no-deal Brexit. We in the SNP cannot countenance that. I urge Members to unite to stop a no-deal Brexit, to stop this Prime Minister and this dictatorship, and to restore democracy. Tonight, it is our turn to take back control. Tonight, the Prime Minister is going to be stopped in his tracks. The Prime Minister has tried to rob the people of their power. Now it is our time to rob him of his.

Several hon. Members rose—

Mr Speaker: Order. After we have heard from the Father of the House, whom I intend shall speak next, it will be necessary for there to be a time limit on Back-Bench speeches, imposed by me in the name of trying to accommodate the maximum number of colleagues in this important debate. I call Mr Kenneth Clarke.

8.15 pm

Mr Kenneth Clarke (Rushcliffe) (Con): Mr Speaker, you are very generous to me. I will try to be extremely brief. The right hon. Member for Ross, Skye and Lochaber (Ian Blackford) has just enabled me to be briefer, because he made the key point in the last few moments of his speech when he talked about what really lies behind this Bill, from the point of view of Parliament and parliamentary democracy.

We all know that we are in the middle of an historic crisis, and we all know that our duty is to take the decision that will be best for future generations and will do least damage to our political standing in the world and to our economy. This horrendous debate, which is tearing the country apart, is doing great harm to our political institutions, and particularly Parliament. A large number of the population on either side of the European debate are beginning to hold Parliament almost in contempt. Fanatic leavers are convinced that it is wicked MPs who are undermining the people’s will and that we are solely responsible for the appalling deadlock we are in.

I am very glad that, with your help, Mr Speaker, my right hon. Friends and others have found this way of enabling Parliament to assert itself, give its view and face the fundamental challenge from a constitutional point of view which will determine the political relationship between Governments of all colours and Parliaments for quite a long time to come.

Sir Edward Leigh (Gainsborough) (Con): Will my right hon. and learned Friend give way?

Mr Clarke: With great respect, I would love to debate with my right hon. Friend, and I often have, but my speech will get longer and longer once I give way. As Mr Speaker has not put me under the time limit, I will try to avoid giving way, to be fair to others.

The reason for this motion and the underlying reason for the opposition to it is simply that the Government are insisting on pursuing a policy that they know a majority in Parliament is opposed to. This horrendous debate, which is tearing the country apart, is doing great harm to our political standing in the world and to our economy.

With great respect, I would love to debate with my right hon. and learned Friend, and I often have, but my speech will get longer and longer once I give way. As Mr Speaker has not put me under the time limit, I will try to avoid giving way, to be fair to others.
most importantly being strongly against just leaving with no deal. I would be amazed if a majority does not emerge, yet again. It is not that anybody really wants that—"I think about 20 Members of the House of Commons really think it is a good idea to leave with no deal. It is the right of my party, that has given up and decided to get it over with: "Leave with no deal; it's all the fault of the Germans, the French and particularly the Commissioners—all the fault of Parliament. Have a quick election, wave a Union Jack and then we will sort out the bumps that will come when we have left." The House must stop that, and use the opportunity.

Tomorrow we will debate the merits of the arguments. We will go on and on. I am dying to intervene in some of the arguments—I have already spoken in this House more than most on Europe, and we all know where we stand on the leave/remain arguments—but there is one point of real substance that I would like to address tonight, on which I am afraid for the first time ever the Leader of the House was slightly annoying me. He was using what is currently the cliché, extreme right-winger argument, that anybody who wants to stop a no-deal Brexit is actually reversing the referendum. I think we exactly reflect the public; Parliament, in its paralysed confusion, entirely reflects the division of the public, where there is no clear majority for anything, so far, except that we are against leaving with no deal. We cannot get a majority for anything else; everything else has so far been blocked by hard-line right-wing people who do not want any deal with foreigners, and people's vote people, who will not vote for anything that involves leaving the European Union because they want another referendum. I am afraid they have, so far, outnumbered the middle. I think more of them should join the middle, because I believe, with great reluctance, that the obvious compromise, to bring together both public opinion and this House, is a soft Brexit where we keep the present economic ties.

My right hon. Friend the Leader of the House says that I am just defying 17 million people. Well, I have not defied 17 million people. I have already compromised. I was not in favour of the referendum. I feel very self-justified, looking back on it. I did not vote for it; I made it clear that I was not going to change my lifelong opinions because of one day's vote on a simple question on the terribly complicated subject of our national destiny. I even voted against invoking article 50; I was guilty of that. Since then, I have accepted that the only way to proceed is a soft Brexit: to leave the political union and stay in those superbly free trade arrangements, which British Conservative Governments took a leading role in creating. I have voted for Brexit three times. If the Bill gets passed, and if we get on to the substance of the thing, I will vote for Brexit again. I have had the privilege of at least once voting alongside the Prime Minister and the Leader of the House in favour of Brexit, on terms which they now treat with derision.

I do not want to listen to conspiracy theories about the Irish backstop. Sadly, I do not think any of the English public take any interest in Irish political affairs; nine out of 10 have no idea what the Irish backstop is. It is an entirely closed little debate—but a very important one, I concede. I am strongly in favour of the Irish backstop unless we could replace it with something that is, equally, absolutely guaranteed to preserve the Good Friday agreement. At the root, we have to deliver to the people, and I think we could get a broad mass of the public together on something that keeps our economic ties together and attempts—as the EU keeps doing under British leadership—to extend free trade through more and more EU trade agreements, which we took the leading part in pressing for and which we are now about to walk out of to go back to WTO terms all over again, with South Korea and Mercosur and so on. That must be stopped.

I would like to see a Bill in which we put more positive steers from this House. We all know what we are against—no deal—but we cannot agree on what we are for. I do not think that making it a legal obligation to seek a customs union or to have some regulatory alignment would make the Prime Minister's position more difficult in Europe; they would just wonder why on earth no British leader had asked for that before. I will leave that until the proceedings on the Bill.

If this Parliament does not pass this motion, it will be looked back upon with total derision. What sort of a Parliament was it, in the middle of this crisis, that said to the Government—this new Government, this populist Government, storming away as it is—"Oh yes, we quite agree with you: we should not be troubled with this. The Executive, as we have just been told, have absolute powers. We are only a debating society, only commenting when we are allowed. Feel free to deliver what you wish by 31 October." Then we go back to our constituents and say, "It is very important that you have us to represent you in Parliament, to look after your interests, but as it happens we have given unbridled powers to Boris for the next few months on the European question."

You may gather, Mr Speaker, that I am going to vote for this motion, with more passion than I usually go through the Lobby. It is an extremely important evening.

Several hon. Members rose—

Mr Speaker: Order. I am afraid a five-minute limit on Back-Bench speeches will now apply.

8.28 pm

Helen Jones (Warrington North) (Lab): I rise to support the motion not only on behalf of the 1.7 million people who have signed a petition on our website against a Prorogation of Parliament until we have made decisions on Europe, but as someone who is profoundly disturbed by the contempt for parliamentary democracy that the Prime Minister has shown in seeking a five-week Prorogation of Parliament. It is profoundly dangerous to our democracy because, as we all know, democracy never disappears with a bang: it disappears by small, incremental steps, each one justified by saying, "Things need to be sorted out, things need to be done, and people are blocking the way." I say that as someone who believes that we should implement the decision of the referendum, but in a representative democracy it is for Parliament to decide how that decision should be implemented.

We are struggling to reconcile a plebiscite with a representative democracy. That struggle has not been made any easier by the misleading statements made during the referendum—that we would get the easiest trade deal ever, and so on. Brexit cannot be accomplished,
as the Prime Minister seeks to tell us, by a few slogans from a self-help book and a rousing chorus of “Always Look on the Bright Side of Life”. It is complicated, and Parliament has to deal with those complications.

I have no doubt that the Prime Minister sees himself as a democrat. I am told that he keeps a bust of Pericles in Downing Street. I do not know whether he chose Pericles because his foreign policy alienated most of the other Greek states or because he prorogued the Athenian assembly, but although the Prime Minister sees himself as a democrat he speaks like a demagogue. He has called parliamentarians “collaborators” with Europe in seeking to block no deal; he uses the language of a war. There are far too many people here trying to relive a war that they were not only too young to take part in but too young even to remember. That demeanes the sacrifices of those who fought in that war.

Our job is to take the difficult decisions, and one of the things that we must do is to block a no-deal Brexit, which would be disastrous for this country and for most of our constituents. It would damage not just this generation but generations to come. Where are all the members of the Cabinet who told us that Prorogation would be an affront to parliamentary democracy, mad or a ridiculous suggestion? They are silent as the grave. If Cabinet Government no longer exists, and it seems not to, it is for Parliament to ensure that the Government are properly scrutinised.

I know that it will be difficult for many on the Government Benches tonight. They have been threatened with the loss of the Whip and of their jobs. Many will have to break the bonds of loyalty to their own party, which we all have, but I beg them tonight to act not in their own interests or those of their party, but in those of the country. They should remember what Clem Attlee once said:

“If you begin to consider yourself solely responsible to a political party, you’re half-way to a dictatorship.”

The country expects us tonight to act in the national interest, and it is vital that we do so.

8.32 pm

Sir William Cash (Stone) (Con): I have heard an enormous amount over the last few weeks about the way in which the Government are undermining democracy and our sovereignty. We have just heard my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke) rushing a lot of the arguments that the Government have had forward over the last few weeks.

I will simply say this: there are those in this House, however much they like to dress it up—I think I said this on Second Reading of the European Union (Withdrawal) Act 2018—who have never accepted the idea that we should leave the European Union, with or without a deal. They just do not want to leave. I understand that, and I actually pay tribute to some of those who have been entirely consistent about these arguments, in particular my right hon. and learned Friend. He knows that I genuinely feel that.

Having said that, I am afraid that I simply cannot accept, under any circumstances, the burden of the argument made by, for example, my right hon. Friend the Member for West Dorset (Sir Oliver Letwin). This House, as I said in an intervention on the Leader of the House, made a decision in the European Union Referendum Act 2015—a sovereign Act of Parliament—that deliberately gave the British people the right to make the decision, not this House. Under the Lisbon treaty, which was enacted in 2008, we also agreed the article 50 process in our domestic law, which provided that, once it had commenced, if there was no decision within two years, we would leave on exit day. That was expressed, ultimately, in the withdrawal Act, section 1 of which said that the repeal of the European Communities Act 1972 would take place on exit day.

It is impossible, in my judgment, to argue that this debate, all the ripping up of conventions and all the things my right hon. Friend the Leader of the House of Commons said, which I entirely agree with, about this improper procedure for the purposes of achieving an objective, can just be washed away on the grounds that, somehow or other, there is an argument about our not having any possibility of leaving without a deal. I simply say this, Mr Speaker, if I may: this is certainly, as my right hon. and learned Friend the Member for Rushcliffe said, a matter of unbelievably important historical significance.

We came into the European Union in 1972 on the basis of a White Paper. I got out that White Paper only today—and it clearly states that we will never give up the veto. Furthermore, not only would we never give up the veto—that was the basis on which we entered into the European Communities Act 1972, which is still the governing enactment—but to do so would endanger the very fabric of the Community. That is why so many people across the whole of Europe are voting with their feet against this system. Look at what is going on in Italy, in Greece and in many other countries. So why would anyone want to remain in this European Union? It is autocratic. It is dominated by one country in particular and by the French as well. The bottom line is that it is not a system that allows us to govern ourselves.

I simply say this, Mr Speaker. It is clear that the government that takes place under the Council of Ministers is a system that enables us to be governed by 27 other member states. The withdrawal agreement, which was never signed, would allow us to be kept in that system of vassalage, governed by another 27 member states. It is an unacceptable system. Yet if we were to leave with no deal—although, I prefer to have a deal—we would be able to trade globally on our own terms. We would no longer be constrained by the deficit that we run with the European Union. We would be able to govern ourselves and we would also ensure that we retain Northern Ireland as part of our constitutional status.

These are matters that transcend the arguments being pushed around in the House today. These are simple questions of principle. These are the questions that we need to address. We must be allowed, as we did for centuries before we entered the European Community, to govern ourselves. The competences have been so grossly extended that we do not govern ourselves. If we stay in this European Union, we will never be able to do so. I am against this motion. I hope that the House will vote against it.

8.37 pm

Nick Boles (Grantham and Stamford) (Ind): I rise to support the motion in the name of my friend, the right hon. Member for West Dorset (Sir Oliver Letwin).
On the morning of 7 February 2017, I woke up in an isolation room at King’s College Hospital, where I was receiving chemotherapy. My blood counts were rock bottom and the chances of an infection high. Weak as a kitten, I got dressed. My friend and parliamentary neighbour the Brexit Secretary, who was then a Government Whip, met me at the entrance to the ward with a hospital porter and a wheelchair. He took me out to the Chief Whip’s car and we were driven to Parliament so that I could vote for the article 50 Bill.

Since that moment, I have done everything in my power to deliver Brexit with a deal that protects jobs and livelihoods and preserves our national unity and our international standing. I voted for the former Prime Minister’s withdrawal agreement on three separate occasions, while the current Prime Minister, Foreign Secretary and Leader of the House were all breaking the Conservative Whip and voting with the Leader of the Opposition. I worked with colleagues across the House to promote an alternative Brexit deal, common market 2.0, and secured the support of Labour, the SNP and Plaid Cymru for a plan that would have taken us out of the European Union’s political arrangements, but kept us in the single market. I am ready to vote for a revised withdrawal agreement if the Prime Minister can secure changes through a negotiation with the EU. Like many hon. Members from the Labour Benches and elsewhere in this House, I still believe that we need to deliver what a majority of my constituents and of the British people voted for in the referendum of 2016.

What I will not do is allow a no-deal Brexit. It would devastate sheep farmers in my constituency. It would be a hammer blow for automotive businesses in my constituency and across the country. It would put our Union with Scotland and Northern Ireland in jeopardy, and it would be the single most protectionist step taken by any democratic country since the great depression, raising tariffs and trade barriers between us and our largest market.

Taking this stand cost me the support of my local party and in April led me to leave the Conservative party, but I have no regrets. I can look people in the eye, knowing that I have done what I believe to be right and put the interests of the country before my own comfort or career. How many members of the Cabinet can say the same?

At the moment, I am the only independent progressive Conservative in Parliament. To those brave souls on the Conservative Benches who face expulsion from the party for voting for the motion today, I say this: your country needs you. Do what you know to be right. Join me on these Benches and together let us build a new force in British politics, and a true home in Parliament for those who believe in one nation.

8.42 pm

Dr Liam Fox (North Somerset) (Con): I commend you for ensuring that new Back Benchers are able to take part in the debate at such an early stage, Mr Speaker.

I echo the objections raised by the Leader of the House on constitutional grounds to this motion. I believe that denying the Executive the right to uniquely institute legislation is fraught with danger. Many of the debates and some of the changes that we have seen in Parliament in recent times show the fragility of a system that is based on convention. Whether we want them to or not, they are propelling us down the route towards a written constitution, which is something that none of us should want to do without taking due care and attention.

However, my main objection is political. The hon. Member for Warrington North (Helen Jones), who is no longer in her place, raised the tension that we have effectively between a public who voted to leave the European Union and a Parliament that—let us face it—if it had its way freely, would want to remain in the EU. I do not doubt for a moment the legal legitimacy of a sovereign Parliament to make laws as it sees fit. What I doubt is the moral legitimacy of a Parliament that called a referendum, promised to honour the result of it and then, three years later, still has not done so.

My right hon. Friend the Member for West Dorset (Sir Oliver Letwin) said that we have all made different judgments. Some have voted for a deal, unenthusiastically—I number myself among those who had strong reservations but felt that it was the best way to move forward. Some have voted against the deal because they want no deal to be the outcome. Some have voted against it because they want there to be no Brexit at all, and I want to address one or two questions to that latter group, because this is about the political reputation of Parliament.

Those who have had a premeditated campaign to try to thwart the Brexit result, hiding behind the arguments that it is just the deal that they are opposed to, do themselves, Parliament and politics no credit at all. That position is worsened if they stood at the general election on a manifesto that explicitly said that they would honour the result of the referendum, but they had absolutely no intention of doing so. That will result in the contempt of voters. I look forward to the moment when those Members who have taken that path meet their voters at the next general election, whenever that comes.

I am concerned about where this places us in EU negotiations. To be successful in a negotiation, both sides have to regard it as providing mutual self-interest. This does not do that. This process will cast us in the role of supplicants, not taking control back to this House, but giving it to the EU negotiators. That is not in our national interest. We in this political bubble often argue about process and the minutiae and fail to see the big picture, which is what our voters are looking at. We did not ask for an opinion from voters; we asked for an instruction. We said we would honour it, and we are honour bound to do so. I urge colleagues not to cast their vote tonight with the coalition of chaos—for that will be the result: delay will follow delay. It is time, one way or another, to deliver Brexit.

I make one further point. One of our senior French colleagues said to me, “Liam, you need to leave the EU following your referendum.” That was a senior pro-European politician. He said, “The problems of political fragmentation in France began when we did not honour the result of the referendum on the European constitution. It was the beginning of the end of the major parties and the beginning of the rise of the political fringe.” I fear that, if we go down the path suggested tonight, we will open up a chasm of distrust between Parliament and the British people, and that will play only into the hands of the political fringes, which is something we will all come to regret.
Anna Soubry (Broxtowe) (IGC): It is a pleasure to follow the right hon. Member for North Somerset (Dr Fox), and I disagree on anything, except Brexit. As he has rightly pointed out, and as my hon. Friend the Member for Grantham and Stamford (Nick Boles) also pointed out—I do not mean this in a derogatory sense—they are of course Brexiteers. On three occasions, as they perfectly properly say, they have voted for us to leave the EU. The reason I did not join them in the Lobby—I take grave exception to this suggestion—is not that I wanted to stop Brexit. That will upset many millions of people in this country, some of whom have come on people’s vote marches and rallies because they want us to stop Brexit, but I have always taken the view that it is not my role, having voted for the referendum, for triggering article 50 and for the withdrawal agreement, to stop Brexit. I would have voted for the former Prime Minister’s deal had we agreed to send it back to the British people, who I believe are entitled to have the final say, now that we know what Brexit looks like.

I have to chide the right hon. Member for North Somerset. The reason that so many people of my view are so fed up is that right hon. and hon. Members such as him said that this would be the easiest deal this country had ever done—in fact the easiest in the history of all deals. That is what we were told. In fact the withdrawal agreement was anything but a deal. It was a blind Brexit. That is why so many of us did not vote for it—we did not get the deal we were promised. The second reason we did not vote for it—certainly in my case, but I suspect in the case of most who chose not to vote for the former Prime Minister’s deal—is that on the Government’s own assessments it would have made my constituents poorer. It would have reduced the economic prospects of my constituents, including, most importantly, young people, who will bear the brunt of Brexit. I did not come to this place positively to vote in the full knowledge that it would make my constituents’ jobs less valuable—that it would make them risky. I make no bones about this: I am quite happy and willing to lose my job but I am damned if I am going to see the jobs of my constituents, and the life chances of their children and grandchildren, reduced.

The final thing that I would say is this. I do not want to repeat all the excellent words about why no deal is so bad for our country: bad for jobs, bad for peace and trade in Northern Ireland, bad for our economy. I just want to pay tribute to dear friends with whom I sat on those Benches as a member of the Conservative party.

Today marks a very bleak and, I believe, momentous day for the Conservative party. What you are seeing, Mr Speaker, is a group of fine parliamentarians, excellent Members of Parliament, who have been bullied and blackmailed, by contrast to some members of the Cabinet, with long histories of defying three-line whips. Notwithstanding that, this bunch of honourable people, most of whom—most of the Conservatives who signed this motion; I have checked the list—have voted three times for Brexit, have found themselves today in the most disgraceful of situations. They have been bullied and blackmailed and have put their political careers to an end to do the right thing by our country.

As I think was said by my hon. Friend the Member for Grantham and Stamford, this is about our country, but it is also about our self-respect. It is about whether we can look ourselves in the mirror in the morning and not be ashamed of what looks back at us. That moment when our children, and grandchildren, ask us, “How on earth did you stand by and let this disaster of a no deal happen?” we, at least, will say that we did the right thing: we put our country, and not our careers, first.
pursue a ruthless policy of trying to shut down all debate—debate of the most legitimate kind about the future of our country and its wellbeing—and in doing so the unconstitutional acts come wholly from the Government. I disagree totally with my right hon. Friend the Leader of the House when he says that in some way this House is acting unconstitutionally in what it does: our constitution is adaptable, and I am afraid it is having to adapt to the reality that the Government do not have a majority and have not had one for some time. And that is just one of those things that happens, and it is doing it, actually, in a fairly reasonable fashion, although it would be better if we listened politely to each other and stopped trying to beat each other over the head, as I detect is the practice the Government are now adopting.

Finally, I say this. Obviously I believe that this motion is entirely desirable and entirely in keeping with the House’s proper traditions and is something that should be passed, and the Bill that follows it, so that the evils of a no-deal Brexit are avoided, because I believe passionately that evil will follow. But I was struck that my right hon. Friend the Leader of the House suddenly referred to “A Man for All Seasons”. I think because Sir Thomas More is one of his heroes. He will recollect that Sir Thomas said, when told that opposition to the King would mean death, “Well, these are but devices to frighten children.” So I am afraid that if he thinks the device of withdrawing the Whip this evening is going to change my mind or that of my right hon. and hon. Friends, he has got another thing coming, because it will be treated with the contempt it deserves.

Several hon. Members rose—

Mr Speaker: Order. The time limit is now reduced to four minutes.

8.56 pm

Tommy Sheppard (Edinburgh East) (SNP): I and my party have been consistent over the last four years in voting against this country leaving the European Union. We do that for many reasons, but most of all because that is what the people who elected us to speak for them in this place want: Scotland did not vote for this and Scotland does not want this. But we have never in these debates suggested that the result of the 2016 Brexit referendum should be ignored, set aside or overturned by this Parliament. What we have said is that it is the legitimate and proper role of an elected Parliament to consider the consequences of this course of action, and if in our judgment we believe those consequences to be sufficiently dire, we should allow the opportunity the people of the country to reconsider the decision they took in 2016, in full knowledge of the facts we now have available.

What is at risk now is the right of this Parliament to exercise that degree of judgment. It is a shame in many ways that we have to move this motion tonight and we have to pass emergency legislation tomorrow. It ought to be the other way around: a Government, particularly a minority Government, ought to be coming to this Chamber trying to find consensus, trying to explain themselves and trying to get us behind them, but that is not happening. The reason why so many people find it necessary to do what we are going to do tonight is simply that we have lost faith in this Government. Not only have the Government today lost their majority, but they have also lost the trust of this House. We do not believe the Prime Minister when he says he is trying to get a deal—we see no evidence of that whatsoever—and we do not believe the Prime Minister when he says he respects parliamentary democracy, because he is trying to shut down the ability of this House to debate his actions and their consequences.

Luke Graham (Ochil and South Perthshire) (Con): The hon. Gentleman is talking about compromise; we had an opportunity to compromise back in spring in a vote on the customs union, and we lost by only three votes. Where were the hon. Gentleman and his SNP colleagues then? Given the SNP policy on the single market and customs union, we could have had a compromise and avoided this. This is not about time; it is about compromise—show us you are willing to do it.

Tommy Sheppard: The hon. Gentleman is wrong, because the seeds of the problem were sown long before that. They were sown when a right-wing Conservative Government decided to seize on the result of the referendum and use that narrow majority and interpret it for their own ends to restructure the country and its international relationships and its economy. Even now, we see a situation in which the Government are committed to pursuing the hardest of Brexits, crashing out without a deal if they deem it necessary, and even believing that that is the preferred course of action. They know that there is no majority for that course of action not only in this House but in the country.

That brings me to the topic of the election, which is an associated matter. There have been suggestions that if we pass this legislation, the Prime Minister will immediately throw his toys out of the pram, go to the country and demand a general election. We have already had an echo from the Leader of the House of the gross populism that may well come to be reflected in that campaign—something that does his character no great service, to be honest. But if that election is going to come, let us be quite clear that we need to have it before this country crashes out of the European Union without a deal. We are ready for election: bring it on! But we must either have it before 31 October or extend that deadline so that we can make a decision as a people and elect a Parliament before this fait accompli is presented to them.

That would be the legitimate thing to do, and I say to the Prime Minister that if he really wants to have an election, he should not engage in these procedural shenanigans and this duplicity in trying to game Parliament. He should put the proposal for a no-deal Brexit to the electorate and explain the consequences, and see if that is what they vote for. When that happens, I will relish the prospect of contesting that election, because we shall not only be contesting that election to stop Brexit and have a reconsideration of that strategy; we shall also be explaining to the people of Scotland that this is their chance to consider having a different course of action from the one laid down by the current Prime Minister. I am confident that when we go to the people of Scotland, many more than ever before will now understand the attractiveness of having political independence over their own affairs and of being able to control their own destiny and establish their own
relationships with the rest of the countries in Britain, Europe and the world. That is what is coming down the track, and I warn the Government to be aware of it.

9.2 pm

Sir Bernard Jenkin (Harwich and North Essex) (Con): I put it to the hon. Member for Edinburgh East (Tommy Sheppard) that the very question that he wants to put to the British people again is the question that was on the ballot paper in the 2016 referendum. The then Prime Minister made it clear in debates on television that if the country voted to leave, that decision would be implemented: article 50 would be invoked and after two years we would be out—out of the single market and out of the customs union. That is what he said, so I do not see any need to run the thing again.

I merely rise on the occasion of this debate to observe that what some people, including you, Mr Speaker, call a “constitutional outrage”—it is a little novel for the Speaker to enter into the debate quite so openly, but there we are; that is another novelty taking place in our constitution—other people refer to it as a perfectly normal decision.

In truth it is neither, but this controversy reflects the evolving and changing nature of the relationship between Parliament, Government and people. That is a permanent evolution in our constitution, and two measures in particular have led to a substantial sea change in the relationship between Parliament and the Government. The first is the Fixed-term Parliaments Act 2011, which was sold to a perhaps rather unsuspecting House as a means of limiting Executive power, but in the event of a statutory no-confidence vote the Act is silent on what happens afterwards, except for the 14-day period. The Prime Minister may no longer be able to call a general election, but he is no longer obliged to resign either—at least not for 14 days. That has the effect of strengthening the incumbency of a sitting Prime Minister. Of course, that is exactly what clause 3(2) of the draft Bill says.

The second thing that has happened to cause this sea change is the increase in the frequency of the use of referendums. That has consequences too, as many warned, not for the sovereignty of Parliament but, as my right hon. Friend the Member for North Somerset (Dr Fox) said, for legitimacy, because we now have competing legitimacies in our constitution. What we are hearing is a bitter dispute about whether the representative nature of our democracy is a superior legitimacy to the direct—

Antoinette Sandbach (Eddisbury) (Con): Will my hon. Friend give way?

Sir Bernard Jenkin: I will.

Antoinette Sandbach: Does my hon. Friend recall that the Vote Leave campaign said that MPs in this Parliament would decide which Brexit model—Norway, Switzerland or so on—would apply and that that was part of taking back control? The 17.4 million people were not speaking with a single voice, because they believed that there was a menu of options.

Sir Bernard Jenkin: I think there was also a menu of options available to those who voted remain, and I know many people who voted remain who wish that we would now just get on and leave. I do not think the hon. Lady makes a valid point or, indeed, undermines the fundamental point that we now have a constitution in which there are competing legitimacies. Some people are resting the authority of their argument on the representative mandate and some—the Government in particular—on the popular vote.

It is at least as much a constitutional outrage that we are still in the European Union three years after the referendum, and that tomorrow’s potential Bill should propose to hand the question of how we leave not back to this House, but to the European Union to decide—[Interruption.] It is absolutely true, because that is exactly what clause 3(2) of the draft Bill says.

The bitterness of tonight’s exchanges reflects the breakdown of our shared understanding about which mandate is legitimate: the representative or the direct. We now have a constitution containing competing ideas of legitimacy, and unless we are to abandon referendums this House should be ready to implement popular decisions that it does not like, but it has shown some reluctance to do so. If we refuse to do so, I again agree with my right hon. Friend the Member for North Somerset that that will have consequences for the credibility of Parliament in the eyes of our electors. We will see the revival of alternative political parties, and I fear that this House is taking politics in that direction. The sovereignty of Parliament is not at risk, but our democratic legitimacy certainly is.

9.7 pm

Gordon Marsden (Blackpool South) (Lab): So, it has come to this tonight: the new Prime Minister and his Ministers have had not just their competence, but their good faith so destroyed across the House that this radical but necessary step to preserve parliamentary democracy and our futures has been taken. Anyone who heard either the Leader of the House or, indeed, the way in which the Chancellor of the Duchy of Lancaster rattled away at a merry pace will recall the old words:

“The louder he talked of his honour, the faster we counted our spoons.”

The truth of the matter is that no deal would drive the NHS into the arms of Donald Trump. No deal would be no good for the people in my constituency who are now experiencing unemployment at twice the national average. No deal would be no good for the people with the desperate medical issues that the hon. Member for Central Ayrshire (Dr Whitford) talked about earlier.

The list of warnings about a no-deal Brexit grows longer. Warnings about the supply and prices of fresh food, essential medicines, and chaos on the roads and at ports after Halloween come not from Marxists, Trotskyists, or left-wingers, but from such radical organisations as the British Retail Consortium and the Road Haulage Association.
This is no longer just about Brexit or even whether people voted leave or remain; it is about the United Kingdom’s future as a progressive democracy. We really must take that into account, but we also have to take into account the situation of individual constituents. A man wrote to me and said:

“My father is rather ill these days and relies on a variety of medication. I am concerned what the impact of a no-deal Brexit would have on the supply of this medication.”

We have heard from those who have no axe to grind that that is absolutely the case.

I have had a letter, as many of us will have had, from an ordinary constituent:

“Please can you help with a no deal Brexit as having our NHS is as important to us as food on our plates. It’s hard to survive as it is...I cut back on food and power, have no holidays. Please sort this out”.

That is an ordinary constituent who is engaged not with the finer constitutional points that the Leader of the House manages to trim on a sixpence, but with the everyday bread and butter of daily living in a town like many others in the north of England where people feel left behind and vulnerable, and where to satisfy the interests of a small group of cronies around the Prime Minister this Government are trying to stamp down on everything that is said.

There is no evidence, not even a sniff, of the Government having presented any proposals to the EU. The Prime Minister fancies himself a classicist. Well, what he has been doing and the way in which he has treated his own Back Benchers is in the tradition of the proscriptions of ancient Rome.

The Prime Minister also fancies himself an admirer of Churchill. He should remember that Churchill told us that the first duty of a Member is to do what he thinks, in his faithful and disinterested judgment to the honour and safety of this Britain. That is what patriotism, real patriotism, is about, and the way in which this Prime Minister has disgracefully used the Prorogation process blunts the interests of this House and of the British people.

Those are not the attributes of a British Prime Minister. I would say they are the attributes of a tinpot despot or autocrat, except this Prime Minister might think it flattered him. No, he is a petulant man-child who is unable to get his way with this House, which is why he is trying to shut down debate through Prorogation. That is why we should support this motion tonight.

9.11 pm

Antoinette Sandbach (Edisbury) (Con): This Parliament is at the very heart of our national story and our shared history, and it is what the Prime Minister’s great idol, Winston Churchill, called the “cockpit of the nation.” To seek to bar the door to that cockpit as the nation flies into one of the biggest constitutional storms in its history is an unsettling thing for a Government to do. It may not be illegal or unconstitutional, but it is not how a strong, responsible Government would conduct themselves.

Europhobic conspiracy theorists occasionally claim that the EU wants to reduce the House of Commons to a mere council chamber. I am afraid that if the Government achieve their aims this week, they will have gone further and reduced us from a proud sovereign Parliament to a mere debating club to be dismissed when it becomes inconvenient.

If the Government succeed this week, what is to stop the Prime Minister doing it again in the future? What is to stop the Leader of the Opposition, should he come to power, and I hope that never comes to pass? Precedent matters, and so does motive. The Government’s claim that Prorogation is to enable them to put forward new domestic legislation is clearly nonsense—a fig leaf to hide their attempt to evade accountability.

This House has stood as the defender of our liberties for centuries. The historian Robert Saunders put it best: “the UK government shines with borrowed light: a light that comes *solely* from the consent of our elected representatives. Shut that down, and our democracy is plunged into darkness.” It has indeed been plunged into darkness. We are in darkness.

It is claimed that this Prorogation is a normal Prorogation, but it is not. This Parliament would have expected the Leader of the House to table a recess motion, which would have asked us to agree to the party conference recess. That motion has never been put to us. As Members of Parliament, we have never been asked to agree to the recess, and it is highly likely that we would not have done so given the scale of the crisis that faces our country.

The Leader of the House claims to speak for 17.4 million people. Well, I want to tell him about a constituent of mine. I was on the train, going back to my constituency, when a constituent approached me and said, “You’re my MP. I voted for leave, because I wanted to give David Cameron a kicking. I did not really think it would go through. Please, now, do something to change that.”

I have voted three times for the withdrawal agreement. Three times I have seen Members from my party vote that agreement down, even though their Conservative Prime Minister told them that it complied with our manifesto commitment to an orderly exit. A constituent has written to me this evening to say, “The Leader of the House has rebelled against a Conservative-led Government more than 100 times and he has been rewarded with a place on the Front Bench.” Yet my right hon. Friend the Member for South West Hertfordshire (Mr Gauke), who has never voted against the Government, is going to be expelled from the party. What times we live in. I will be voting for this motion.

9.15 pm

Kate Hoey (Vauxhall) (Lab): I will not support this motion, just as I did not support the motion the last time Parliament tried to change the way we work constitutionally. We were told then that it was a one-off, but we are now in our second or third one-off. If this goes through tonight, we will be debating a Bill tomorrow. If we look at it in detail—I know we will have that debate tomorrow—we will see that it makes it clear that it will give even more power to the European Union over how long we should have any kind of extension.

I know this is only a rumour but there is usually some truth in rumours, so I was concerned to hear today that some of the people who drafted this motion for the Bill took advice from EU lawyers. If that happened, it is shocking. I know there will be people in this House who
think that there is nothing wrong with that, as they want to be as close as possible to the EU and there is nothing wrong in taking advice from it, but I believe that if this motion is passed tonight the Bill tomorrow will humiliate this Parliament.

We heard a lot about constitutional outrage when the announcement was made about the Queen’s Speech. Four or five extra days have been added to a recess that we all knew about just before the House got up. If people had felt strongly about this, they could have acted and got that discussion then. I genuinely believe that those four or five extra days are much less of a constitutional outrage than what we are setting a precedent for today, which would take away powers from the Government. Our side will be in government one day—perhaps a general election is coming; we will be in that same position, and people should be careful. What we are saying today to people is, “What is the point of voting?” They voted to leave and leave won. As many people have said, there was nothing on the ballot paper that said, “We did not vote with a no-deal.” But there was also nothing on that ballot paper that we wanted to be half in or half out, that we wanted to pay £39 billion or that we wanted to do all those things that were in the withdrawal agreement. We voted to leave. People voted to leave. I know that many people who will vote in this House tonight are remainers who have accepted the result, but the reality is that many colleagues, particularly on my side, actually want to stop Brexit. They see now using “no deal” as almost being synonymous with stopping Brexit—that is the real truth about what is going on.

The right hon. and learned Member for Rushcliffe (Mr Clarke) has been honest from the beginning. He is not in his seat now but he talked tonight about “tearing the country apart”. What on earth is another extension going to do, other than tear the country apart even more? What on earth are we going to gain by another extension that we have not already been able to achieve in the past two and a half years? What will this actually achieve?

If we vote for the motion tonight, we will send a signal to all those people who voted to leave that we know best—that we are being arrogant and that we know best about how the future outside the European Union will work. That is going to come home and hit right through, particularly to my party, but to the Conservative party as well, when we get a general election. Any Labour party Member who did not vote for a general election would look absolutely ridiculous. Bring on an election and let the people show what they really want.

Robert Courts (Witney) (Con): It is an honour to follow the hon. Member for Vauxhall (Kate Hoey).

I rise to oppose the motion, and I shall do so by considering what it sets out to achieve. The motion does not present any plan. By considering what is sought—I know that some Members would favour that—let us have that debate and say so. Those who voted as part of the overwhelming majority for the referendum and to trigger article 50 can then explain why they have changed their minds. The question of revocation was tested in the indicative votes and heavily defeated. I venture to say that there is no majority for revocation in the House, so all that this procedure seeks to do is to delay—to kick the can further down the road in the hope that something will turn up.

In essence, no plan is proposed in the motion. By contrast, the Government are pursuing a strategy based on the only thing that has commanded a majority in this House: the Brady amendment on alternative arrangements to replace the backstop. It will be said that the EU has no intention of replacing it, but the EU is watching and waiting to see what we do here. It has no incentive to move for as long as it thinks that Parliament will destroy the Government’s negotiating position or cancel Brexit altogether. If we in this House declare in advance that we will not vote for any additional extension and rule out the backstop, the EU will never have an incentive to move. Rather than banishing no deal, then, this whole scheme makes it impossible to achieve one, and in so doing puts off the day of reckoning even further. But that day cannot be avoided forever.

There is only one way to avoid no deal and to achieve a deal, and paradoxically that is to be ready and willing to leave without one. Only if we are clear about that does the Prime Minister stand a chance. I accept that that readiness causes disquiet among so many of my right hon. and hon. Friends tonight, but I urge all those friends who, like me, want to see a deal, to come with us and give the Prime Minister the unequivocal backing that he needs, because that is the only path to the deal that we all want to see. To vote against the Government tonight is not to vote against no deal; to vote against the Government tonight is to vote against even the possibility of a deal—against the chance of a deal and even the gimmer of a deal. The motion and the Bill it foreshadows achieve nothing more than a delay, which in turn achieves nothing more than to sow more division and discord—the division and discord that is doing such damage to our country’s social fabric.

9.24 pm

Caroline Lucas (Brighton, Pavilion) (Green): I am pleased to speak in favour of the motion, which would enable us to pass a Bill tomorrow to prevent our crashing out of the EU with no deal at the end of October.

Let us remember why we are at this point. This discussion is happening now because the Prime Minister is running scared of democracy. The Prime Minister knows that his reckless no-deal Brexit will never get the support of this House, but instead of his having the courage to make his case here and put himself up to scrutiny, Parliament is going to be suspended—brushed aside as an inconvenience to an Executive who are, frankly, lurching out of control.

I am proud that so many brave colleagues inside this House and so many of the public outside it are saying so loudly and clearly that they will not stand for this Prime Minister’s blatant power grab, that they will not
stand for a no-deal Brexit being rammed through this House and that they will stand up to make sure that this legislature does what it is meant to do, which is to hold this Executive—this feral, out-of-control Executive—to account.

There has been a lot of talk about democracy tonight. /Interruption./ I have to say that the body language of the Leader of the House this evening has been so contemptuous of this House and of the people. For the benefit of Hansard, he has been spread out across three seats. He is laid out as if this is something that is very boring for him to listen to. He has been lecturing us about democracy, but we will have none of it. This Government have no mandate for the vicious form of Brexit they are pursuing. It was never on the ballot paper. More than that, the Chancellor of the Duchy of Lancaster said as recently as March:

“We did not vote to leave without a deal: that wasn’t the message of the campaign I helped to lead.”

Let us hear no more of this posturing that, somehow, those on the Government Benches are standing up for the people and that we are not. Those of us on the Opposition Benches, particularly those who have been arguing for a people’s vote from the very start, are precisely the ones who are standing up for the people and want their voices to be heard in this debate.

Time is short, and I want to make two more very quick points. The first is that, in all of this debate about process and procedure, we are in danger of forgetting what a no-deal outcome actually means for the people of this country. What it means, as we know from Operation Yellowhammer, is shortages of food and fuel. It means people unable to get their life-saving medicines. It also means a nightmare for people in Northern Ireland. I pay tribute to the hon. Member for North Down (Lady Hermon), who has made that case so many times. How dare we, in this Chamber, think that we are going to rip up the Good Friday agreement and that it is nothing to be concerned about. There is everything to be concerned about in that.

I also want to say a word about the 3 million—the people who have made their lives here in this country expecting that their contribution would be valued, instead of which they are now in an intolerable limbo, not knowing whether their rights will be upheld.

Finally, I want to make a point that I think is important, but that some may feel is boring. One of the many reasons why we are in this crisis is that we do not have a codified written constitution. It is only the unwritten, uncodified understandings that protect the body politic from regressing to government with minimal checks, balances and accountability. Up to now we have had to depend on people playing by the rules. Well, now we have a Government who are not playing by the rules. We now need more than ever a written constitution drawn up by a democratic citizens’ convention that will put people at the heart of our politics for the first time in UK history.

9.28 pm

Mr Bob Seely (Isle of Wight) (Con): The crux of the debate tonight is whether we seek to bind and obstruct our Government in a critical period, as they seek options between the current withdrawal deal, which has been rejected three times by lots of people in this House, and no deal, which is actually a series of mini deals. I am sure that the former Chancellor of the Exchequer and my right hon. Friend the Member for West Dorset (Sir Oliver Letwin) have been engaged in negotiations at a far more senior level than I, but I do find it a little bizarre that we could seek to bind the hands of our Government at this point if those right hon. Gentlemen trust the people in power, and I have to say that I do.

I was engaged a bit in some of the negotiations with tribal Afghan leaders. I also conducted village negotiations in the Basra marshes in 2008 and 2009. Showing the limits of our negotiating power and showing what we were willing or not willing to do would have fatally undermined some of the conversations that happened to try to protect British troops and to try to stop ourselves being attacked. Therefore, binding the hands of the Government as they seek to negotiate a better deal is counterproductive, although I understand the concerns. The reason why this debate is so bad tempered is that it has gone on for three years. We hear tedious clichés, such as “a blind Brexit”, “a Tory Brexit” and “I’m not here to stop Brexit, but...”. The hon. Member for Vauxhall (Kate Hoey) said that many people on the Opposition Benches were using this no-deal Brexit motion simply as another means to stop Brexit.

My right hon. and learned Friend the Member for Beaconsfield (Mr Grieve) quoted Thomas More. I have been in this House for two years, and I feel like quoting Macbeth:

“Tomorrow, and tomorrow, and tomorrow, Creeps in this petty pace from day to day”. That is how I feel, because all we talk about is Brexit. I want us to get on and talk about lots of other things that are important to us. In fact—if Members do not mind me mixing my cultural references—it feels like groundhog day.

Pro-EU campaigners are concerned about protecting the rights of Parliament. I find that slightly ironic coming from people who want to stay in the European Union, which would do far more damage to the rights of Parliament than this Government ever would.

I want a deal, but I accept that the most important thing is to deliver, in order to have trust in politics. I am also aware that neither side is perfect, and that there are people now sitting on the Government Front Bench who could have voted for a deal but did not, just as there are people on the Opposition Benches who could have voted for a deal but did not. But we need to deliver on a deal. The reason I am against the motion is that it would provide another extension, and then we would simply continue in a debate that would become endless and tedious. We need to bring this to an end so that we can deliver on our manifesto commitments in other areas to the British people.

9.31 pm

Tom Brake (Carshalton and Wallington) (LD): Following the comments of the hon. Member for Brighton, Pavilion (Caroline Lucas), I am sure that it would be possible to provide the Leader of the House with a pillow to make him more comfortable, as he seems to be struggling during the debate.

I rise to support the right hon. Member for West Dorset (Sir Oliver Letwin). We have a simple objective: to block no deal and secure a resolution to the crisis and
chaos that the country faces. A series of Government reports have set out the consequences of no deal, the most recent of which is on Operation Yellowhammer. It refers to medicine, fuel and food shortages, and increased risks on the border between Northern Ireland and Ireland. The Government have been so shocked and embarrassed that they have attempted to sanitise the report—in fact, they have tried to make it disappear. However, it is in the interests of all our constituents—apart, of course, from those who are busy shorting the pound—to block no deal. We are not talking, as Ministers do, about bumps in the road; we are talking about job losses and business closures.

The Government claim that taking no deal off the table would damage our prospects of securing a deal. The first problem I have with that argument is that walking away without a deal is not like walking out of the car showroom without a car; in a no-deal scenario, we will be forced to leave with the banger with bald tyres and a chipped windscreen. The second problem, as set out by the right hon. Member for West Dorset, is that no deal will damage us far more than it will our EU friends. With no deal, the EU will get a headache, but we will get severe angina.

The final problem is that there is no evidence that the Government are seeking a deal. The EU-UK website lists three documents since June that touch on the issue. There have been a couple of calls between our Prime Minister and Jean-Claude Juncker. There has been our chief negotiator, David Frost, going to Brussels, but he has said that under no circumstances would he even allow a technical extension to article 50, which of course we all know would be required if the Government were in fact to secure a deal. I have asked colleagues in the European Parliament, and we have asked Guy Verhofstadt, whether there is any evidence whatsoever that the Government are seeking a deal, and the answer is that there is total radio silence from the UK Government on deal negotiations. Of course, the charming Dominic Cummings—the man who has staff escorted off the premises by armed police officers—let the cat out of the bag when he said that the negotiations are a “sham”.

In conclusion, tonight we must act, first, to stop a calamitous, jobs-destroying, influence-sapping no-deal Brexit; secondly, to force the Government to find a way out of a paralysis that is destroying our country’s credibility, tearing communities apart and stopping the Government dealing with the real problems we face as a nation; thirdly, to allow the people to express their views on the appropriateness of a no-deal Brexit; and finally, to demonstrate that the UK Parliament will resist the shutdown of our democracy and the authoritarian power grab of a rogue minority Government.

9.34 pm

Andrew Bowie (West Aberdeenshire and Kincardine) (Con): It has been quite a long time since I have had the opportunity to speak in the Chamber. Well, I have spoken—as I am sure you will attest, Mr Speaker—but mainly from a sedentary position. The reason, of course, is that for the vast majority of the past year, I had the privilege of serving the former Prime Minister as her Parliamentary Private Secretary, meaning that for the majority of the past 259 days, I have lived and breathed Brexit: deal, no deal, indicative votes, Cooper-Letwin, Boles, the withdrawal agreement, the negotiations, the renegotiations and all the attempts by the former Prime Minister, along with a group of utterly brilliant and dedicated colleagues, Ministers, civil servants and special advisers to ensure that this country left the EU with a deal. I did so not just because it was my job, but because I genuinely, completely and utterly believed that for my constituents, for this country, for our Union, for its businesses and for our economy, it was the only rational and sensible thing to do, and I still do. But I do not support the motion in the name of my right hon. Friend the Member for West Dorset (Sir Oliver Letwin) and I cannot vote for it this evening.

In my opinion, if we MPs—from all parts of this House—truly want to act in the national interest, as I know most of us do, we must support the Prime Minister and this Government in their efforts to renegotiate the deal and leave the European Union on 31 October. To be able to do that, the EU must know that we are serious about leaving, and that means keeping no deal on the table. If we support the motion before us tonight, we will know—the world will know—that we are not serious at all, and where then is the motivation and impetus to get this done?

To those on the Opposition Benches who claim that they would do anything to stop no deal, I ask this simple question: why didn’t you? When the question was brought before the House three times, why didn’t you? It is no good protesting that the deal was not good enough, that there were no guarantees or that, “If only we had known what was going to be in the withdrawal agreement Bill, we would have voted for it.” If those Members were genuinely serious about doing anything to stop no deal, they would have voted for a deal, so I ask them to stop pulling the wool over the eyes of the public and to be honest with voters.

To my friends and colleagues on the Government Benches, for whom I have so much respect and for whose support for the former Prime Minister over the last year I am personally very grateful, I say this: please do not undermine this Prime Minister as so often this House of Commons undermined the last; please give our negotiators the support they need to get the changes to the deal that we need; and please do not allow to be taken off the table the one thing that is pushing both sides towards achieving just that.

Mr Steve Baker (Wycombe) (Con): I fondly remember being in the room with my hon. Friend on a number of occasions, and I very much look forward to his memoirs on all these subjects.

Andrew Bowie: I will give my hon. Friend a signed copy when I get around to writing them. I know that many of my friends will be voting against the Government and against their party tonight.

Anna Soubry: Will the hon. Gentleman give way?

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): Will the hon. Gentleman give way?

Andrew Bowie: I will not give way; there is far too little time.
For many Members, this will be the first time they have ever voted against this party, after decades of loyal service to it. I know that many have wrestled with their consciences as I have wrestled with mine, and I hear their arguments. This is not an easy decision for anybody, but I will be supporting my Prime Minister this evening. We need to get this deal renegotiated. We need to get this done. We need to leave the EU. Then we can at long last move the country forward.

9.38 pm

Mr John Baron (Basildon and Billericay) (Con): I rise in opposition to this motion and in support of my Prime Minister, essentially for two reasons. The first is that there is more than a whiff of arrogance in this motion. Too many remain MPs in this place will use any device to try to block Brexit. There are honourable remain Members, but I am afraid that there are too many who are not. The decision was delegated by this place to the people, and they made their decision very clearly. We have been kicking this can down the road for three years and to many outside this Westminster bubble, enough is enough. I remind the House that the majority of Members who are going to support the motion voted in favour of triggering article 50, which said, very simply, that we would be leaving the EU with or without a deal. We have twice extended that time line, and that is why people outside this place are getting very frustrated with many colleagues here tonight.

Apart from the arrogance, this decision is ill-informed. It will make a bad deal more likely. Anyone who has negotiated in business or with any organisations will know that if the other side believes that one is not prepared to walk away, it will make for a worse deal—it is a simple fact of life. Most of us in this place prefer a good trade deal to no deal, but the guaranteed way of getting a bad deal is to take no deal off the table. Business people in this House, and many who have negotiated deals, will understand that.

Mr Baron: If there is no deal—most of us in this place want a good trade deal—there would be tens of billions of pounds to help those sectors of the economy and industry to readjust, as we have seen in previous economic cycles. It is a fact of life.

Too many people, not just in this place but outside, ignore the fact that investment and jobs are about comparative advantage. It is about how competitive our tax rates are and how flexible our labour markets are, and what our financial expertise is like—we have London and we have Edinburgh. What about our R&D and top universities? In aggregate, those are more important than WTO tariffs of 3% to 5%.

If proof of the pudding were required, with all the talk in the past few years about no deal being better than a bad deal, industry has been fully aware that no deal has been a distinct possibility and what have we seen economically? We have seen record low unemployment, record manufacturing output and record investment. This country attracted more inward investment last year than France and Germany put together. It comes down to economic reality. I am afraid that some Members of the House, in coming to their decision tonight, have not considered the economic facts.

9.44 pm

Robert Neill (Bromley and Chislehurst) (Con): I have been a member of my party for 50 years, and throughout that time, I have believed in our membership of the European Union. I campaigned for that in the referendum. My constituency voted to remain in the European Union, albeit by the very narrowest of margins, but my side lost and I accept therefore that we need to leave the European Union. I want to leave with a deal. People in my constituency and businesses—those who work hard to build wealth in this country—are genuinely concerned about the impacts of leaving without a deal. Their concerns are not illegitimate: they are real, and they need to be addressed. Equally, they have real and genuine concerns about prolonged uncertainty, and we as politicians need to weigh heavily the damage perhaps done reputationally to our body politic.

These are not easy matters. We have had a great many statements of bold certainty in this debate and too many other things—perhaps too much hyperbole and not enough pragmatism. My conclusion, to try to reconcile that narrow margin in my constituency and those conflicting but genuine concerns of my constituents, has been to vote three times to leave with a deal. I wish others had done so as well.

If I believed that passing this motion today would make it easier for us to achieve a deal, I would support it, but I do not believe that it does. You will know, Mr Speaker, that I have not been afraid to defy the Whip of my party in the past when I thought it right and proper to do so. But after real heart searching and thought, I have concluded that it would not have that effect, and that it might, regrettably, have the contrary effect, of reducing the Government’s leverage in negotiations. If we are to get a deal, the only point that we will realistically do that now is at the Council on 17 and 18 October. I do not wish to bind the hands of the Government in the run-up to that.

It may be a narrowing window of opportunity to get a deal. We may not succeed, but for the sake of my constituents, and to reflect that narrow margin in my constituency and in the country and try to find a means of us moving on together, I believe that we should try to seize that opportunity. I do not impugn for one second the motives or the integrity of those who have proposed this motion—many of them are among my dearest and best friends in this House—but I believe it would be mistaken to support it. For that reason, I will support the Government. I urge my right hon. and hon. Friends to think again before we cross the Rubicon. For 50 years, many of us have worked together. I hope we can continue
to do so in the future, and I hope that they will reflect one last time before taking the step of voting against the Government tonight.

9.47 pm

Chris Philip (Croydon South) (Con): For three long years, we have talked about, debated and voted repeatedly on Brexit in this House, and yet we stand here after three years not having reached any firm resolution. In supporting the motion before the House this evening, we would simply prolong even further the uncertainty that our country and our businesses are experiencing, which my hon. Friend the Member for Bromley and Chislehurst (Robert Neill) described in his excellent speech. We have a responsibility, having been elected in 2017 on manifestos to respect the referendum result, to do so, to stop prevaricating, to stop kicking the can down the road and, one way or another, to reach a definitive conclusion. The motion before the House does not do that. It simply prevaricates even further.

Some Opposition Members have been very clear about what they want, and I respect that. My neighbour, the right hon. Member for Carshalton and Wallington (Mr Philip), and the hon. Member for Brighton, Pavilion (Caroline Lucas) have both been clear previously and this evening that they would rather remain in the European Union and that they certainly do not want a no-deal exit. I disagree with that view, but at least they have clarity in expressing it. They also say that they do not want to leave with no deal, but those who adopt that view have only two choices: either to accept any deal that is offered up, no matter how bad, or to remain, and I do not think either of those options is acceptable. Remaining, when the country voted to leave and the main two parties were elected on manifestos to leave, is wholly unacceptable. There is only one sensible option, as my hon. Friend the Member for Bromley and Chislehurst eloquently pointed out—

Mr Nicholas Brown (Newcastle upon Tyne East) (Lab): claimed to move the closure (Standing Order No. 36).

Question put forthwith, That the Question be now put.

Question agreed to.

Main Question put accordingly.
The House proceeded to a Division.

Mr Speaker: I ask the Serjeant at Arms to investigate the delay in the Aye Lobby.

The House having divided: Ayes 328, Noes 301.

Division No. 439] [9.50 pm

AYES

Abbott, rh Ms Diane
Abrahams, Debbie
Ali, Rushanara
Allen, Heidi
Allin-Khan, Dr Rosena
Amesbury, Mike
Antoniacci, Tonia
Ashworth, Jonathan
Bailey, Mr Adrian
Bardell, Hannah
Bebb, Guto
Beckett, rh Margaret
Brake, rh Tom
Brennan, Kevin
Brine, Steve
Brock, Deidre
Brown, Alan
Brown, Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Richard
Burt, rh Alistair
Butler, Dawn
Byrne, rh Liam
Cable, rh Sir Vince
Cadbury, Ruth
Cameron, Dr Lisa
Campbell, rh Sir Alan
Campbell, Mr Ronnie
Carden, Dan
Carmichael, rh Mr Alistair
Champion, Sarah
Chapman, Douglas
Chapman, Jenny
Charalambous, Bambos
Cherry, Joanna
Clark, rh Greg
Clarke, rh Mr Kenneth
Clwyd, rh Ann
Coaker, Vernon
Coffey, Ann
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Cowan, Ronnie
Coyle, Neil
Crausby, Sir David
Crawley, Angela
Creagh, Mary
Creasy, Stella
Craddes, Jon
Cryer, John
Cummins, Judith
Cunningham, Alex
Cunningham, Mr Jim
Daby, Janet
Dakin, Nic
Davey, rh Sir Edward
David, Wayne
Davies, Geraint
Day, Martyn
De Cordova, Marsha
De Piero, Gloria
Debbonaire, Thangam
Dent Coad, Emma
Dhesi, Mr Tammanjeet Singh
Dockerty-Hughes, Martin
Dodds, Anneliese
Dodds, Jane
Doughty, Stephen
Dowd, Peter
Drew, Dr David
Dromey, Jack
Duffield, Rosie
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Ellman, Dame Louise
Esterson, Bill
Evans, Chris
Farrell, Paul
Farron, Tim
Fellows, Marion
Field, rh Frank
Fitzpatrick, Jim
Fletcher, Colleen
Flint, rh Caroline
Forbes, Lisa
Fovargue, Yvonne
Foxcroft, Vicky
Frith, James
Furniss, Gill
Gaffney, Hugh
Gapes, Mike
Gardiner, Barry
Gauke, rh Mr David
George, Ruth
Gibson, Patricia
Gill, Preet Kaur
Glindon, Mary
Godsiff, Mr Roger
Goodman, Helen
Grady, Patrick
Grant, Peter
Gray, Neil
Green, Kate
Greening, rh Justine
Greenwood, Lilian
Greenwood, Margaret
Grieve, rh Mr Dominic
Griffith, Nia
Grogan, John
Gwynnne, Andrew
Gyimah, Mr Sam
Haigh, Louise
Hamilton, Fabian
Hammond, rh Mr Philip
Hammond, Stephen
Hanson, rh David
Hardy, Emma
Harman, rh Ms Harriet
Harrington, Richard
Harris, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendrick, Sir Mark
Hendry, Drew
Hepburn, Mr Stephen
Heron, Lady
Hill, Mike
Hiller, Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Holllern, Kate
Hosie, Stewart
Howarth, rh Sir George
Huq, Dr Rupa
Hussain, Imran
James, Margot
Jardine, Christine
Jarvis, Dan
Johnson, Diana
Jones, Darren
Jones, Gerald
Jones, Graham P.
Jones, Helen
Jones, rh Mr Kevan
Jones, Ruth
Jones, Sarah
Jones, Susan Elan
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Killen, Ged
Kinnock, Stephen
Kyle, Peter
Laird, Leslie
Lake, Ben
Lamb, rh Norman
Lammy, rh Mr David
Lavery, Ian
Law, Chris
Lee, Karen
Lee, Dr Phillip
Leslie, Mr Chris
Letwin, rh Sir Oliver
Lewell-Buck, Mrs Emma
Lewis, Clive
Linden, David
Lloyd, Stephen
Lloyd, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Lynch, Holly
MacNeil, Angus Brendan
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Marsden, Gordon
Martin, Sandy
Maskell, Rachael
Matheson, Christian
Mc Nally, John
McCabe, Steve
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McInnes, Liz
McKinnell, Catherine
McMahon, Jim
McMorris, Anna
Mearns, Ian
Miliband, rh Edward
Milton, rh Anne
Monaghan, Carol
Moon, Mrs Madeleine
Moran, Layla
Morden, Jessica
Morgan, Stephen
Morris, Grahame
Murray, Ian
Nandy, Lisa
Newlands, Gavin
Nokes, rh Caroline
Norris, Alex
O’Hara, Brendan
Onn, Melanie
Onwurah, Chi
Osamor, Kate
Owen, Albert
Peacock, Stephanie
Pearce, Teresa
Pennycook, Matthew
Perkins, Toby
Phillips, Jess
Phillipson, Bridget
Platt, Jo
Pollard, Luke
Pound, Stephen
Powell, Lucy
Qureshi, Yasmin
Rashid, Faisal
Rayner, Angela
Reed, Mr Steve
Reeves, Christina
Reeves, Ellie
Reeves, Rachel
Reynolds, Emma (Proxy vote cast by Mr Pat McFadden)
Reynolds, Jonathan
Rimmer, Ms Marie
Robinson, Mr Geoffrey
Rodd, Matt
Rowley, Danielle
Ruan, Chris
Russell-Moyle, Lloyd
Ryan, Joan
Sandbach, Antonette
Saville Roberts, rh Liz
Shah, Naz
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheppard, Tommy
Sherriff, Paula
Shuker, Mr Gavin
Siddiq, Tulip
Skinner, Mr Dennis
Slaughter, Andy
Smeeth, Ruth
Smith, Angela
Smith, Cat
Smith, Eleanor
Smith, Jeff
Smith, Laura
Smith, Nick
Smith, Owen
Smyth, Karin
Snell, Gareth
Soames, rh Sir Nicholas
Sobel, Alex
Soubry, rh Anna
Sperall, rh John
Starmer, rh Keir
Stephens, Chris
Stevens, Jo
Stewart, rh Rory
Stone, Jamie
Streeting, Wes
Stringer, Graham
Sweeney, Mr Paul
Swinson, Jo
Tami, rh Mark
Thewiss, Alison
Thomas, Gareth
Thomas-Symonds, Nick
Thornberry, rh Emily
Timms, rh Stephen
Trickett, Jon
Turley, Anna
Turner, Karl
Twigg, Stephen
Twist, Liz
Umunna, Chuka
Vaizey, rh Mr Edward
Vaz, rh Keith
Vaz, Valerie
Walker, Thelma
Watson, Tom
West, Catherine
Western, Matt
Whitehead, Dr Alan
Whitfield, Martin
Whitfield, Dr Philippa
Williams, Hywel
Williams, Dr Paul
Wilson, Phil
Wishart, Pete
Wollaston, Dr Sarah
Yasin, Mohammad
Zeicher, Daniel

Tellers for the Ayes:
Chris Elmore and Stephen Gethins

NOES

Davey, rh Mr David
Dinenage, Caroline
Djanogly, Mr Jonathan
Docherty, Leo
Dodds, rh Nigel
Donaldson, rh Sir Jeffrey M.
Donelan, Michelle
Dorries, Ms Nadine
Double, Steve
Downing, rh Oliver
Dreyfus, Jackie
Drax, Richard
Duddridge, James
Duguid, David
Duncan, rh Sir Alan
Duncan Smith, rh Mr Iain
Dunne, rh Mr Philip
Ellis, Michael
Ellwood, rh Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Mr Nigel
Evernett, rh Sir David
Fabricant, Michael
Falcon, rh Sir Michael
Field, rh Mark
Ford, Vicky
Foster, Kevin
Fox, rh Dr Liam
Francis, rh Mr Mark
Frazer, Lucy
Freeman, George
Freer, Mike
Fysh, rh Mr Marcus
Gale, rh Sir Roger
Garnier, Mark
Ghani, Mrs Nusrat
Gibb, rh Nick
Gillan, rh Dame Cheryl
Girvan, Paul
Glen, John
Goldsmith, Zac
Goodwill, rh Mr Robert
Gove, rh Michael
Graham, Luke
Graham, Richard
Grant, Bill
Grant, Mrs Helen
Gray, James
Grayling, rh Chris
Green, Chris
Green, rh Damian
Griffiths, Andrew
Hair, Kirstene
Halton, rh Robert
Hall, Luke
Hancock, rh Matt
Hands, rh Greg
Harper, rh Mr Mark
That this House has considered the matter of the need to take all necessary steps to ensure that the United Kingdom does not leave the European Union on 31 October 2019 without a withdrawal agreement and accordingly makes provision as set out in this order:

(1) On Wednesday 4 September 2019

(a) Standing Order No. 14(1) (which provides that government business shall have precedence at every sitting save as provided in that order) shall not apply to and in connection with the proceedings on the European Union (Withdrawal) agreement and accordingly makes provision as set out in this order:

(b) any proceedings governed by this order may be proceeded with until any hour, though opposed, and shall not be interrupted;

(c) the Speaker may not propose the question on the previous question, and may not put any question under Standing Order No. 36 (Closure of debate) or Standing Order No. 163 (Motion to sit in private);

(d) at 3.00 pm, the Speaker shall interrupt any business prior to the business governed by this order and call a Member to present the European Union (Withdrawal) Bill of which notice of presentation has been given and immediately thereafter (notwithstanding the practice of the House) call a Member to move the motion that the European Union (Withdrawal) Bill be now read a second time as if it were an order of the House;

(e) in respect of that Bill, notices of Amendments, new Clauses and new Schedules to be moved in Committee under Standing Order No. 36 (Closure of debate) or Standing Order No. 163 (Motion to sit in private);

(f) any proceedings interrupted or superseded by this order may be resumed or (as the case may be) entered upon and proceeded with after the moment of interruption.

(2) The provisions of paragraphs (3) to (18) of this order shall apply to and in connection with the proceedings on the European Union (Withdrawal) (No. 6) Bill in the present Session of Parliament.

Timetable for the Bill on Wednesday 4 September 2019

(3) (a) Proceedings on Second Reading and in Committee of the whole House, any proceedings on Consideration and proceedings up to and including Third Reading shall be taken at the sitting on Wednesday 4 September 2019 in accordance with this Order.
(b) Proceedings on Second Reading shall be brought to a conclusion (so far as not previously concluded) at 5.00 pm.
(c) Proceedings in Committee of the whole House, any proceedings on Consideration and proceedings up to and including Third Reading shall be brought to a conclusion (so far as not previously concluded) at 7.00 pm.

Timing of proceedings and Questions to be put on Wednesday 4 September 2019

(4) When the Bill has been read a second time:

(a) it shall, notwithstanding Standing Order No. 63 (Commital of bills not subject to a programme order), stand committed to a Committee of the whole House without any Question being put;
(b) the Speaker shall leave the Chair whether or not notice of an Instruction has been given.

(5) (a) On the conclusion of proceedings in Committee of the whole House, the Chairman shall report the Bill to the House without putting any Question.

(b) If the Bill is reported with amendments, the House shall proceed to consider the Bill as amended without any Question being put.

(6) For the purpose of bringing any proceedings to a conclusion in accordance with paragraph (3), the Chairman or Speaker shall forthwith put the following Questions in the same order as they would fall to be put if this Order did not apply—

(a) any Question already proposed from the Chair;
(b) any Question necessary to bring to a decision a Question so proposed;
(c) the Question on any amendment, new clause or new schedule selected by the Chairman or Speaker for separate decision;
(d) the Question on any amendment moved or Motion made by a designated Member;
(e) any other Question necessary for the disposal of the business to be concluded; and shall not put any other Questions, other than the Question on any motion described in paragraph (16) of this Order.

(7) On a Motion made for a new Clause or a new Schedule, the Chairman or Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

Consideration of Lords Amendments and Messages on a subsequent day

(8) If any message on the Bill (other than a message that the House of Lords agrees with the Bill without amendment or agrees with any message from this House) is expected from the House of Lords on any future sitting day, the House shall not adjourn until that message has been received and any proceedings under paragraph (10) have been concluded.

(9) On any day on which such a message is received, if a designated Member indicates to the Speaker an intention to proceed to consider that message—

(a) notwithstanding Standing Order No. 14(1) (which provides that government business shall have precedence at every sitting save as provided in that order), any Lords Amendments to the Bill or any further Message from the Lords on the Bill may be considered forthwith without any Question being put; and any proceedings interrupted for that purpose shall be suspended accordingly;
(b) proceedings on consideration of Lords Amendments or on any further Message from the Lords shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement; and any proceedings suspended under subparagraph (a) shall thereupon be resumed;
(c) the Speaker may not propose the question on the previous question, and may not put any question under Standing Order No. 36 (Motion to sit in private) in the course of those proceedings.

(10) If such a message is received on or before the commencement of public business on Monday 9 September and a designated Member indicates to the Speaker an intention to proceed to consider that message, that message shall be considered before any order of the day or notice of motion which stands on the Order Paper.

(11) Paragraphs (2) to (7) of Standing Order No. 83F (Programme orders: conclusion of proceedings on consideration of Lords amendments) apply for the purposes of bringing any proceedings on consideration of Lords Amendments to a conclusion as if:

(a) any reference to a Minister of the Crown were a reference to a designated Member;
(b) after paragraph (4)(a) there is inserted—

"(aa) the question on any amendment or motion selected by the Speaker for separate decision;"

(12) Paragraphs (2) to (5) of Standing Order No. 83G (Programme orders: reasons committee) apply in relation to any committee to be appointed to draw up reasons after proceedings have been brought to a conclusion in accordance with this Order as if any reference to a Minister of the Crown were a reference to a designated Member.

Reasons Committee

(13) Paragraphs (2) to (6) of Standing Order No. 83H (Programme orders: reasons committee) apply in relation to any committee to be appointed to draw up reasons after proceedings on the Bill to which this Order applies.

Miscellaneous

(14) Standing Order No. 82 (Business Committee) shall not apply in relation to any proceedings on the Bill to which this Order applies.

(15) No Motion shall be made, except by a designated Member, to alter the order in which any proceedings on the Bill are taken, to recommit the Bill or to vary or supplement the provisions of this Order.

(16) (a) No dilatory Motion shall be made in relation to proceedings on the Bill to which this Order applies except by a designated Member.

(b) The Question on any such Motion shall be put forthwith.

(17) Proceedings to which this Order applies shall not be interrupted under any Standing Order relating to the sittings of the House.

(18) No private business may be considered at any sitting to which the provisions of this order apply.

Motion under section 3(2)(b) of the Northern Ireland (Executive Formation etc) Act 2019

(19) No motion may be made by a Minister of the Crown under section 3(2)(b) of the Northern Ireland (Executive Formation etc) Act 2019 prior to Monday 9 September.

Royal Assent

(20) At the sittings on Monday 9 September, Tuesday 10 September and Wednesday 11 September, the House shall not adjourn until the Speaker shall have reported the Royal Assent to any Act agreed upon by both Houses.

Proceedings in next Session of Parliament

(21) The provisions of paragraphs (22) and (23) of this order apply to and in connection with proceedings on a Bill in the next Session of the present Parliament if—

(a) the European Union (Withdrawal) (No. 6) Bill has been read the third time in the present Session of Parliament but has not received the Royal Assent;
(b) the Speaker is satisfied that the Bill is in similar terms to the European Union (Withdrawal) (No. 6) Bill in the present Session of Parliament;

(c) notice of presentation of the Bill is to be given by a designated Member.

(22) Where the conditions in paragraph (21) are met, Standing Order No. 14(11) (which relates to precedence in respect of private Members' Bills) shall not apply in respect of the Bill in the new Session and notice of presentation of that Bill may be given on the first day of the new Session accordingly.

(23) Where the conditions in paragraph (21) are met, the provisions of paragraphs (1), (3) to (9) and (11) to (18) shall apply to proceedings on and in connection with the Bill in the new Session as they apply to the European Union (Withdrawal) (No. 6) Bill and any reference in this order to Wednesday 4 September shall apply as if it were a reference to the second day of the new Session.

Interpretation, etc

(24) In this Order, “a designated Member” means—

(a) the Member in charge of the Bill in the present Session of Parliament; and

(b) any other Member backing the Bill in the present Session of Parliament and acting on behalf of that Member.

(25) This order shall be a Standing Order of the House.

Points of Order

10.10 pm

The Prime Minister (Boris Johnson): On a point of order, Mr Speaker. Let there be no doubt about the consequences of this vote tonight. It means that Parliament is on the brink of wrecking any deal that we might be able to strike with Brussels, because tomorrow's Bill would hand control of the negotiations to the EU. That would mean more dither, more delay and more confusion, and it would mean that the EU itself would be able to decide how long to keep this country in the EU.

Since I refuse to go along with that plan, we are going to have to make a choice. I do not want an election. The public do not want an election. I do not believe the right hon. Member for Islington North (Jeremy Corbyn) wants an election. But if the House votes for the Bill tomorrow, the public will have to choose who goes to Brussels on 17 October to sort this out and take this country forward. Everybody knows that, if the right hon. Gentleman is the Prime Minister, he will go to Brussels and beg for an extension, he will accept whatever Brussels demands, and we will have years more arguments over Brexit. By contrast, everyone knows that, if this Government are in charge and I go to Brussels, I will go for a deal and I believe I will get a deal, and we will leave anyway—even if we do not, we will leave anyway on 31 October.

The people of this country will have to choose. The Leader of the Opposition has been begging for an election for two years. He has crowds of supporters outside calling for an election. I do not want an election, but if MPs vote tomorrow to stop negotiations and to compel another pointless delay to Brexit, potentially for years, that would be the only way to resolve this, and I can confirm that we are tonight tabling a motion under the Fixed-term Parliaments Act 2011.

Jeremy Corbyn (Islington North) (Lab): Further to that point of order, Mr Speaker. I welcome tonight's vote. We live in a parliamentary democracy. We do not have a presidency; we have a Prime Minister. Prime Ministers govern with the consent of the House of Commons representing the people in whom sovereignty rests. There is no consent in this House to leave the EU without a deal. There is no majority for no deal in the country. As I have said before, if the Prime Minister has confidence in his Brexit policy—when he has one he can put forward—he should put it before the people in a public vote. So he wants to table a motion for a general election. Fine—get the Bill through first in order to take no deal off the table. [Interruption.]

Mr Speaker: Order. It is very rude for Members—[Interruption] Order. I say to the Chancellor of the Duchy of Lancaster that, when he turns up at our children's school as a parent, he is a very well-behaved fellow. He would not dare to behave like that in front of Colin Hall, and neither would I. Do not gesticulate. Do not rant. Spare us the theatrics. Behave yourself. Be a good boy, young man. Be a good boy. [Interruption.] Yes, we know the theatrics that the right hon. Gentleman perfected in the Oxford Union. We are not interested. Be quiet.
Ian Blackford (Ross, Skye and Lochaber) (SNP): Further to that point of order, Mr Speaker. I have to say that the public will be watching these deliberations tonight, and what they will make of the baying and shouting that is coming from the Conservative side, heaven only knows.

This Prime Minister has a 100% record of losing votes in the House of Commons, and one would have thought that he would have some humility tonight, but that is sadly lacking. Prime Minister, perhaps you might consider acting as a Prime Minister should. Respect the vote that has taken place in the House tonight. Let us have a Bill tomorrow. The House will be able to express its opinion that it wishes to remove no-deal as an option. Do not give us this nonsense of a fantasy that there is a deal to come from the Government, because it is simply not true.

The Government must respect the sovereignty of this House of Parliament. They must allow the Bill to be enacted—they must allow it to have Royal Assent—and yes, let us have an election, but let us have an election that respects the democracy of this House and the desire of parliamentarians to ensure that we do not crash out on a no-deal basis.

Jo Swinson (East Dunbartonshire) (LD): Further to that point of order, Mr Speaker. Across the country, people have been protesting because they are worried. They are worried about the Prime Minister’s riding roughshod over our parliamentary democracy. Tonight the House of Commons has spoken: it has said that we will not let that happen.

Much as I relish the opportunity to take on the Prime Minister in a general election, it is vital—that is not a matter for adjudication by the Chair—but the right hon. Lady has made her own point in her own way, with her customary force. It is on the record, and she will doubtless wish to return to it in times to come.

Anna Soubry (Broxtowe) (IGC): Further to that point of order, Mr Speaker. I am not going to be shouted down, especially by any man.

Mr Speaker, tonight’s vote made even the Leader of the House sit up. This Parliament has spoken, and we have spoken on behalf of the jobs, livelihoods and futures of our constituents. Yet again, we have shown that we do not want a no-deal Brexit, and tomorrow we shall have the opportunity to make sure, yet again, that we do not crash out without a deal.

I remind the Prime Minister that, as one of the so-called leaders of the Leave campaign, he promised the people of this country that we would not leave the European Union without a deal. I think that this House now has the right to know the following. The rumour is that the whip will be withdrawn from every single member of the Conservative party who voted against their Government tonight. If that is the case, Mr Speaker, it must be the first time, and it would involve right hon. and hon. Members who have served their party—and, many would say, their country—for decades. Will the Prime Minister confirm whether they will have the whip withdrawn—yes or no?

Mr Speaker: Order. It is not a matter for adjudication by the Chair—but the right hon. Lady has made her own point in her own way, with her customary force. It is on the record, and she will doubtless wish to return to it in times to come.

CENSUS (RETURN PARTICULARS AND REMOVAL OF PENALTIES) BILL [LORDS]

Bill to be considered tomorrow.

Business without Debate

ELECTION OF SELECT COMMITTEE CHAIRS (NOTICE OF ELECTION)

Motion made, and Question put forthwith (Standing Order No. 9(6)).

That, notwithstanding the provisions of Standing Order No. 122C(1), the Speaker may announce a date for an election of chairs of select committees before 12 September 2019 in respect of which the requirement of notice is not met.—(Jeremy Quin.)

Question agreed to.

Mr Speaker: I must inform the House that Nicky Morgan has given me notice of her resignation as Chair of the Treasury Committee. I declare the Chair vacant. Nominations should be submitted by 12 noon on Tuesday 10 September. Only members of the Conservative party may be candidates in this Select Committee Chair election. The ballot will take place on Wednesday 11 September from 10 am to 1.30 pm.
Sheep Farming: No-deal EU Exit

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

10.22 pm

Jenny Chapman (Darlington) (Lab): When I was first elected to this place in 2010, I never thought I would find myself standing up to challenge the Government about the decimation of the UK’s sheep industry. The ancient practice of shepherding is as old as the hills, but it is now facing an unprecedented challenge brought by the threat of a no-deal Brexit. The threat of no deal brings with it a man-made, Boris-built disaster that could harm so many sectors from chemicals to cars, food to pharmaceuticals, and steel to services—virtually every area of economic activity in this country would be hit, and that includes the sheep industry. The idea that the rearing of lambs could be so comprehensively, cruelly and deliberately threatened by our own Government is beyond belief.

Keeping sheep is already a vulnerable business and a no-deal Brexit will just add to the problems. The unprecedented loss of markets and the imposition of tariffs and barriers will severely harm this industry.

Susan Elan Jones (Clwyd South) (Lab): Does my hon. Friend agree that this is yet another example of privileged, idle old Etonians who could not care less about the lives and livelihoods of our working hill farmers in Wales and across the UK?

Jenny Chapman: My hon. Friend is absolutely right. I represent an urban constituency, but even in urban Darlington there are agricultural workers whose jobs would be affected by the effect of a no-deal Brexit on the sheep industry.

Jim Shannon (Strangford) (DUP): I thank the hon. Lady for bringing this matter to the House for consideration. I spoke to her earlier today and perhaps her opinion on Brexit is very different from mine, but the Conservative Government have indicated that as long as they have the power to do so, they will maintain the grants that are available for farmers, and for sheep farmers in particular. Does she agree that the problems and the deficits there might be in lamb prices could be offset by the Government’s commitment to give what the EU gives now?

Jenny Chapman: If it was that simple, we would not need to have this debate. This is not just about farm payments; it is about loss of markets. That is something that has not been properly understood, and the Government have not given a decent account of what they intend to do to address it.

Brendan O’Hara (Argyll and Bute) (SNP): The hon. Lady will know that Scotland is home to one fifth of the entire UK sheep flock and that much of that work is being done by farmers and crofters in less favoured areas such as my own constituency. Leaving the European Union with no deal would have a devastating effect on farmers and crofters, so will she join me in urging the Government to listen to the words of Andrew McCornick of the Scottish National Farmers Union, who has said unequivocally that a no deal must be avoided because our farmers need security and fair access to European markets?

Jenny Chapman: I agree with that. One of the specific problems faced by the farmers the hon. Gentleman describes is the fact that those flocks possess unique characteristics and that once they are gone they may never be able to be bred back into our national flock.

Wayne David (Caerphilly) (Lab): Is not the heart of the problem the fact that lamb would not be competitive if it had a 48% tariff placed on it? That would be an absolutely ridiculous situation. The Government might talk about short-term subsidies to help the immediate situation, but that is no way to save the industry as a whole.

Jenny Chapman: That is absolutely right.

Dr Sarah Wollaston (Totnes) (LD): This will certainly devastate the hill farmers in my constituency, but we must also consider the impact that it would have on the landscape. Many people do not realise that our landscapes are the way they are because of grazing.

Jenny Chapman: The hon. Lady makes an excellent point, and that is why even my constituents in urban Darlington care about what happens to our national flock and to the livelihoods of the tens of thousands of people who work so hard to keep our landscape the way that it is.

Deidre Brock (Edinburgh North and Leith) (SNP): I wonder whether the hon. Lady was as disturbed as I was to hear the Leader of the House speak so casually earlier this evening of trading purely under WTO rules, given that analysis from the Agriculture and Horticulture Development Board suggests that WTO tariffs could add anything from 38% to 91% to the price of sheepmeat for EU buyers, which would be catastrophic for the sector.

Jenny Chapman: I agree with the hon. Lady. I, and I will refer later in my speech to the report that she has mentioned.

Helen Goodman (Bishop Auckland) (Lab): Last week, I went to the Upper Teesdale Agricultural Support Service. Its concern is that because the Government have failed to bring forward the Agriculture Bill, it is not clear whether the Government have the legal powers to make payments in the event of no-deal Brexit. Does my hon. Friend agree that the Minister must answer that point this evening?

Jenny Chapman: That is the first time I have heard that point made in the House; it is one that my hon. Friend and I discussed earlier today. She is absolutely right: farmers need to hear from the Minister what he intends to do about their payments, and we need to ensure that he has the power to make those payments. The principal problem for the sheep sector is that, according to the report the hon. Member for Edinburgh North and Leith (Deidre Brock) mentioned, under no deal the export of sheepmeat to the EU27 would be almost entirely wiped out, with the only exports being...
those via a tariff rate quota of less than 400 tonnes. Of course non-EU exports could increase over time, although the possible rise of around 5% would not be anywhere near enough to offset the loss of EU trade. Reduced trade with the EU would leave around one third of UK meat without a market.

**Ruth Jones** (Newport West) (Lab): I congratulate my hon. Friend. She is absolutely correct to raise concerns about the impact of a no-deal Brexit on the sheep industry in Britain, and nowhere will that impact be felt more than in Wales. In acknowledging the work that the NFU Cymru and the Farmers Union of Wales do on behalf of Welsh farmers, may I point out that 96% of all the Welsh lamb sent out of the UK goes to the 27 other nations in the EU? If we do not get this right, sheep farmers in Wales will be pushed to breaking point, and we cannot allow that.

**Jenny Chapman:** This affects every region of the country, from the Lakeland fells, to Exmoor, to Teesdale, where I live. People are saying, “Why does this matter? Surely this just means that there will be more lamb for the UK market, the price will be cut, and we can all enjoy more lamb this Christmas.” But the problem is that we just do not have the facilities to safely slaughter, store and freeze that volume of lamb in the UK. If the Minister plans to introduce such facilities, he needs to say so tonight, because knowing that this year’s yield of 15 million lambs can be safely stored and enjoyed by consumers, and therefore paid for, would be of huge benefit to the 34,000 people currently employed in the industry. If that meat cannot be stored and sold—even at a knock-down price—the sector will be decimated.

The Government have said that they are aware of the special circumstances that would lead to a substantial negative effect on the income of UK sheep farmers and that they would compensate farmers. To their credit, the Government have pledged to continue to commit the same cash total in funds for farm support until the end of this Parliament—although obviously that might be coming sooner than was anticipated. Financial support is already included in farmers’ business plans, but it does not compensate farmers for a sudden loss of market or for feed costs for animals that they cannot now slaughter. It does not ensure that sufficient feed is available to keep lambs bred for slaughter alive. It does not create new export markets or offset tariffs, because that would be against WTO rules.

In answer to one of my written parliamentary questions on 18 July, the then Minister, the right hon. Member for Scarborough and Whitby (Mr Goodwill), said:

“We are doing all we can to mitigate the challenges our farmers will face and we have contingency plans in place to minimise disruption.”

But Ministers have not explained, and continue to refuse to explain, what those contingency plans are. The Minister’s predecessor offered from the Dispatch Box to meet me, but the current Minister then declined that invitation and has refused to discuss the issue. If a wasteful cull of millions of lambs and breeding ewes is to be avoided, measures need to be put in place now. If the slaughter and storage facilities are not in place and no deal happens, farmers will have little option but to cull their flocks. The meat will not be eaten, and the waste will be shameful.

The lack of new trading arrangements and an implementation period would mean that farmers will set about drastically reducing the size of their flocks. Chillingly, the AHDB says:

“Culling rates would record significant uplift driving the increase in adult sheep slaughterings. Quarter one of year two” of a no-deal Brexit—

“records a year-on-year uplift in slaughterings as the remainder of the year-one lamb crop are slaughtered.”

The estimate of 3 million lambs is at the lower end of the estimates.

**Matt Western** (Warwick and Leamington) (Lab): My hon. Friend is making an important speech. Perhaps she can enlighten us or confirm this, but my understanding is that the breeding season is probably just about to start, because sheep gestation is typically around 150 days, if I well recall, so farmers must be planning now exactly what their programmes will be.

**Jenny Chapman:** That is exactly right. I think the phrase is “in with a bang and out like fools,” because sheep breed at the end of October or the beginning of November, and the lambs arrive in the spring. As the Minister well knows, farmers make their arrangements and plan such things a long way in advance, which is why, according to farming bodies, we need at least a two to three-year transitional period. The AHDB report I was referring to goes on to say that “under a rapid response scenario, the national flock would be culled to reduce size.”

**Kerry McCarthy** (Bristol East) (Lab): Does my hon. Friend share my astonishment that the Welsh Secretary said over the summer that we could start exporting to Japan and that that market has opened up? They do not eat lamb in Japan at the moment, and they are certainly not going to start eating it on 1 November just to oblige us.

**Jenny Chapman:** My hon. Friend makes an important point. Yes, in theory and given enough time, it may be possible to find new markets, but it will be too late by then, because our flock will have been decimated and will take decades to rebuild. Should the situation improve in future years, with new markets, it might just be possible to re-establish the flock, but it really is not likely. Once the breeding ewes have gone and their special characteristics have been lost, it will take years to recreate the unique features of our national flock. Tens of thousands of jobs and our treasured landscape would be lost, and this is all so preventable.

A minimum of a two to three-year transitional deal is needed, and we need agreements that recognise the safety and quality of our produce. Critically, we must increase the capacity of essential cold storage facilities now. When Ministers reassure me and try to reassure farmers, they need to explain what precisely they intend to do.

**Tonia Antoniazzi** (Gower) (Lab): This is an important debate, particularly for my Gower constituency, where the lamb industry is very vibrant. Does my hon. Friend share my concern about the amount of cold storage that will be needed and about the Government’s plans to meet that need? Does this country have enough cold storage for medicines post Brexit?
Jenny Chapman: If any of us were in the business of cold storage or large-scale fridges, we would be doing quite well at the moment. My understanding from the trade body that represents such businesses is that there is no additional capacity, so should we suddenly need to store this volume of meat, those facilities will not be there and the safe consumption of that meat will not be a possible solution to this issue.

I did not believe it when I first heard about the mass culling of millions of lambs that would be rendered inedible, but then I read the reports, listened to the National Farmers Union and spoke to agricultural workers and farmers across the country. It is very clear that this is not “Project Fear”.

I ask the Minister to get out from behind his ministerial desk and deal with this now, before it is too late.

10.37 pm

The Minister of State, Department for Environment, Food and Rural Affairs (George Eustice): I congratulate the hon. Member for Darlington (Jenny Chapman) on securing this important debate on a day when we have already had a lot of discussion about our EU exit. She has raised this issue in a series of parliamentary questions, and a little later I will address some of the concerns and issues she raises.

The UK sheep sector is incredibly large and important. Combined, our upland and lowland sheep production had an annual production value of around £1.26 billion in 2018, accounting for around 4.5% of all agriculture output in the UK. As a number of hon. Members have said, the sector is also responsible for some of the most iconic landscapes in the UK.

There are 16 million breeding ewes and some 70,000 sheep farms across the UK, and the sector is particularly important in some of the devolved regions. For instance, around 50% of UK sheep production and the national flock is in Wales and Scotland. The UK is the largest producer of sheepmeat in the EU, producing around 38% of all the sheepmeat and goatmeat produced in the EU last year. The UK is also the world’s third largest exporter of sheepmeat, behind New Zealand and Australia, so we are a truly global player in this sector.

Around a third of our annual production of lamb is exported, and as the hon. Member for Darlington said, over 95% of it goes to the European Union. Total lamb exports in 2018 were valued at around £384 million, with a large amount of that coming from the European Union. The main export destination for lamb in 2018 was France, followed by Germany and Belgium, but for certain parts of the industry, notably those in Wales that tend to produce smaller lambs, some of the Mediterranean countries such as Italy and Portugal are also important purchasers of our goods. Some of our heavier lamb, predominantly from lowland areas, is more sought after in northern Europe. We recognise that, because of all those factors, in the event of a no-deal exit the sheep sector is the most exposed in its trading relationship with the EU, and we have always acknowledged that.

In managing those risks, we have two important factors going for us. First, we have a large domestic market for food in general and for lamb in particular. Measured by import value, the UK is the world’s third largest market for food and drink, coming after only China and Japan, so there are many opportunities for import substitution, as we currently source a significant quantity of lamb from New Zealand.

Secondly, we have an independent exchange rate—an independent currency and a floating exchange rate. That is incredibly important for the agriculture sector. It helps as an automatic stabiliser when we have shocks. We now contemplate the prospect of having to leave the EU without a withdrawal agreement, although that is not our preference, as all hon. Members know. Having a floating exchange rate makes that easier for the farming sector than it would have been had we become trapped in the euro some years ago.

Helen Goodman: I am astounded by what the Minister has just said. The pound has fallen by 20% since the referendum, which means that for every export the farmers are getting 20% less money. How can that be good for them?

George Eustice: Yes, absolutely, there is discretion, and the UK Government have already indicated what our tariff schedule would be in a no-deal scenario. Governments have the opportunity to have a lower applied tariff—lower than the bound tariff set in the WTO. The option is also open to any Government unilaterally to suspend tariffs. Indeed, should it wish, tariff suspension would be open to the EU, which I think is unlikely. Alternatively, and more likely, is the creation of an autonomous tariff rate quota for lamb that would be open to the whole world, including the UK. There are many options that both the EU and the British Government have unilaterally to apply tariffs that are lower than the WTO bound tariff.
However, as I said, it is important to recognise that we are the dominant producer. The EU could source more product from New Zealand, provided it had access to the ceiling currently set under the EU tariff rate quota. In the medium term, countries such as Spain could increase their production, but they are unlikely to be able to do that in the short term. For those reasons, it is likely that there would be an increase in consumer prices in the European Union as a result of its applying the full MFN tariff.

It is important to recognise that that increase in price would dampen demand in the European Union. Modelling suggests that that would increase supply in the domestic market and that as a result prices in the UK could fall by up to 30%. To put that into context, that means prices going back down to roughly where they were in 2015, which was a difficult year for the sheep sector. We are talking about a significant potential reduction, but it is not unprecedented. It would simply be going back to levels prior to the referendum result.

Tonia Antoniazzi: The Welsh Affairs Committee recently went to New Zealand and visited the sheep and beef industry, which was very interesting. Our farmers worry that our markets are going to be flooded with cheap New Zealand lamb. What can the Minister say to allay our farmers’ fears?

George Eustice: The Government have already made it clear that because of the particular sensitivity, we will apply full MFN tariffs on lamb, so there will not be any additional imports to the UK beyond those we already have. There is a splitting of the existing TRQ for New Zealand lamb between the UK and New Zealand—a combined total of around 250,000 tonnes—but there will be no additional lamb because we will apply full MFN tariffs outside that TRQ.

Tonia Antoniazzi: How is the tariff going to work between Europe and the UK? Has it been decided what percentage of the tariff is going to go to the UK or to Europe?

George Eustice: Yes, that has been decided. One of the few areas in which the European Union has from the very beginning being willing to work with the UK is on agreeing a splitting of the tariff rate quota schedules, and those have already been lodged with the World Trade Organisation.

As I said, we recognise that in a no-deal scenario we will have to show some solidarity with the sector, which will nevertheless face potentially significant falls in prices to levels not seen since 2015.

Douglas Ross (Moray) (Con): I welcome the Minister back to the Dispatch Box. He is giving a strong account for this important sector. On my summer surgery tour, farmers from Tomintoul to Rothiemay expressed their concerns about the future of the industry. What reassurance can the Minister give, on behalf of the Government, that this issue is being given the utmost priority? What can he say tonight to reassure sheep farmers in Moray, across Scotland and throughout the UK?

George Eustice: I can absolutely give my hon. Friend that reassurance. He will be aware that the Government are seeking a free trade agreement with the European Union in the medium to long term and, if we can get it, in the short term. In the short term, the Prime Minister has already made it clear that in the event of a no-deal exit we will show solidarity with the sheep industry and make interventions, where necessary, to support farmers’ incomes.

Jenny Chapman rose—

George Eustice: I am going to conclude because we are running out of time.

The hon. Member for Bishop Auckland (Helen Goodman) raised the important issue of whether we have the legal vires to make those interventions, and I can confirm that we do. The Government have a number of legislative vehicles with which to do so, including elements of retained EU law, and the Natural Environment and Rural Communities Act 2006 also includes general grant-making powers that give us the ability to do so.

We are considering two possible options. One is a headage payment on breeding ewes, should that be necessary. That would be important in the event that farmers producing lambs are the ones who have the shock to their income. The second option would be something called a slaughterhouse premium, which would in effect involve a supplementary top-up payment for lambs at the point of slaughter. We could use a combination of those options but, broadly speaking, a headage payment and income-support approach would be the right approach to adopt.

Matt Western rose—

George Eustice: I want to conclude now as we are running out of time.

The scale of, or need for, any intervention is difficult to judge at this point, because it will depend quite considerably on the approach that the European Union finally takes. As I said earlier, it is open to it to create an autonomous tariff rate quota, but it is also highly dependent on the extent of exchange rates. I can give the hon. Members an undertaking tonight to reassure them that the Rural Payments Agency has already been told to design the administrative procedures necessary to make such headage payments. Discussions with the Treasury are at an advanced stage about what support may need to be set aside, while recognising that no final decisions can be taken until we actually leave the European Union.

I know that the hon. Member for Darlington has previously raised the issue of culling sheep, and she raised it again tonight. I can confirm that that is not under consideration. We regard any problems as being potentially short term and the correct approach would be to supplement farmers’ incomes through the headage payment schemes that I have described. We do not want to reduce the capacity of our flock.

We are a global player in this sector and we believe that there is a bright future for our sheep sector. However, in the unlikely event that it is not possible to get a longer-term free trade agreement with the European Union, there are, of course, other approaches that we can take. Our existing tariff-rate policy is set for just 12 months. It is open to us in future to review that and to apply certain tariffs to other EU sectors, to give our farmers opportunities to diversify into different sectors such as beef. Many of our sheep producers are mixed beef and sheep enterprises. It is also open to us to support the opening of new markets through, for instance,
the deployment of new attachés to our embassy to help
gain that market access. I know that the hon. Lady said
that that was against WTO rules, but that is not correct.
Certain types of export refunds are against WTO
convention, but there is no rule against investment to
support market access.

In conclusion, we recognise that the sheep sector
more than any other agriculture sector is exposed because
of the scale of its exports to the European Union, but
the Government have been working for the past two
years on modelling the potential impacts and planning
the types of interventions that we may need to make to
ensure that our sheep farmers are protected from any
no-deal exit.

Question put and agreed to.

10.51 pm

House adjourned.
Oral Answers to Questions

WALES

The Secretary of State was asked—

Well-being of Future Generations (Wales) Act


Kevin Foster: While the UK Government have not made a formal assessment of this legislation from the National Assembly for Wales, the wellbeing of future generations is already at the heart of UK Government policy.

Kerry McCarthy: The aim of this Act is to focus minds on the long term so that we leave things better off for the next generation than they are for us. Given the decade of austerity, the risk of a no-deal Brexit and the climate emergency we are currently in, how does the Minister think this legislation would fare in UK law judging by what we are doing to the future generations now?

Kevin Foster: If we were looking well to the future, we would say that this was the first Government of one of the major industrialised countries to set a legal target for zero carbon emissions. We can look at the work being done in the north Wales growth deal to drive forward sustainable growth. Given that one of the tests for future generations is not handing them unsustainable debt, we can look at how we got on and tackled the deficit that was completely unsustainable when we inherited it in 2010.

Anna McMorrin (Cardiff North) (Lab): As someone who helped to develop this law from its beginning to its end in Welsh government, I have seen what a difference it has made to our public bodies, to Welsh government, and to people’s lives in Wales in terms of long-term decision making. Will the Minister commit his Government to bringing in this future generations law for the whole of the UK?

Kevin Foster: As I said, the UK Government already have the wellbeing of our future generations at the heart of our policy. Looking at Labour Members, it would be interesting to know exactly how the provisions around handing on unsustainable debt would apply to the shadow Chancellor’s economic policy.

2. Wayne David (Caerphilly) (Lab): What recent economic assessment he has made of the potential effect on Wales of the implementation of the withdrawal agreement.

[912225]

10. Bambos Charalambous (Enfield, Southgate) (Lab): What recent economic assessment he has made of the potential effect on Wales of the implementation of the withdrawal agreement.

[912223]

The Secretary of State for Wales (Alun Cairns): The best outcome for Wales and the Welsh economy is that the UK leaves the European Union in an orderly manner with a deal. We will continue to work with energy and determination to make sure that that happens. However, the UK will be leaving the European Union on 31 October.

Wayne David: Given that 90% of Welsh lamb is exported to other countries in the European Union, does the Secretary of State still believe that, in the event of a no-deal Brexit, a viable alternative market will be Japan?

Alun Cairns: The hon. Gentleman makes a good point. I met the Farmers Union of Wales yesterday, and I will be meeting NFU Cymru quite soon. The Japanese market is a new market that opened in January. It is wholly separate from the free trade agreement that the European Union has with Japan, so there has been lots of misreporting that the hon. Gentleman fails to recognise and understand. However, his constituency voted to leave the European Union—why is he trying to stop the process?

Bambos Charalambous: Will the Secretary of State confirm what conversations his Government colleagues have had with the manufacturing industry concerning a hard Brexit?

Alun Cairns: I am grateful to the hon. Gentleman, because manufacturing is an extremely important part of the Welsh economy. Wales has the fastest growth in the manufacturing sector across the whole of the UK economy. The Welsh manufacturing sector is in good strength, and I look forward to the new opportunities after we have left the European Union.

Mr David Jones (Clwyd West) (Con): This House has rejected the withdrawal agreement on three occasions, and it is therefore a dead letter. Given that the people of Wales voted to leave the European Union, does my right hon. Friend agree that we have a positive obligation to deliver Brexit and that that is less likely to be achieved if this House decides to pass the Bill that it will be considering later today?

Alun Cairns: My right hon. Friend is absolutely right. I pay tribute to him for his work in this area. The Welsh and the British public want Members in this place to act on the result of the referendum, to draw a line and move on, and to focus on growing and supporting the Welsh and the UK economies for the opportunities after we have left the European Union.
Michael Fabricant (Lichfield) (Con): Does my right hon. Friend agree that the 594 pieces of legislation that this Parliament has passed in the event of a no-deal Brexit and the corresponding pieces of legislation passed in Brussels mean that the future for Wales, whether it be deal or no deal, is bright?

Alun Cairns: My hon. Friend is absolutely right. The UK Government are making comprehensive preparations, in the event of a deal or in the event of no deal, to best position the UK and the Welsh economy to take the new opportunities as we leave the European Union. I am determined to work with colleagues right across Whitehall to ensure that Wales is at the forefront of their thinking.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): Last night, 85% of Welsh MPs voted against no deal, including some very honourable Members who bra ved their own Whip. No deal has no mandate from the people and no mandate from Parliament. Is the Secretary of State proud of being complicit in his Administration’s attempt at pushing through an anti-democratic, damaging version of Brexit by silencing Welsh MPs who are representing our nation’s best interests?

Alun Cairns: The right hon. Lady’s party jointly published a document, “Securing Wales’ Future”, with the Welsh Government, which said that they would honour the outcome of the referendum. The reality is that the right hon. Lady and her party are frustrating the process. People in Wales want to draw a line and move on.

Liz Saville Roberts: Evidently the Prime Minister has a kennel of little pet dogs. As this place descends into further chaos, when the Senedd is recalled early tomorrow, Plaid Cymru will be calling for a Welsh national constitutional convention, to look at the options for Wales’s constitutional future. Can the Secretary of State confirm whether his party will get behind this national conversation, or will his seniors—the Minister for the Union and his advisers—stifle every attempt at our nation’s democracy?

Alun Cairns: The right hon. Lady claims to be the leader in Westminster of the party of Wales, but she fails to remember and to act on the instruction that came from the people of Wales to leave the European Union. She is seeking to frustrate the process. She is causing uncertainty to the Welsh economy, which is undermining business confidence.

Christina Rees (Neath) (Lab/Co-op): I have listened intently to the Secretary of State’s answers, and I am struggling, because he appears to be totally out of touch with what is going on in this place and in Wales. Does he now believe that the backstop is anti-democratic and risks undermining the Good Friday agreement, as his current boss claims?

Alun Cairns: The hon. Lady did not support the withdrawal agreement—she voted against it—which has contributed to the current circumstances. Does she genuinely recognise and want to act on the instruction that came from the Welsh people, which is to leave the European Union? We need to draw a line.

Christina Rees: That is another non-answer from the Secretary of State, among many. I thought the system here was that I ask the questions and he answers them, unless I have got it wrong or he wants to swap positions. I will ask him again: why did he vote for the backstop three times under his previous boss? Was that to curry favour and keep his job then, or is he trying to keep his job now, or both?

Alun Cairns: I am seeking to act on the democratic will of the Welsh and British people, and I am also seeking to respond to the demands that have been made in Parliament. The withdrawal agreement has been killed three times. We are working energetically and enthusiastically with our European allies in order to come back to this House with a deal, so that we can move on and focus on growing the economy and delivering on public services.

Universal Credit

3. Liz Twist (Blaydon) (Lab): What assessment he has made of the economic effect on low-income families of the roll-out of universal credit in Wales.

8. Ruth Jones (Newport West) (Lab): What assessment he has made of the economic effect on low-income families of the roll-out of universal credit in Wales.

The Parliamentary Under-Secretary of State for Wales (Kevin Foster): We are always having discussions across Government about how we can improve the experience for universal credit claimants. It is possible already in certain circumstances for rent to be paid directly, but part of universal credit is ensuring that benefits mimic more the experience of being in a job and encouraging people to find one.

Kevin Foster: We are always having discussions across Government about how we can improve the experience for universal credit claimants. It is possible already in certain circumstances for rent to be paid directly, but part of universal credit is ensuring that benefits mimic more the experience of being in a job and encouraging people to find one.

Kevin Foster: The Minister agree that, thanks to the changes that his Government have introduced this year, couples forced to transfer from pension credit to universal credit will lose up to £7,000 each and every year? What is he doing to mitigate that personal economic disaster for those couples all across Wales?

Kevin Foster: I must say that I do not recognise the figures the hon. Lady has just given, but I would say that the introduction of universal credit has ended the 16-hour cliff edge that many families faced and the introduction of the national living wage has helped boost the incomes of many across Wales.
11. [912234] Carolyn Harris (Swansea East) (Lab): Mr Speaker, “Women survive violence then have to survive on peanuts, we have nothing to furnish, no food, no recourse to public funds, we need money to live on, otherwise we are either destitute or die.”

Those are the words of a Welsh survivor of domestic violence. Is the Secretary of State aware that his Government’s universal credit scheme is responsible for causing victims more pain, more hardship and more heartbreak? These survivors need help, not hurdles. When will he start speaking up for them?

Kevin Foster: I can say that the Department for Work and Pensions has been working with Welsh Women’s Aid to deliver training for domestic abuse specialists in jobcentres. By the end of September, every jobcentre in Wales will be covered by a specialist who will further raise awareness of domestic abuse and be able to provide additional support.

Shared Prosperity Fund

4. Alison Thewliss (Glasgow Central) (SNP): What recent discussions he has had with Cabinet colleagues on the shared prosperity fund. [912227]

6. Scott Mann (North Cornwall) (Con): What steps the Government are taking to establish the shared prosperity fund. [912229]

The Secretary of State for Wales (Alun Cairns): I have regular discussions with my Cabinet colleagues on a range of issues, including the UK shared prosperity fund. The Government are committed to consulting widely on the design of the fund, which will provide a real opportunity to strengthen the bonds of the Union through a programme of investment to tackle inequalities between communities.

Alison Thewliss: That does not really tell us very much. The Government snuck out a statement pre-recess, with no guarantees and a very vague promise of consultation. Can the Secretary of State tell me today whether Wales and Scotland will be able to set their own priorities under the shared prosperity fund, or is this just another blatant Westminster power grab?

Alun Cairns: Wales has received more than £4 billion—or almost £5 billion—over the last 17 years or more, but remains the poorest part of the UK. This is a once-in-a-generation opportunity to change that funding, so it can be more responsive to the needs of communities, rather than perhaps centralised bureaucrats.

Scott Mann: Like Wales, Cornwall has benefited from the European regional development fund and objective 1 funding. Can I ask what representations the Welsh Secretary is making to the Treasury to ensure that small businesses are able to bid in, because that was the big problem with the funding in the previous round?

Alun Cairns: My hon. Friend makes an excellent point. He talks about the engagement of the private sector and small businesses, particularly with what are currently European programmes, and the difficulty they have had. The UK shared prosperity fund will allow us to respond to the demands of businesses in my hon. Friend’s constituency and right across Wales.

13. [912236] Nick Smith (Blaenau Gwent) (Lab): The Ebbw Vale to Cardiff train line is critical for Blaenau Gwent’s economy. It needs track, bridging and signalling work to run more trains an hour, but Wales has received just 2% of rail enhancement funding since 2011, so the shared prosperity fund would really help here. Will the Secretary of State meet me, Transport Ministers and the Welsh Government to help provide funding and improve this line for Blaenau Gwent?

Alun Cairns: I will happily work constructively with the hon. Gentleman, as I regularly do—I pay tribute to the work he has been doing to highlight the challenges and opportunities that the Ebbw Vale railway line brings—and I will meet him and our colleagues. I would highlight, however, that Cardiff Central is also important to the network in and around south Wales. The renewal of the station, which we have announced, has been well received within the region, as has the new West Wales Parkway, which will take tens of minutes off journey times between Cardiff and west Wales.

Glyn Davies (Montgomeryshire) (Con): Can the Secretary of State give this House an assurance that every part of Wales—not just west Wales and the valleys, but every part of Wales, including mid-Wales—will be in a position to benefit from the funding opportunities that will arise from the UK shared prosperity fund?

Alun Cairns: May I pay tribute to my hon. Friend for highlighting and championing this cause for some time? He recognises that some of the poorest wards in Wales are outside the current European rules about where money can be spent. His constituency is one and my constituency is another, so reshaping the UK shared prosperity fund will give us an opportunity to support his most vulnerable constituents and others, wherever else they are in Wales.

Albert Owen (Ynys Môn) (Lab): Agencies, small businesses and local authorities are making post-2020 plans now. What assurances can the Secretary of State give those businesses and agencies that the money will become available, and how will they manage to access this money?

Alun Cairns: The hon. Gentleman makes an important point. Even if we were remaining in the European Union and we had not had the referendum, there would be no clarity on his question from a European perspective. The way in which the Labour party is prolonging the Brexit debate means more uncertainty for community groups that want to benefit from the post-Brexit policies, such as the UK shared prosperity fund.

Leaving the EU: No Deal

5. David T. C. Davies (Monmouth) (Con): What recent discussions he has had with the Chancellor of the Exchequer on economic preparations for the UK leaving the EU without a deal on 31 October 2019. [912228]

The Secretary of State for Wales (Alun Cairns): I have regular discussions with Cabinet colleagues. We would prefer to leave the European Union with a deal, but if it is not possible, we will leave without a deal, and the Government are committed to preparing for this outcome.
David T. C. Davies: Wales will benefit from Brexit with or without a deal. Does the Secretary of State agree that we could deliver an extra boost to the economy of south Wales by devolving air passenger duty to the Welsh Government, allowing them to cut that tax in Wales, which would put Wales on an equal footing with Scotland and Northern Ireland?

Alun Cairns: My hon. Friend has made many points. I pay tribute to the research and report that the Welsh Affairs Committee, which he chairs, has published. It has recently received a response from the Government. It highlighted that this is one aviation market. Therefore, we cannot act in a way that would benefit one part and destroy another. I fear that the Welsh Government would increase air passenger duty in Cardiff and make the airport even more uncompetitive.

David Hanson (Delyn) (Lab): What provision have the Government made to support Welsh farmers in the event of a 40% tariff on 1 November?

Alun Cairns: I met the Farmers Union of Wales yesterday to discuss the challenges and opportunities that Brexit will bring. I plan to meet NFU Cymru shortly. We recognise that there are new markets that we need to be exploring. I have already highlighted Japan as one of those markets, but there are many more.

Chris Ruane (Vale of Clwyd) (Lab): To continue that point, 40% of the UK’s sheepmeat is exported tariff-free to the EU. Yesterday, our shadow team met the FUW, which said that on 1 November there will be a huge lamb market in Dolgellau. If we crash out of the EU without a deal on Halloween, the lamb export market will disappear overnight. The lambs in Dolgellau will have no market value and will be culled, buried or sold off as pet food. Which of those options does the Secretary of State think is the best?

Alun Cairns: Our record supporting rural Wales and the rural economy across the whole of the UK is strong. It compares favourably with the hon. Gentleman’s performance. I hardly saw him as the champion of Welsh agriculture in the past.

Leaving the EU: No Deal

7. Andrew Bowie (West Aberdeenshire and Kincardine) (Con): What recent discussions he has had with the Welsh Government on planning for the UK leaving the EU without a deal.

[912230]

The Secretary of State for Wales (Alun Cairns): I have regular discussions with Welsh Government Ministers on a range of issues, including preparations for leaving the EU. Within days of the Prime Minister’s appointment at the end of July, the Prime Minister and I met the First Minister in Cardiff. Naturally our departure from the EU was central to these discussions.

Andrew Bowie: I thank my right hon. Friend for that answer. There are some concerns that the devolved Administrations might not be as ready as this Government for a no-deal exit. Can he confirm that this Government are doing all they can to ensure that the entire UK is ready to leave, come what may, on 31 October?

Alun Cairns: My hon. Friend has hit the nail on the head. The devolved Administrations are invited to the exit planning committees that the UK Government hold. They are fully aware of the proactive, positive steps and measures that we have introduced in preparation for leaving the European Union. I am only disappointed that the same courtesy and invitation have not been extended by the Scottish and Welsh Governments, which would allow and give us the same confidence.

Jessica Morden (Newport East) (Lab): The Secretary of State talked about manufacturing and the economy. The impact of Tata’s announcement on Monday that it will close Cogent’s Orb steelworks will be keenly felt in Newport. It is devastating news for workers and their families. Will he meet me urgently to discuss what the Government will do?

Alun Cairns: Absolutely. I will meet the hon. Lady and work with her to co-ordinate our response. I recognise the priority she has placed on this operation for some time and she highlighted some of the risks and concerns she had some time ago. Yesterday, I spoke to Roy Rickhuss from Community union. I have, naturally, also spoken to Tata. We are working with the Department for Business, Energy and Industrial Strategy in terms of challenging the issues that Tata is raising to seek to bring it to the most competitive position possible.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): With reports that the British Government are stockpiling body bags as part of their no-deal Brexit preparations, what assessment has the Secretary of State undertaken of the amount of Welsh people who may die as a result of medical shortages for a no-deal Brexit?

Alun Cairns: The hon. Gentleman, by supporting the motion last night and the Bill this evening, is simply prolonging the uncertainty. The Welsh people and the British people want certainty about our exit from the European Union. We are determined to leave at the end of October. We would like to leave with a deal—that will give us the smoothest possible exit—but at least we can plan for the opportunities the future brings. [Interruption.]

Mr Speaker: Order. I appeal to the House to calm down. There are a very large number of noisy private conversations taking place, which, at the very least, is rather discourteous to and disrespectful of the people of Wales.

Strength of the Union

9. Ross Thomson (Aberdeen South) (Con): What steps the Government are taking to strengthen the Union.

[912232]

The Parliamentary Secretary, Cabinet Office (Kevin Foster): This Government are a Unionist Government firmly committed to strengthening our United Kingdom. My noble Friend Lord Dunlop is conducting an independent inquiry to ensure UK Government structures are configured to strengthen the working of the Union, while respecting and supporting the current devolution settlements.
Ross Thomson: Does my hon. Friend agree that all four nations of our United Kingdom benefit from the close bonds of our Union and that, as we leave the EU with powers returning from Brussels, we can strengthen those bonds even further?

Kevin Foster: I totally agree with my hon. Friend. Seeing powers coming back to this United Kingdom and going to the devolved tier of government will help to bring our four nations closer together. That is why it is so strange that those people who call themselves nationalists actually want to take powers back so they can give them away again to Brussels.

Kevin Brennan (Cardiff West) (Lab): Is it not the case that the real nationalist party in this Chamber now, after last night’s events, is the Tory party, which is rapidly turning into the right-wing English nationalist party?

Kevin Foster: Well, what a load of rubbish. This party is absolutely firmly committed to being a Unionist party, and we will not be fanning the flames of division by raising the prospects of second referendums, including second referendums on separation.

Leaving the EU: Potential Benefits

12. Mr Peter Bone (Wellingborough) (Con): What assessment he has made of the potential benefits to Wales of the UK leaving the EU on 31 October 2019. [912235]

The Secretary of State for Wales (Alun Cairns): The Welsh economy approaches EU exit from a strong position. Leaving the EU will allow us to shape our own ambitious trade and investment opportunities, putting Wales and the wider UK at the forefront of global trade and investment.

Mr Bone: My gosh, Mr Speaker, the Minister has answered the question for me. I cannot ask a supplementary.

Alun Cairns: We can take great pride in how the economy has performed since the referendum took place: record levels of employment; low levels of unemployment; and inactivity levels in Wales now that are better than the rest of the UK for the first time in decades. I look forward to the opportunities being a participant in new free trade agreements right around the world will give to the Welsh economy.

Chris Bryant (Rhondda) (Lab) rose—[Interruption.]

Mr Speaker: Now the hon. Gentleman knows how popular he is, he has a right to have his question heard with courtesy. We will keep going for as long as necessary to ensure that that happens in every case.

Chris Bryant: I’m not sure it’s worth it, to be honest. [Laughter.] If the UK leaves the European Union without a deal, how will Welsh farmers be able to sell their lamb in the European Union?

Alun Cairns: I have already mentioned the positive engagement that we have with the farming and rural affairs community, and the new markets that are open to us. The hon. Gentleman, by voting last night in favour of a motion and by supporting the Bill tonight, will just prolong the uncertainty and will not allow farmers to prepare. We are determined to leave the European Union. We want to leave the European Union with a deal, but we must draw a line and move on to exciting economic opportunities thereafter.

Severn Bridge Tolls

14. Christian Matheson (City of Chester) (Lab): What recent economic assessment he has made of the effect of the removal of tolls on the Severn bridge. [912237]

The Parliamentary Under-Secretary of State for Wales (Kevin Foster): I am delighted to say that July 2019 saw a 20% increase in traffic westbound and an 8% increase eastbound compared with July 2018. It is too early to make a detailed economic assessment, but our initial estimates were that it would boost the Welsh economy by around £100 million a year.

Christian Matheson: I am really pleased to hear of those benefits. Will the Minister have a word with the Transport Secretary—just along from him on the Government Front Bench—and get him to take notice of them and have him remove the tolls on the Mersey crossing, which the Conservative Government said that they would never levy in the first place?

Kevin Foster: Each crossing is based on an individual case, and the Mersey Gateway, which, as the hon. Gentleman will know, was built in 2017, was based on a 30-year concession to fund its construction.

RAF St Athan: School of Technical Training

15. Mrs Madeleine Moon (Bridgend) (Lab): What recent discussions he has had with the Secretary of State for Defence on No. 4 School of Technical Training at RAF St Athan. [912238]

The Parliamentary Under-Secretary of State for Wales (Kevin Foster): The Secretary of State has regular discussions with Ministers at the Ministry of Defence on No. 4 School of Technical Training. I will be meeting Ministers at the MOD shortly to explore options not only on maintaining St Athan’s role as an important military and civilian site, but on how to enhance the wider military presence in Wales.

Mrs Moon: The commandant has said that the school will close before April 2024. What steps is the Secretary of State taking, given that it is in his constituency, to ensure that the people there will have a chance either to move to Cosford or Lyneham, or, even better, to remain in Wales with this viable school remaining where it should be?

Kevin Foster: Thankfully, those who are based in St Athan have a very strong champion in the local MP and the Secretary of State for Wales in ensuring that the military presence is maintained. We just wish that the Welsh Government were slightly more co-operative.
The Prime Minister was asked—

Engagements

Q1. [912209] Siobhain McDonagh (Mitcham and Morden) (Lab): If he will list his official engagements for Wednesday 4 September.

The Prime Minister (Boris Johnson): I know that the whole House will want to join me in paying tribute to PC Andrew Harper, who was killed while on duty. His death and the serious injuries sustained by PC Stuart Outten in London and PC Gareth Phillips in Birmingham are a powerful reminder of the dangers that police officers face every day to keep us safe.

This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall have further such meetings later today.

Siobhain McDonagh: May I associate myself with the comments about the brave acts of the police officers?

On Brexit, the former Prime Minister’s deal was unacceptable to this House, but to leave without a deal is unthinkable, yet the Prime Minister pursues a game of brinksmanship built on the livelihoods, health and future of my constituents and our country. There is still an option to resolve this once and for all: if the Prime Minister really believes in no deal, let him put it to the people and ask our people if that is the price they want to pay.

The Prime Minister: As the hon. Lady knows very well, this Government will take this country out of the European Union on 31 October. There is only one thing that stands in our way: the undermining of our negotiations that I think the House can agree with. The only thing stands in our way is the surrender Bill currently being proposed by the Leader of the Opposition. I invite the Leader of the Opposition to confirm, when he stands up shortly, that if that surrender Bill is passed, he will allow the people of this country to have their view on what he is proposing to hand over in their name with and others.

Q2. [912211] Robert Halfon (Harlow) (Con): Will my right hon. Friend confirm that when we leave the European Union on 31 October, we will no longer be subjected to EU rules on VAT on our energy bills, costing Harlow constituents and households around £55 extra every year? Will he confirm that we will take back control of our energy bills and save households around £1.5 billion a year on their heating and lighting?

The Prime Minister: I thank my right hon. Friend for his excellent suggestion. As he knows, we currently apply the reduced 5% rate on domestic fuel and power, which is the lowest allowed under EU law, but of course when we leave the EU on 31 October, it will be open to us to change this to the benefit of the people of Harlow.

Jeremy Corbyn (Islington North) (Lab): I start by paying my deepest respects to PC Andrew Harper, who died in the line of duty. It is a reminder of the risks that he faced and that police officers face all the time trying to protect communities. We send our sympathies to his family, colleagues and friends.

I also send our condolences to those affected by Hurricane Dorian, which hit the Bahamas at the weekend. I hope and am sure that the Government and the Department for International Development will do all they can to send all the help that is necessary.

Yesterday, it was revealed that the Prime Minister’s negotiating strategy was to run down the clock and that the Attorney General told him that his belief that the EU would drop the backstop was a complete fantasy. Are these reports accurate, or can the Prime Minister provide the detail of the proposals he has put forward to the EU?

The Prime Minister: Our negotiating strategy is to get a deal by the summit on 17 October, to take this country out of the EU on 31 October and to get Brexit done. The right hon. Gentleman’s surrender Bill would wreck any chances of the talks. We do not know what his strategy would be if he took over. He is asking for mobs of Momentum activists to paralyse the traffic. What are they supposed to chant? What is the slogan? “What do we want? Dither and delay. When do we want it? We don’t know.” That is his policy. Can he confirm now that he will allow the people of this country to decide on what he is giving up in their name with a general election on 15 October? Or is he frit?

Jeremy Corbyn: My first question to the Prime Minister, and no answer given! I asked what proposals had been put to the EU. We asked yesterday—many colleagues asked—and he seems utterly incapable of answering. Any rational human being would assume therefore that none have been put and there is no answer. The Prime Minister and his Cabinet colleagues have said he is making progress. The EU’s chief negotiator, the Chancellor of Germany and the Taoiseach of Ireland say that no proposals have yet been made by the UK. If the Prime Minister thinks he has made progress, will he publish the proposals he has put forward to replace the backstop?

The Prime Minister: As the right hon. Gentleman knows very well, you do not negotiate in public. We are making substantial progress and we will get that backstop out. [Interruption.] If he will list his official engagements for Wednesday 4 September.

Mr Speaker: Order. Forgive me for interrupting, Prime Minister, but there is a long way to go and a lot of questions to be reached. The questions must be heard, and the Prime Minister’s responses must and will be heard.

The Prime Minister: Let us be absolutely clear. This Government will get a deal from our friends in Brussels and we will get the backstop out. We will get an agreement that I think the House can agree with. The only thing standing in our way is the undermining of our negotiations by this surrender Bill, which would lead to more dither and delay. We delayed in March; we delayed in April; and now the right hon. Gentleman wants to delay again for absolutely no purpose whatever. What does he intend by this? The Government are spending £1 billion to put 20,000 more police officers on the streets. He wants to spend £1 billion a month—net—to keep us in the EU beyond 31 October. I will never allow that.

Jeremy Corbyn: I really fail to see how I can be accused of undermining negotiations, because no negotiations are taking place. The right hon. Gentleman
has been Prime Minister for six weeks, and he promised to get Brexit sorted. In six weeks, he has presented nothing to change the previous Prime Minister’s deal, which he twice voted against. The negotiations that he talks about are a sham. All that he is doing is running down the clock.

At the weekend, the Chancellor of the Duchy of Lancaster said that food prices would go up under no deal. Will the Prime Minister publish the Yellowhammer documents so that people can see which food prices will go up and by how much?

The Prime Minister: The Chancellor of the Duchy of Lancaster said absolutely no such thing, and I can tell the right hon. Gentleman that, thanks to my right hon. Friend’s good offices and thanks to his efforts, preparations for no deal are very far advanced. I can also tell him that the surest way of getting no deal is to undermine this country’s ability to negotiate, which is what he is doing.

If this Bill is passed this afternoon—I do not want an election, and I do not think that the right hon. Gentleman wants an election, but there is a petition on his own Labour website in which 57,000 people, including Carol, Nigel, Graham and Phoebe, have called for an election. I do not know whether there is a Jeremy on the list. I do know that the right hon. Gentleman is worried about free trade deals with America, but I can see only one chlorinated chicken in the House, and he is sitting on the Opposition Front Bench. Will he confirm that he will let the people decide on what he is doing to this country’s negotiating position by having a general election on 15 October?

Jeremy Corbyn: Perhaps the Prime Minister will tell us what the negotiating position actually is.

The Prime Minister may have forgotten the question that I asked, given his rather lengthy peroration. When the Chancellor of the Duchy of Lancaster denied that there would be shortages of fresh food, the British Retail Consortium said that that was “categorically untrue”.

I hope that no more young female staff are going to be frogmarched out of Downing Street, because there was another Government leak at the weekend, concerning disruption of our ports. The leaked documents, written by the Government in the last fortnight, show that no deal would lead to shortages on the shelves and shortages of medical supplies in hospitals. People need to prepare. So I ask the Prime Minister again: will he publish the Yellowhammer documents in full, so that people can see which foodstuffs are not going to be available, which medicines are not going to be supplied and what will happen given the shortages of vital supplies in every one of our hospitals all over the country?

The Prime Minister: I am afraid that the right hon. Gentleman is guilty of the most shameless scaremongering. We have made ample preparations for coming out of the EU. What his party is recommending is yet another vote in this House.

Jeremy Corbyn: The Prime Minister failed to answer my questions about food supplies, about medicine supplies and about the problems in hospitals. He refuses to publish the Yellowhammer documents. He talks about scaremongering. Where does the information come from, other than his office in his Government? He is obviously so confident of the position that he has adopted that he is now prepared to spend £100 million of our money on an advertising campaign to try to persuade people that everything is fine. He knows it is not, and they know it is not. He is hiding the facts.

The Government have refused to publish their impact assessments on how a no-deal Brexit would affect poverty in this country. They received a request under the Freedom of Information Act from the Glasgow-based Poverty Alliance; the DWP replied that the public interest would not be served by that disclosure. Will the Prime Minister publish that analysis? If he will not, what has he got to hide?

The Prime Minister: Unlike the right hon. Member, who would squander £1 billion a month of taxpayers’ money on staying pointlessly in the EU, this Government are getting on with running a sound economy so that the poorest people in our country are seeing increases in their wages for the first time in more than a decade. I am proud to say that those on the living wage are now taking home £4,500 more every year than they were in 2010, thanks to this Conservative Government.

Jeremy Corbyn: Mr Speaker, you do not have to go very far from the portals of this House to see real destitution: people begging and sleeping on the streets; child poverty is up compared with 2010; pensioner poverty is up; in-work poverty is up. The Prime Minister will not give us any of the information of the assessments of increased poverty that could come from his Government’s proposals.

We are fewer than 60 days away from leaving the EU with no deal. The Prime Minister had two days in office before the summer recess and then has planned to prorogue Parliament. Yesterday, he lost one vote—his first vote in Parliament—and he now wants to dissolve Parliament. He is desperate—absolutely desperate—to avoid scrutiny. [Interruption.] In his third day in office, after five questions from me, we have not had an answer to any of them. I can see why he is desperate to avoid scrutiny: he has no plan to get a new deal—no plan, no authority and no majority. If he—[Interruption.]

Mr Speaker: Order. If we have to go on longer because people sitting on the Treasury Bench are yelling to try to disrupt, so be it, we will go on longer. Some people used to believe in good behaviour; I believe in good behaviour on both sides of the House. It had better happen or it will take a whole lot longer—very simple, very clear.
Jeremy Corbyn: Thank you, Mr Speaker.

If the Prime Minister does to the country what he has done to his party in the past 24 hours, a lot of people have a great deal to fear from his incompetence, his vacillation and his refusal to publish known facts—that are known to him—about the effects of a no-deal Brexit.

The Prime Minister: I really do not see how with a straight face the right hon. Gentleman can accuse anybody of being unwilling to stand up to scrutiny when he will not agree to submit his surrender Bill to the verdict of the people in an election. He is frit; he is frightened.

He makes a contrast between this Government and his own proposals. The contrast could not be clearer: we think that the friends of this country are to be found in Paris, in Berlin and in the White House, and he thinks that they are in the Kremlin, in Tehran and—[Interruption.] He does. And in Caracas—and I think he is “caracas”!

We are putting 20,000 police on the street, we have 20 new hospital upgrades, we are growing the economy. The right hon. Gentleman, by contrast, would put a £300 billion tax on every company in the country, he wants a tax on homes, and he is calling incessantly for a general strike. The shadow Education Secretary says that Labour’s economic policy is—and I quote, by your leave, Mr Speaker,—“shit-or-bust”; I say it is both.

What this country needs is sensible, moderate, progressive Conservative government and to take this country out of the EU on 31 October, and that is what we are going to deliver.

Hon. Members: More!

Mr Speaker: There will indeed be more, starting with the closed question from Dr Julian Lewis.

National Security Adviser

Q8. [912216] Dr Julian Lewis (New Forest East) (Con): I should like to ask a well-behaved Question 8 on the National Security Adviser. For what reasons the roles of Cabinet Secretary and National Security Adviser were merged; and if he will make it his policy to separate those roles.

The Prime Minister: As my right hon. Friend is aware, the decision to put the two roles together was taken by my predecessor, although I have a high admiration for the gentleman in question.

Dr Lewis: I hope that my right hon. Friend is not going to follow every policy adopted by his predecessor. This is one that he should not follow. The Defence Committee needs to take evidence from the National Security Adviser on the failure to anticipate the Iranians’ reaction to the British seizure of a tanker. It is hardly likely, however, that the Cabinet Secretary will come before the Defence Committee, so would it not make sense to have a full-time occupant of the post of National Security Adviser as soon as possible so that Select Committees and the National Security Committee can do our jobs properly?

The Prime Minister: I think that the role has been very well performed in recent times, but I take my right hon. Friend’s point very humbly and sincerely, and I will ensure that invitations to appear before his Committee are considered in the usual way and that he gets all the satisfaction he desires.

Engagements

Ian Blackford (Ross, Skye and Lochaber) (SNP): Last night, Parliament once again defeated this shambolic Tory Government. Today, we have seized back control from a Prime Minister who is behaving more like a dictator than a democrat. The Prime Minister must be stopped, and MPs must tonight unite across this House to take no deal off the table. We will defeat the Government again, so, when we succeed, will the Prime Minister respect the democratic vote of this House and the democratic will of the people we represent and finally act to remove the threat of a catastrophic no-deal Brexit?

The Prime Minister: I might ask the right hon. Gentleman if he will respect the democratic will of the people of the United Kingdom, which this House voted to do time and again, to implement the result of the referendum.

Ian Blackford: I know that the right hon. Gentleman is a new boy, but may I suggest to him that we ask the questions and he is supposed to answer them? Quite simply, my colleagues and I are sent here by the people of Scotland, where we have a majority. The people of Scotland voted to remain in the European Union and we are not going to be dragged out against our will by the Prime Minister.

The Prime Minister must also not be paying attention to the polls this morning. They show that the Scottish National party is polling to win a majority in Scotland once again, with the Tories in retreat, so if he wants an election, he should enable the Bill and bring it on.

It is clear for all to see that the Prime Minister is playing a game of bluff and bluster. He does not care about stopping a no-deal Brexit. His strategy, as his lead adviser put it, is a sham. This is not a Parliament versus the people; it is a Parliament standing up for the people. The people did not vote for a no-deal Brexit. His strategy, as his lead adviser put it, is a sham. This is not a Parliament standing up for the people. The people did not vote for a no-deal Brexit. His strategy, as his lead adviser put it, is a sham. This is not a Parliament standing up for the people.

The Prime Minister: I am a democrat, because I not only want to respect the will of the people in the referendum but want to have an election—or I am willing to have an election—if the terrible Bill goes through.

There is a reason why the separatists in Scotland, France, Germany and the United States of America think that this Government, which this House voted to do time and again, to implement the result of the referendum, is a sham. This is not a Parliament standing up for the people. The people did not vote for a no-deal Brexit. His strategy, as his lead adviser put it, is a sham. This is not a Parliament standing up for the people. The people did not vote for a no-deal Brexit. His strategy, as his lead adviser put it, is a sham. This is not a Parliament standing up for the people.

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EU laws and, as I never tire of saying, the surrendering of Scottish fish just when they have been taken back by this country.

Q13. [912222] Lucy Allan (Telford) (Con): I warmly welcome the Prime Minister to his place. My constituents sent me here to speak for them, and what they care about is better hospital care, more police on our streets, and good schools for their children. Does the Prime Minister agree with people in Telford that those are the issues we should be discussing in this place? Will he commit to building on his welcome spending announcements to deliver great public services for my constituents?

The Prime Minister: I thank my hon. Friend very much. We love Telford, of course, and it is going to see even more when my right hon. Friend the Chancellor announces his spending review shortly. There will be investment in the NHS, more police officers to keep our streets safe, and more money for every school in this country. Conservatives are delivering on the priorities of the British people.

Q2. [912210] Douglas Chapman (Dunfermline and West Fife) (SNP): Mr Speaker, you know that I am not a doomster or a gloomster. On that positive note, I thank the Prime Minister for boosting support for Scottish independence just a few weeks into his premiership—they may be his last few weeks, too.

According to research by the UK Trade Policy Observatory, a no-deal Brexit would cost up to £1,100 jobs in my constituency and over 63,000 jobs across Scotland. Will the Prime Minister explain to me and my constituents, who are facing that dreadful prospect, what their families should do about the heavy price that they may pay for a Brexit that they never voted for?

The Prime Minister: Of course we are preparing for a no-deal Brexit if we absolutely must have one. I do not think that the consequences will be anything like as bad as the merchants of Project Fear have said, but the way to avoid a no-deal Brexit is to allow this Government to get on and do a deal at the summit on 17 October. The choice for this country is who they want doing that deal: this Government or that Labour party, led by Jeremy Corbyn.

Mr Speaker: Order. We do not name people in the Chamber. People must observe the rules—[Interruption.] Order. I am simply and politely informing the Prime Minister of the very long-established procedure with which everybody, including the Prime Minister, must comply. That is the position—no doubt, no argument, no contradiction—and that is the end of the matter.

Dame Cheryl Gillan (Chesham and Amersham) (Con): I welcome the new Prime Minister to the Dispatch Box and tell him that this year we celebrate 10 years since this House passed the Autism Act, which is still the only disability-specific piece of legislation in the UK. The all-party parliamentary group on autism, made up of Members from all parts of the House, will publish next week the 10th annual review, with recommendations for the Government right across the board. Will my right hon. Friend undertake to look at the recommendations carefully and instruct his Chancellor to put more resources and more money into helping people with autism and their families receive the help and services they need?

The Prime Minister: I thank my right hon. Friend very much for everything she has done for that cause over many years, and I reassure her that, very shortly, the Chancellor of the Exchequer will outline not just more money for primary schools and secondary schools, but also a big investment in schools for special educational needs and disabilities. That is, again, delivering on the priorities of the British people.

Q4. [912212] Geraint Davies (Swansea West) (Lab/Co-op): People in Swansea voted to leave the EU, but leave voters are saying to me that they did not vote for a no deal or for “do or die” on 31 October. They want to live. They voted for good things—for more money, more jobs and more control—and now they see that they will get less money, less jobs and less control, so they want a final say.

Will the Prime Minister undertake, when he goes to extend article 50 after the passage of the Bill we are considering this afternoon, to ensure there is a proper referendum so that there is a choice between a managed deal and remain, and not a kamikaze no deal?

The Prime Minister: If the hon. Gentleman wants to put that matter to the people, the best thing he can do is persuade his right hon. Friend to summon up his courage and to stop being so sot. If he is going to pass this wretched surrender Bill, at least he should submit it to the judgment of the people in the form of a general election.

If the hon. Gentleman wants to implement the will of the people of Swansea, what he should do is vote with this Government and not for the surrender Bill tonight.

Mr David Gauke (South West Hertfordshire) (Ind): The Prime Minister has said that the Prorogation of Parliament is nothing to do with Brexit. Is that still his position?

The Prime Minister: As my right hon. Friend knows full well, there have been demands for the Prorogation of Parliament ahead of a Queen’s Speech from the hon. Member for Walsall South (Valerie Vaz) and from across the House. This Session has lasted longer than any in the last 400 years, and there will be ample opportunity to debate the Brexit deal in this House after 17 October if this Government are allowed to get on and deliver a deal.

Q5. [912213] Mr Adrian Bailey (West Bromwich West) (Lab/Co-op): The Chancellor today announced another £2 billion, on top of the £6.3 billion already allocated, to help companies after a no-deal Brexit. Industry, the public and Parliament have a right to know which industries will benefit, for how long and what the total cost will be to the taxpayer. Can the Prime Minister tell us?

The Prime Minister: There is a great deal of preparatory work going on—particularly in the west midlands, which the hon. Gentleman represents—to make sure that automotive supply chains are indeed ready for a no-deal scenario, but we do not want a no-deal scenario. And the way to avoid it is not to vote for the absurd surrender Bill that is before the House today and to let the Government get on and negotiate a deal, because that is what we want to do.
Douglas Ross (Moray) (Con): The Scotch whisky industry is hugely important in Moray. The potential tariffs applied by the US as part of its trade war with the EU could cost hundreds of thousands of jobs across Scotland and the United Kingdom, so what representations has the Prime Minister made to President Trump? Will his Government do everything possible to avoid these tariffs being applied to the Scotch whisky industry?

The Prime Minister: I congratulate my hon. Friend. On everything he does to represent that vital industry, which earns billions of pounds in revenue for this country. Tariffs on Scotch whisky would be absolutely absurd—a point we have made repeatedly to our friends in the United States—but, again, when we do free trade deals around the world, Scotch whisky is one of those many products that will have its chances boosted in growing export markets.

Q6. [912214] Karen Lee (Lincoln) (Lab): Last weekend, in Lincoln and right across the country, there were cross-party protests against the Prorogation of Parliament. Does this unelected Prime Minister, who has no majority in this House, believe that his attack on our democracy is his only means of forcing a disastrous no-deal Brexit on Lincoln and on the businesses and people of this country?

The Prime Minister: If the hon. Lady wants to speak for the people of Lincoln, who, after all, voted to leave—yes, they did—the best thing she can do is make sure we come out of the EU on 31 October with a deal. If she is genuinely prepared to frustrate that ambition, through the surrender deal being proposed today, will she at least have a word with her friend on the Front Bench and urge him, as she speaks of democracy, to submit his Bill to the will of the people, in the form of a general election on 15 October? Will she at least say that to him?

Karen Bradley (Staffordshire Moorlands) (Con): Many of us in this House will know the value of community hospitals in our constituencies, with none more valued than Leek Moorlands Hospital in my constituency. A consultation has recently been undertaken on the provision of healthcare in north Staffordshire, and there is understandable concern about the future of Leek Moorlands. So will the Prime Minister join my campaign to keep the hospital open in Leek, with enhanced services, for the benefit of all the people of Leek and Staffordshire Moorlands?

The Prime Minister: First, let me thank my right hon. Friend for everything she has done for the people of Northern Ireland and for rightly raising this issue in her constituency with me. Of course she will understand that decisions affecting Leek Moorlands must be led by clinicians, but I hope a solution can be found that benefits everyone in her constituency.

Q7. [912215] Paul Blomfield (Sheffield Central) (Lab): In a desperate attempt to win yesterday’s vote, the Prime Minister apparently made emotional appeals to Conservative MPs that he was serious in seeking a deal, but his answers in the House yesterday and today make it clear that there are no real negotiations, in public or in private. Those with whom he claims to be negotiating in the European Union have said:

“Nothing has been put on the table”.

So does the Prime Minister understand why, across this country, people find it difficult to trust a word he says?

The Prime Minister: May I tell the hon. Gentleman that what the people of this country want to see is us come together to come out of the EU on 31 October with a deal? We are making great progress with our friends and partners in Brussels and Dublin, and even in Paris, but I am afraid those talks are currently being undermined by the absurd Bill before the House today. I urge him to reject it. If he must pass it, will he have a word with his right hon. Friend and ensure that that Bill is put to the people, in the form of a general election?

Mr Dominic Grieve (Beaconsfield) (Ind): In the light of the Prime Minister’s answer to my right hon. Friend the Member for South West Hertfordshire (Mr Gauke), could the Prime Minister please explain why it has proved impossible to find any official or Minister prepared to state that the reasons for Prorogation were to pave the way for a Queen’s Speech, in the course of the current legal proceedings in which the Government are involved? Would the Prime Minister like to reconsider the answer he has just given to the House?

The Prime Minister: I hesitate to advise my right hon. and learned Friend about legal proceedings but, if he looks at what happened in Scotland this morning, he will discover that that case was thrown out.

Q9. [912217] Ms Karen Buck (Westminster North) (Lab): As a result of budget cuts to the Home Office, largely enacted while the right hon. Gentleman was Mayor of London, police numbers plummeted: we have 1,000 fewer officers in the west London command unit alone; and we are one third down on police officers in my borough of Westminster. He is now promising to get us back to where we were in 2010, with an additional 20,000 officers. He has told us, and he said this again today, that those 20,000 will be frontline police and on the streets. It is, however, now clear that at least 7,000 of those officers will not be frontline police. So in order to help this House build some trust in any of the promises he makes, can he tell us whether that is true?

The Prime Minister: I think it absolutely bizarre that a London Labour Member of Parliament should ignore the role of the present Mayor of London, who is, frankly, not a patch on the old guy. I left him £600 million and he has squandered it on press officers; Sadiq Khan has squandered it on press officers, and the faster we get rid of him and get more police officers out on the street, the better. That is the best possible argument for Shaun Bailey as Mayor of London.

Several hon. Members rose—

Mr Speaker: Order. In the remaining minutes of this session, I appeal to colleagues to take account of the fact that we are visited by a distinguished group of Lebanese parliamentarians, at the invitation of the Inter-Parliamentary Union and the all-party group on Lebanon, which is chaired by the right hon. Member for South Holland and The Deepings (Sir John Hayes). We would like to set them a good example. I am not sure at the moment how impressed they will be.
Sir Gary Streeter (South West Devon) (Con): I think I can comply with that advice, Mr Speaker.

I welcome the extra £14 billion that was recently announced for schools, especially in respect of South West Devon, where I understand we will have the largest increase in the country to correct historical underspending. Does my right hon. Friend agree that this cash boost will help our hard-working teachers to prepare the next generation to reach their full potential? Will it not be wonderful, when we get through Brexit, to start to talk about education, health and social care—the things our constituents are really bothered about?

The Prime Minister: My hon. Friend is exactly right. That is exactly why we need that three-year investment in education, and to get Brexit done on 31 October and not be attracted to any more dither, delay and confusion under the Labour party.

Q10. [912218] Vernon Coaker (Gedling) (Lab): Yesterday, the Prime Minister booted 21 MPs out of his own party for voting against a reckless no-deal Brexit. They included well-respected Members of this House, including a former Chancellor, Churchill’s grandson and the Father of the House. Presumably, that was done on the orders of the Prime Minister’s chief of staff. Given the fact that the Prime Minister himself voted against the former Prime Minister’s deal without losing the Whip, does this not demonstrate to the British public his view of life—namely, that there is one rule for him and another for everyone else?

The Prime Minister rose—[Interruption.]

Mr Speaker: Order. Leave me to control the proceedings; I should be immensely grateful for your assistance in that regard. The heckling must cease and we will hear the reply.

The Prime Minister: I am not going to take any lectures from anybody in the Labour party about how to run a party. There is a party in which good, hard-working MPs are daily hounded out by antisemitic mobs. Let us be absolutely clear: if the hon. Gentleman is interested in democracy, I hope he has been listening to what I have been saying today. In an anti-democratic way, the Bill that will come before the House today would hand over this country’s right to decide how long to remain in the EU, and it would hand it over to the EU itself. That is what the Bill involves. If the hon. Gentleman thinks that is a good idea, let him submit it to the judgment of the British people in an election.

Richard Harrington (Watford) (Ind): I am sure that you, Mr Speaker, will know that tomorrow is the ninth annual Watford jobs fair. I am taking particular interest in the 1,000 or so vacancies this year, and I feel that other Members on both sides of the House might be interested as well. I thank Victoria Lynch and Anna Cox for organising it. We have 1,000 vacancies in more than 60 companies. If the Prime Minister has any spare time tomorrow—there is not much going on here—perhaps he could pop up to Watford, where he would be very welcome.

The Prime Minister: I thank my hon. Friend, who has been a wonderful champion for Watford and for conservative values. I have been to campaign for him in Watford and seen how popular he is. There are now 20,000 job vacancies in the police, if he or anybody in Watford wishes to take up that role, and there are many more in nursing. As my hon. Friend knows, in Watford and throughout the country, unemployment is at a record low and employment is at record highs, because of the sound economic policies that this Government have followed.

Q11. [912220] Liz McInnes (Heywood and Middleton) (Lab): This week, the director general of the CBI wrote to all MPs in the north-west urging us to do everything we can to get a deal that works for businesses in our region. The CBI says that a no-deal Brexit would be disastrous for north-west business, particularly small businesses. We all know what the Prime Minister has said in the past about business but, now that he has assumed a position of some responsibility, will he stop this relentless posturing around no deal, listen to the CBI and work to protect our vital businesses?

The Prime Minister: Again, that is a bit rich from a member of a party whose shadow Chancellor says that business is the enemy—[Interruption.] Where is he? He has gone. The hon. Lady should listen to the people of her constituency who voted to leave the EU and implement their wishes, and that is what this Government are going to do.

Sir Roger Gale (North Thanet) (Con): Much has been made about provision for EU nationals resident in the United Kingdom post Brexit. Much less comfort has been offered to those 1.5 million United Kingdom nationals resident throughout the rest of the European Union. Is the Prime Minister in a position to confirm not on a piecemeal, but on a pan-European basis that all pensions will be paid in full, that exportable benefits will continue to be paid in full, that healthcare will be covered in full, and that rights of domicile and freedom of movement will be protected? There are frightened people who need an answer.

The Prime Minister: I thank my right hon. Friend and I can assure him that that matter is, of course, at the top of our concerns with all our EU friends and partners. We have made it absolutely clear that the very, very generous offer that this country has rightly made to the 3.4 million EU citizens here in this country must be reciprocated symmetrically and in full by our friends in the way that he has described.

Q12. [912221] Stephen Morgan (Portsmouth South) (Lab): The Prime Minister has said that the great city of Portsmouth is too full of obesity and drug addiction. Despite that disgraceful and inaccurate statement about my home city, how would he expect our much-loved NHS to deal with these issues when it is his Government who are exposing us to medicine and staff shortages, according to his own Health Secretary, by hurting us towards a no-deal Brexit?

The Prime Minister: I must correct the hon. Gentleman because, in fact, unemployment is well down in his constituency, employment is up and health outcomes are up. When I made those remarks, which was many, many years ago, it was, I am afraid, when his constituency had the sad misfortune to have a Labour Government in power. That is no longer the case.
Ross Thomson (Aberdeen South) (Con): I know that, like me, my right hon. Friend has deep concerns about the unfair retrospective loan charge. It is tearing families apart, driving people to despair and reportedly some to suicide. With more than 8,000 people signing my petition saying that we cannot go on like this, can he advise the House on what urgent action his Government will be taking to address this?

The Prime Minister: I thank my hon. Friend for his question because this is an issue that my own constituents have raised with me, and I know that many of my hon. Friends have also had this issue raised with them. I am sure that Members on all sides of the House have met people who have taken out loan charges in the expectation that they can reduce their tax exposure. It is a very, very difficult issue and I have undertaken to have a thoroughgoing review of the matter. Of course, I will make sure that my hon. Friend has every opportunity to have further discussions with the Treasury about how to redress the situation and about the gravity of the situation.

Q14. [912223] Mr Tanmanjeet Singh Dhesi (Slough) (Lab): If I decide to wear a turban, or you, Mr Speaker, decide to wear a cross, or he decides to wear a kippah or skull cap, or she decides to wear a hijab or a burqa, does that mean that it is open season for right hon. Members of this House to make derogatory and divisive remarks about our appearance? For those of us who, from a young age, have had to endure and face up to being called names such as towelhead or Taliban, or to people saying we come from bongo-bongo land, we can appreciate full well the hurt and pain felt by already vulnerable Muslim women when they are described as looking like bank robbers and letterboxes. So rather than hide behind sham and whitewash investigations, when will the Prime Minister finally apologise for his derogatory and racist remarks? [Applause.] Those racist remarks have led to a spike in hate crime. Given the increasing prevalence of such incidents within his party, when will the Prime Minister finally order an inquiry into Islamophobia within the Conservative party, which was something that he and his Chancellor promised on national television? [Applause.]

The Prime Minister rose—[Interruption.]

Mr Speaker: Order. The reply must be heard. If the House were to want as a matter of course to allow clapping, by decision of the House, so be it, but it should not otherwise become a regular practice. We have heard the question, pungently expressed. Let us hear the answer from the Prime Minister.

The Prime Minister: I am used to breasting applause from Labour audiences, particularly since, unlike the Leader of the Opposition, we are actually devoted to delivering on the mandate of those Labour constituencies and we are going to take the UK out of the EU on 31 October. As for the excellent question that my hon. Friend asked, be in no doubt that we are deciding on a policy to take this country forward, not backwards, as the Leader of the Opposition would do.

Jo Swinson (East Dunbartonshire) (LD): The Prime Minister’s response to the hon. Member for Slough (Mr Dhesi) was appalling. An apology was required, rather than some kind of justification that there is ever any acceptable context for remarks such as the Prime Minister made in that column. He is the Prime Minister of our country. His words carry weight and he has to be more careful with what he says. My constituent Kristin is afraid because her mum, a European citizen, has been struggling to get settled status after 45 years in this country. Our friends, colleagues and neighbours deserve better than his failures and carelessness with language.

The Prime Minister: In the case of his constituent Kristin—

Valerie Vaz (Walsall South) (Lab): His?

The Prime Minister: Her constituent Kristin—if she has indeed been here for 45 years, and I am sure she has—should be automatically eligible for settled status. Clearly, it is a difficult case, but the answer is for the hon. Member for East Dunbartonshire (Jo Swinson) to bring it to the Home Secretary, and I am sure we can sort it out.
The Chancellor of the Exchequer (Sajid Javid): Let me start by saying a few words about the circumstances surrounding today’s statement. We are in uncharted waters. I understand the strong feelings around the House on these important questions, but it cannot be right for a proud, sovereign democracy to ignore the will of the people. If the House votes for the Bill this afternoon, all we will be doing is delaying what the people have entrusted to us to do, and creating even more uncertainty for our democracy and our economy through a general election that nobody wants. We cannot allow that uncertainty to distract us from delivering on the people’s priorities, so today, to give certainty where we can, I announce our spending plans for Britain’s first year outside the European Union.

After a decade of recovery from Labour’s great recession, we are turning the page on austerity and beginning a new decade of renewal. A new economic era needs a new economic plan, and today we lay the foundations with the fastest increase in day-to-day spending for 13 years. The plans I announce today mean that we will be able to build a safer Britain where our streets are more secure; a healthier Britain where we can care for people throughout their lives; and a better educated Britain where every child and young person has the opportunity to succeed, no matter where they come from or who their parents are. We will build a global Britain where we walk tall in the world with more, not less, of a presence on the international stage; a modern Britain where we embrace diversity as a strength; an enterprising Britain where we are proud of our scientists, our inventors and our entrepreneurs; and a prosperous Britain where we live within our means and growth comes from every corner of this nation. Today we lay the foundations for a stronger, fairer and more prosperous future for our great country.

It has been three years and three months since the British people gave us their instruction to leave the European Union. If people are going to have faith in the ballot box again, we absolutely have to follow through on that instruction. That is why we have set a deadline of 31 October—just 57 days away. The Government still believe that the best outcome would be to leave with a deal, and we could not be more serious about negotiating for such an outcome. My right hon. Friend the Prime Minister has set out our intention, order, and I know that the Chancellor of the Exchequer will comply with that simple structure.

Sajid Javid: Thank you, Mr Speaker.

Let me reassure people of this: if we leave with no deal, we will be ready. Within my first few days as Chancellor, I provided £2.1 billion of extra funding for Brexit and no-deal preparedness, and today I can announce that we will provide a further £2 billion for Brexit delivery next year as well. That means more Border Force staff, better transport infrastructure at our ports and more support for business readiness. I have tasked the Treasury with preparing a comprehensive economic response to support the economy if needed, and will work closely with the independent Bank of England to co-ordinate fiscal and monetary policy.

Sensible economic policy means that we should plan for both outcomes, and we are doing so, but we should be careful not to let our focus on planning and preparedness distract us from the opportunities that lie ahead. Brexit will allow us to reshape the British economy and reaffirm our place as a world-leading economic power. We will have the opportunity to design smarter, more flexible regulation and to cut red tape that stifles innovation. We will be able to replace inefficient EU programmes with better, home-grown alternatives. Even if we leave with no deal, I am confident that we will be able to secure a deep, best-in-class free trade agreement with the EU and pursue a genuinely independent free trade policy with the rest of the world. Deal or no deal, I am confident that our best days lie ahead.

Although the immediate outcome of the talks is uncertain, there are some things that we can be certain about when it comes to the economy and our ability to set out what we can afford to spend. As we look towards our future outside the EU, we can build on some extraordinary economic strengths. At its heart, this country is an open, outward-looking trading nation. We are at our best when we look out to the world beyond our shores. That is not just a slogan. We are the No. 1 destination in Europe for inward investment. Our language, our location, our legal system and, most of all, our people make the UK a global hub for business. We are the home of world-class businesses. A stream of ideas and innovations flows from our brilliant universities and research institutes, making the UK second only to the United States in the all-time rankings of Nobel prize winners. We also have an economic landscape that

Mr Kenneth Clarke (Rushcliffe) (Ind): On a point of order, Mr Speaker. What has this got to do with the spending review?

Mr Speaker: Points of order ordinarily follow statements, as I know the Father of House is well aware. The Chancellor’s opening remarks were, frankly, out of order. That is the reality of the matter. Interjection. Order. I do not need any help from anybody chuntering from a sedentary position. With the very greatest of respect, I will provide the rulings from the Chair. I hope everybody is very clear that that is the way it works in this place. The opening remarks from the Chancellor were out of order and I exercised a degree of latitude, but the right hon. and learned Member for Rushcliffe (Mr Clarke) is right that the statement should be focused on and exclusively concerning the spending round. As it is, the Chancellor consulted me yesterday because he was concerned about the length of the statement. It should not be longer as a result of remarks that do not relate to that subject. That is all I need to say; it is very straightforward, and I know that the Chancellor of the Exchequer will comply with that simple structure.
has been watched over by long-standing, well respected institutions. All that will continue as we forge a new economic relationship with the EU.

The vision of an open free-market enterprising economy is under threat, and if that threat transpires, it will have a direct impact on our spending power. It is under threat not from the people on the other side of the channel, but from the people on the other side of the Chamber. Let us be in no doubt about the biggest threat to the UK economy. The No. 1 concern raised by businesses and international investors is not the form of our exit from the EU; the real “Project Fear” is the agenda of the Labour party. If the Opposition had their way, whole sectors of the economy—

Mr Speaker: Order. This really is very unseemly, and I am sorry to have to say that to the Chancellor of the Exchequer, who has always been unfailingly courteous in his personal dealings with me and probably with everybody else. I say what I say with a heavy heart and not without reflection. There is a very long-established procedure to statements of this kind, and it bothers me greatly that the right hon. Gentleman, in the course of a statement, seems to be veering into matters outwith—not even tangential to, but unrelated to—the spending round upon which he is focused, and I know that I say what I do with the vigorous concurrence of people who have been in this House a great deal longer than he or I. I must therefore ask the Chancellor, who I am sure is fleet of foot, so to adjust his remarks from his prepared text in order that he focuses upon that which he should focus on and not upon that which is immaterial to the statement. I am setting out the position and no one, be he ever so high, is going to tell me what the procedures in the Chamber of the House of Commons are.

Sajid Javid: Mr Speaker, you will recall that when I first took my seat as the Member of Parliament for Bromsgrove, the economy was in a very difficult and different position. Since then we have had to work hard to restore the nation’s finances, and it is precisely because we have restored the nation’s finances that we can have the spending commitments that I am about to make today. I have to—if I may, Mr Speaker—set out the context of the situation then and how we got out of it, so that we can focus on how we can generate the spending power that we are able to deploy today.

Back then, our budget deficit was 10% of GDP. We borrowed £150 billion in Labour’s last year in office. It was the highest deficit in our peacetime history. We were borrowing £1 in every £4 that was spent. The Labour party lost control of the nation’s finances, as it always does, and it fell to the Conservatives to pick up the mess.

My two immediate predecessors took the difficult decisions that we needed to bring the deficit under control, allowing us to have the spending that I am setting out today. They did that not for ideological reasons, but because running an enormous deficit meant that our debt was rising at an unsustainable rate, making our economy vulnerable to shocks and putting on a huge burden to the next generation. The deficit is now 1.1% of GDP. For the first time in a generation, public sector debt is falling sustainably as a share of our national income, and we have boosted our credibility around the world and built confidence in the UK economy again. Labour left behind a bankrupt Britain, and we have fixed it.

Thanks to those difficult decisions and the hard work of the British people, we can now afford to turn the page on austerity and move forward from a decade of recovery to a decade of renewal. Our careful management of the public finances means that we can now afford to spend more on vital public services, so today I am deciding to set the real increase in day-to-day spending next year at £13.8 billion, delivering on the people’s priorities across the NHS, education and police, and giving certainty to all Departments about their budgets for next year—clearing the decks for a Government who are delivering Brexit.

I have always believed in the importance of living within our means, and—unlike the Labour party—I will not squander the hard work of the last nine years, so even with the extra spending, we are still meeting the current fiscal rules. While the biggest challenge a decade ago was getting the deficit down, our biggest challenge today is getting our long-term economic growth back to where it was before Labour’s great recession. If we can do that, we can ensure that there can be future spending increases that can also be sustainable, boosting wages and raising living standards, which have stagnated for too long, levelling up across the regions and nations.

We need to improve our productivity—the amount that is produced every hour worked. That is not just a technical term. Slower productivity means lower wages and uneven growth across the country. If productivity had continued to grow at its pre-crisis levels, then average annual wages would be £5,000 higher. That pressure on people’s pay packets speaks to a wider sense of disillusion and unfairness, especially in so many towns and cities outside London and the south-east. Even as the economy has grown, and people have worked hard, not everyone feels they have benefited. There is a real sense of anxiety that has emerged over the years: a sense that politicians are not listening and that the system is not working: that the free market model is not living up to its promise. We are seeing divisions emerge throughout society between regions and communities, rich and poor, rural and urban, young and old. Addressing those concerns will be a serious effort, and that is what will be shown in these spending plans today. We will develop a new economic plan for the years ahead—a plan that moves beyond the last decade of economic recovery and looks forward to a decade of renewal; a plan that invests more in the future growth of this country.

We can afford to invest more because our economy is growing and our public finances are strong. We are also deciding on our fiscal approach at a time when the cost of Government borrowing is at record lows. Interest rates have been low for many years, and in recent weeks the cost of Government borrowing has fallen below 1% across all maturities. In the years after the financial crisis, many expected interest rates to swiftly rise to pre-crisis levels, but structural factors have kept interest rates low, not just in the UK but across the developed world, increasing our confidence that we will be able to continue to see low rates for a number of years. So it is my judgment today that with a strong fiscal position and record low cost of borrowing, we can invest more in our growing economy.

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That does not mean that we can borrow more for ever and ever. The sustainability of our public finances depends on wider factors, not just the cost of borrowing: our population is ageing; the global economy is slowing; the challenge of decarbonisation is real. So we will not be writing blank cheques, unlike Labour. We will not be able to afford everything, and we will need to prioritise investment in policies that deliver real productivity gains and boost economic growth in the long term. We will still need to make difficult choices about our national priorities, within a clear set of rules, to anchor our fiscal policy and keep control of our national debt. So today I can announce that ahead of the Budget later this year I will review our fiscal framework to ensure that it meets the economic priorities of today, not of a decade ago.

The first priority of our new economic plan will be to rebuild our national infrastructure. High-quality and reliable infrastructure is essential to how we live, work and travel, but the truth is that across many decades Governments of all colours have under-invested in infrastructure. The quality of our infrastructure means that we have fallen behind our competitors. We are the fifth largest economy in the world. It is not good enough that we are so far behind on infrastructure. It is not good enough that so many commuters spend their morning staring at a “Delayed” sign at their train platform. It is not good enough that our small business owners waste so much time because of slow internet speeds and poor mobile communications. We are going to change that. We want faster broadband for everyone in the country, quicker mobile connections and better signal coverage, cleaner energy, greener transport, and more affordable fuel bills for our homes and offices. We want more trains and buses to connect the great cities of the north. We want to build world-class schools and hospitals. We want to push the frontiers of science and technology and turbocharge our ambition on research and development. We want to build and invest in every region and every nation of this great United Kingdom. From the motor highway to the information highway, we will settle for nothing less than an infrastructure revolution.

To keep spending under control, we will of course set a high bar for funding projects. They will have to show real value for money with credible delivery plans and budgets, starting with the Government’s rapid review of HS2. We will target that investment at national priorities like regional growth and decarbonisation. Let me take this opportunity to thank my hon. Friend the Member for Chelmsford (Vicky Ford) for her tireless work as chair of the all-party parliamentary group on infrastructure. So yes, we will use the Government’s resources to kickstart the infrastructure revolution, but we will also do more to give private investors the confidence to back these projects too. We want all this to be underpinned by strong, independent institutions. We set up the National Infrastructure Commission in 2015, and we will continue to rely on its expert advice as we look carefully at other institutional reforms that might be needed. So our infrastructure revolution will be strategic and carefully planned.

Speaking of revolutionaries, let us contrast that with Labour’s approach. I will invest in new infrastructure that will grow the economy, and Labour will borrow hundreds of millions to renationalise unproductive assets and then run them into the ground. The choice for the country is clear, between a wasteful ideological Opposition with outdated ideas and a Government who will kickstart a decade of renewal for this country.

Today we lay the foundations of a new economic plan. We are turning the page on a decade of necessary work to fix the public finances and writing a new chapter in our public services. Health and Education are not just the names of Departments; they are lifelines of opportunities, just as they were for me when I was growing up: the teachers and lecturers who persuaded me to study economics in the first place—[Interruption.]

Mr Speaker: Order. There will be ample opportunity for colleagues to question the Chancellor of the Exchequer, but the statement must be heard.

Sajid Javid: Health and education are lifelines of opportunities, just as they were for me when I was growing up: the teachers and lecturers who persuaded me to study economics in the first place; the police officers who kept us safe when the street I grew up in became a centre for drug dealers; the NHS that cared for my dad in his final days. These are not just numbers on a spreadsheet; these are the beating heart of our country, and we invest to support them today.

As I turn to the details of today’s announcement—[HON. MEMBERS: “Hooray!”]—it is coming. Let me first thank the dedicated officials in the Treasury for all their hard work delivering what I am told is the fastest SR in history. Let me particularly thank the Chief Secretary to the Treasury, my right hon. Friend Member for Richmond (Yorks) (Rishi Sunak), who takes the approach to spending you would expect from an adopted Yorkshireman. He has displayed his typical mix of energy, courtesy and rigour. Let me just say that there is no productivity problem in the Chief Secretary’s office.

Next year, I will add £13.4 billion to the plans for total public spending, including £1.7 billion pounds added to capital spending. These extra funds take the real increase in day-to-day spending to £13.8 billion pounds, or 4.1%. That means I am delivering the fastest increase in day-to-day spending for 15 years. That funding allows us to start a new chapter for our public services and to fund the people’s priorities. Our decisions today have been guided by our ambition to build a safer Britain, a healthier Britain, a better educated Britain and a more global Britain.

My family grew up on a road in Bristol that a national newspaper described back then as Britain’s most dangerous street, but to us it was just home. After we left, my brother became a policeman and has been in the force for over 25 years. I have seen the impact the job has on the lives of those who are courageous enough to do it. So today I pay tribute to the bravery, courage and dedication of our hard-working police officers. As Home Secretary, I saw first-hand how the demands on our police forces are changing and increasing. Yes, traditional crime is down by a third since 2010, but the threats from terrorism have escalated and evolved. The internet is changing how criminals operate and break the law, and we have seen too many horrifying stabbings on Britain’s streets. With our frontline officers reporting that they are overstretched, it is clearly time to act and do more.

Today I can announce a 6.3% real-terms increase in Home Office spending—the biggest increase in 15 years. That means £750 million to fund the first year of our
plan to recruit 20,000 new police officers, with an extra £45 million this year, so that recruitment can start immediately, getting the first 2,000 officers in place by the end of March. Let me thank my hon. Friend the Member for South West Bedfordshire (Andrew Selous), my right hon. Friend the Member for Wokingham (John Redwood) and my hon. Friends the Members for Isle of Wight (Mr Seely), for Nuneaton (Mr Jones) and for Telford (Lucy Allan) for championing the police and police resourcing.

The threats facing our police officers are evolving too, so the way we resource them will have to evolve in three areas. First, serious and organised crime is the most deadly national threat faced by the UK, costing the nation at least £37 billion a year. The scale and complexity of this threat means that we need to do more to develop our response, so I am announcing today a formal review to identify the powers, capabilities, governance and funding needed ahead of a full spending review next year.

Secondly, this year sadly has seen more attacks on places of worship, including mosques and synagogues. That is unacceptable in a diverse, open, tolerant society like ours. To protect our religious and minority communities, I am announcing today that I will double the places of worship fund next year. I thank my hon. Friends the Members for Hendon (Dr Offord) and for Finchley and Golders Green (Mike Freer) for their tireless work in combating hate crime. I am also today announcing £30 million of new funding to tackle the scourge of online child sexual exploitation.

A better resourced police force will deliver better outcomes for the British people, and it will increase the demands on our already overstretched criminal justice system. So today we invest more in our criminal justice system to manage that increasing demand, with a 5% real-terms increase in the resource budget for the Ministry of Justice, an increase in its capital budget to £620 million next year and an extra £80 million for the Crown Prosecution Service. Taken together, today’s spending round will dramatically improve the functioning of the criminal justice system, with more prosecutors, a reformed probation system, better security in prisons and funding to begin delivery of 10,000 new prison places.

The spending round is delivering on the people’s priorities, and there is no higher priority than the NHS. Last year, we increased NHS spending by an extra £34 billion a year by 2023-24. That was the single largest cash increase in our public services for more than 70 years. Today, we reaffirm our commitment to the NHS with a £6.2 billion increase in NHS funding next year. We are investing more in training and professional development for our doctors and nurses, and over £2 billion of new capital funding, starting with an upgrade of 20 hospitals this year, and £250 million for groundbreaking new artificial intelligence technologies to help solve some of healthcare’s biggest challenges today, such as easier cancer detection, discovering new treatments and relieving the workload on doctors and nurses.

We cannot have an effective health system without an effective social care system too. The Prime Minister has committed to a clear plan to fix social care and give every older person the dignity and security that they deserve. I can announce today that councils will have access to new funding of £1.5 billion for social care next year. Alongside the largest increase in local government spending power since 2010, and on top of the existing £2.5 billion of social care grants, that is a solid foundation to protect the stability of the system next year and a down payment on the more fundamental reforms that the Prime Minister will set out in due course.

But that is not the only action I am taking today to support vulnerable people. On any given night, there are too many people sleeping rough on our streets. The human cost is too high. Today we do more, with £54 million of new funding to reduce homelessness and rough sleeping, taking total funding to £422 million next year. That is a real-terms increase of 13%. I thank my hon. Friend the Member for Harrow East (Bob Blackman) for his tireless work in fighting homelessness.

A healthy environment is a precondition for a healthy population, and that is why we have set out an ambitious 25-year plan for the UK’s natural environment. Today we go further. Leaving the EU provides an opportunity to set world-leading environmental standards, and we are giving the Department for Environment, Food and Rural Affairs £432 million of funding to do so. We are providing £30 million of new money to tackle the crisis in our air quality and another £30 million for biodiversity, including the expansion of our Blue Belt programme—a vital part of our campaign to protect precious marine species such as turtles, whales and seabirds. We are stepping up our leadership on climate change, with new funding for the Department for Business, Energy and Industrial Strategy to develop new programmes to help meet our net zero commitment by 2050, and we will set out further details of our plans for decarbonisation in the infrastructure strategy later this year, keeping our promise to be the first Government in history to leave our environment in a better condition than we found it.

Alongside providing for the health of our population, the most important task of a Government is to educate the next generation. Education and skills are at the heart of our vision for national renewal. The economy is not just about GDP or PSNB—there are many broader tests that matter too. Are children growing up to be better off than their parents? Do hard work and talent matter more than where you are born? A good school and inspirational teachers are the most effective engine for social mobility. That is why today we are delivering on our pledge to increase school spending by £7.1 billion by 2022-23, compared with this year.

Next year, we will make sure that day-to-day funding for every school can rise at least in line with inflation and rising pupil numbers, with the schools that have been historically underfunded benefiting the most. Every secondary school will be allocated a minimum of £5,000 for every pupil next year, and every primary school will be allocated at least £3,750 per pupil, on track to reach £4,000 per pupil the following year. This funding will mean that teachers’ starting salaries can rise to £30,000 by 2022-23, so that we can attract more of the best graduates into teaching. We have allocated nearly £1.5 billion per year to contribute to teachers’ pensions, and we are providing over £700 million to give more support to children and young people with special educational needs—an 11% increase compared with last year.
The funding for nearly every other Department I am announcing today will be for just one year, but we recognise the importance of schools being able to plan, so we are announcing today a full three-year resource settlement for schools, levelling up education, improving standards and giving every young person the same opportunities in life wherever they live in our great country. Let me particularly thank my hon. Friends the Members for Bexhill and Battle (Huw Merriman), for Cheltenham (Alex Chalk) and for St Albans (Mrs Main) for championing schools.

The education system is about more than just schools. For too long, further education has been a forgotten sector. Over 1 million young people continue their education beyond the age of 16 at colleges or sixth-forms—and I know because I was one of them. I went to my local FE college. If I had not had the teachers and the lecturers that I did, I would not be standing here today as Chancellor. Further education transformed my life, and today we start transforming further education, with a £400 million increase in 16-to-19 education funding next year. The base rate will increase to £4,188, a faster rate of growth than in core school funding. Let me congratulate my right hon. Friend the Member for Harlow (Robert Halfon) and my hon. Friend the Member for Barking (OnSide Youth Zone). It was a brilliant example of how much Britain’s network of youth centres adds to local communities, getting young people off the streets and changing lives for the better. Today, I am asking the Department for Digital, Culture, Media and Sport to develop proposals for a new youth investment fund, and to set out plans to build more youth centres, refurbish existing centres and deliver high-quality services to young people across the country.

Better schools, higher pay for teachers, more youth centres—that is how this Government will improve social justice and create opportunity for all, but our ambitions for a truly national renewal do not stop there. We are a one nation party and this is a one nation Government, so at the heart of our new economic plan is the need to level up across this country. Every region and nation in the United Kingdom will benefit from the new funding I am providing today for the police, schools, health and social care, and much more. Today, we confirm funding of £3.6 billion for the new towns fund, providing a wave of investment to our regions and places, and better transport links across the country will be a crucial part of levelling up across the nation. We have already allocated a total of £13 billion for better transport across the north. We will fund the Manchester to Leeds route of Northern Powerhouse Rail, and we will set out more details—far more details—in the autumn on our new infrastructure strategy.

Mr Speaker, you may not know this, but my dad was a bus driver. Having watched him work, I know that local buses can be a lifeline for many communities. Today, we put the wheels back on the great British bus, with more than £200 million to transform bus services across the country. We are funding ultra low emissions buses, and we will trial new on-demand services to respond to passenger needs in real time. We will set out more details of our new buses in due course—one of my right hon. Friend the Prime Minister has finished painting models of them.

Our new economic plan will not stop at the borders of England; it will be a plan for all the nations of the United Kingdom. In Scotland, decisions taken in today’s spending round will provide over £1.2 billion of extra funding for next year. We are taking a further step today to support Scottish farmers. In 2013, when the UK Government allocated common agricultural policy funding within the UK, Scottish farmers lost out. Today, we correct that decision, making available an extra £160 million for Scottish farmers—something I know my hon. Friends from Scotland on the Conservative Benches will be pleased to hear. I would also like to take this opportunity to thank my friend Ruth Davidson for everything she has done for that great nation.

In Wales, today’s spending round means an extra £600 million of funding for the Welsh Government. In Northern Ireland, we are providing an extra £400 million from today’s announcements. I welcome the case that has been made by the DUP for improved hospice care for wronged in the contaminated blood scandal. Those are rightly devolved matters, but I sincerely hope that the Northern Ireland Administration will use some of the new funding that we are providing today to address those issues. Taken together, today’s announcements will give the devolved Administrations the biggest spending settlement for a decade.

Throughout our history, Britain has always been at its best when we are open, global and outward looking. Trading with the world beyond our shores has always been key to Britain’s economic prosperity. As we seize the opportunities of Brexit, we can establish new partnerships and trade relationships across the globe. For too long, we have let those trading relationships wither. As my right hon. Friend the International Trade Secretary would be the first to acknowledge, this is a disgrace. Today, we invest in securing Britain’s influence in the world. We support diplomacy, with £90 million of funding for 1,000 new diplomats and overseas staff, and 14 new and upgraded diplomatic posts. We will boost trade with £60 million to extend the GREAT campaign for next year.

If hon. Members are in any doubt about Britain’s important role on the world stage, they should just look at the bonanza of international festivals and events that I am funding today. In December, we will welcome the NATO leaders meeting. Next year, we will host the COP 26 discussions, if our bid is successful, thanks to the leadership of my right hon. Friend the Member for Devizes (Claire Perry). In 2021, we will host the G7, and in 2022, we will host the Commonwealth games in Birmingham. Today, I can confirm the Government’s total commitment to this celebration of sport will be over half a billion pounds. The games will be a huge
boost for the west midlands, and I would like to congratulate Andy Street on the leadership he has shown in that region.

One of my personal highlights of the summer was meeting the England cricket team in the Downing Street gardens. That world cup winning side showed us the importance not just of talent and hard work, but of diversity—a skipper from Ireland, a bowler from Barbados and an all-rounder from New Zealand. As with our cricket team, so with our country: we are the most successful multi-ethnic democracy in the world. I am proud to live in a country where someone with my background can be Chancellor of the Exchequer. This spending round embraces modern Britain in all its diversity. We make available today an additional £10 million to continue the integration areas programme that I first announced in 2018 as Communities Secretary. That fund will continue to support thousands of the estimated 1 million adults in the UK who do not speak English well or at all.

Openness to talent from around the world matters for our economy, too. Once we have left the EU, we will be able to create a points-based immigration system that meets the needs of the UK economy and the British people. We have already dropped arbitrary immigration targets. We have recently announced a new, highly flexible fast-track visa for scientists. Today, I am putting funding in place to give victims of the Windrush scandal the compensation that they deserve. This is all part of confirming, once and for all, that Britain will always be open to the world’s brightest and best talent.

Nowhere are our values of openness and tolerance better expressed than in international aid. The UK aid logo can be seen around the world—on health clinics, school books, emergency food suppliers. Today, we protect our commitment to spending 0.7% of our national income on aid.

Global Britain is about projecting our values into the world, but we know that hard power matters, too. Britain already spends more on our defence and national security than any other country in Europe. We are one of only seven countries to meet the 2% commitment to NATO. Today, we go further still, with an additional £2.2 billion of funding for the Ministry of Defence—a real-terms increase of 2.6% for the budget next year—increasing again the share of our national income we spend on defence and national security.

This year is the 75th anniversary of the D-day landings. We pay tribute to the sacrifices of the extraordinary generation of British soldiers who fought and died during that campaign. Today, I can announce £7 million of funding for the Normandy Memorial Trust to complete its memorial overlooking Gold beach, where so many troops came ashore. We will also support the veterans of today’s wars, as we confirm the funding today for the new Office for Veterans’ Affairs. I congratulate my hon. and gallant Friend the Member for Plymouth, Moor View (Johnny Mercer) on his tireless work in championing veterans.

I have set out today a big increase in public spending that will pay for more police and safer prisons, more nurses and better hospitals, and more money for schools and further education. I now turn to the remaining Departments across Whitehall, those that have not been protected over the last decade. Investing in the people’s priorities inevitably means difficult decisions elsewhere. Every spending review presented to this House over the past 15 years has had to find cuts from those Departments. This party has never shied away from taking the difficult decisions to make sure that we live within our means. Those decisions were tough, but they have paid off, so I can announce today that no Department will be cut next year. Every single Department has had its budget for day-to-day spending increased at least in line with inflation. That is what I mean by the end of austerity: Britain’s hard work paying off, and our country living within its means and able to spend more on the things that matter.

I am delivering today’s spending round in unusual circumstances. Understandably, much of our attention and the attention of the country is focused on the important matters before the House later today, but we must not forget that Brexit is not all that matters to the British people; it is not the only topic at the dinner table. Today’s spending round ensures that if you fall ill, you can get the care and support that you need; that when you drop off your child at the school gates, you can trust that they will get the best possible education; and that when you walk down the street, you can feel safe and secure. Today, we move from a decade of recovery to a decade of renewal. Yes, we will keep control of the public finances, but we will invest, too, in the long-term growth of this country.

It was just six weeks ago today that this new Administration took office. The Prime Minister promised that we would not wait until Brexit day to deliver on the people’s priorities, and today we meet that promise with a new chapter for our public services, a new plan for our economy and a new beginning for this country. I commend this statement to the House.

1.43 pm

John McDonnell (Hayes and Harlington) (Lab): I welcome the Chancellor to his new job, although, after that, I am beginning to miss the old one. I believe the Chancellor may be the first person to hold that role whose father—like my own—was a bus driver. I would like to welcome him to his new job. I also hope that what they say is true: you wait ages for one son of a bus driver to become Chancellor of the Exchequer, only for them to be followed soon after by another.

I am afraid that that is probably the end of what the Chancellor and I have in common. I thank him for abiding by the convention of providing me with a copy of his statement. It was a compendium of meaningless platitudes. I ask him to take a message back to the person who obviously drafted the statement. Could he tell Mr Cummings, the man who cancels the Chancellor’s own speeches, sacks his staff without telling him and then has them?

The Prime Minister (Boris Johnson): You don’t like spending on education?

John McDonnell: Mr Speaker, I believe that the right hon. Member for Uxbridge is shouting at me. The last time he was shouting at someone, they had to call the police. I do not think we need to go as far as that. Mr Cummings, who had the member of staff escorted—[ Interruption. ] You might need to call the police.
Mr Speaker: Order. Calm must descend on the Chamber. People should try to operate at the level of events and, in all parts of the House, at the level of their important responsibilities as Members of the House.

John McDonnell: Thank you, Mr Speaker. The member of staff was escorted off the premises by an armed police officer. Can I just say that that is no way to treat a member of staff? I ask the Chancellor to tell Mr Cummings, on the spending review: do not insult the intelligence of the British people. The people will see today’s statement as the grubby electioneering that it is.

This is not a spending review as we know it. This is straight out of the Lynton Crosby handbook of opinion-poll politics. The Tories have checked what the top three or four issues in the polls are and they have cynically judged how little money they have to throw around to try to neutralise those issues and the concerns of people. To come here and try to fool us with references to people’s priorities is beyond irony.

When did this extremist, right-wing Tory group ever put the people first—ever? Were they putting the people first when they froze child benefit year after year or when they introduced universal credit, a brutal regime? The result this summer, according to the Childhood Trust, was children scavenging for food in bins because they did not have free school meals in the summer holidays. Were they putting people first when they cut council budgets, and prevented 1 million elderly and disabled people from getting the social care they needed? Were they putting people first when they cut social services budgets so much that we now have record numbers of children coming into care and 155 women a day turned away from refuges?

We are expected to believe that these Tories, who for years have voted for harsh, brutal austerity, have had some form of damascene conversion. I tell you, they treat our people with contempt. Announcements have been dripped out over the last week or so, all designed to give the impression of a spending spree—announcements dictated by No. 10 and meekly accepted by a Chancellor too weak to conduct a full multi-year spending review as he should, even before the Government’s majority disappeared yesterday.

We have seen the so-called headroom, which the Chancellor’s predecessor had claimed was needed to prepare for a no-deal Brexit, spent instead on preparing for a general election. We all know that the Chancellor may not be in his job very long and maybe that is why he felt he needed to rush a spending round based on figures from March, rather than wait for the Office for Budget Responsibility to tell him officially what the rest of us have known for some time: that the economy, after nine years of Tory austerity, is in bad shape and, yes, is getting worse, stagnating.

A full fiscal event would have meant new economic forecasts and the need for a fiscal framework to give Departments security over the Parliament, allowing them to plan ahead after years of cuts. Instead we get this sham of a spending review. The Tories are claiming to be against austerity after years of voting for it. They are claiming to be using headroom, which the Chancellor knows has largely disappeared, yet they are still failing to deliver a real end to austerity.

Let us take a look at some of the announcements that the Chancellor has confirmed today. For schools, the Chancellor announced new spending of £1.8 billion next year. The Institute for Fiscal Studies has previously estimated that it would cost £3.8 billion this year alone to reverse the cuts that have been made. Was the Chancellor aware, when drawing up his spending plans, that the Department for Education budget as a whole has been slashed by almost £10 billion in real terms since 2010? The reality is this, is it not: heads will still be sending out begging letters and teachers will still be buying basic materials for their classes?

The Government have some front to mention childcare after hundreds of Sure Start centres closed on their watch, undermining the start in life for our children. They mention that £700 million was announced for children with special educational needs and disabilities. Does the Chancellor know that the Local Government Association found that councils already face a funding shortfall for SEN children of £1.2 billion by 2021? The reality is that these children will still be left vulnerable and in need, with their futures in jeopardy. That is what it means today.

Further education colleges are getting a one-off £400 million. Does the Chancellor really think that they should be grateful when he has cut £3.3 billion from them since 2010? The reality is that the economy will continue to desperately need skills and training, and our young people will still be denied them.

On the NHS, the announcement of £1.8 billion spending for the NHS has already been exposed as largely a reannouncement of existing money. There is no mention, is there, of the £6 billion backlog in the maintenance we need in our hospitals? Our hospitals are still using buckets to catch water coming through leaking roofs. Operating theatres are closed because of the lack of maintenance over the past nine years of austerity. The Government mention GP waiting times. Any announcement on GP waiting times is likely to turn out to be totally underdeliverable. Why? Because we have just lost 600 full-time equivalent GPs over the past year. They are just not there because of nine years of lack of investment.

On local government, any new money for local government today will be a drop in the ocean compared with the 60% funding cuts that councils have suffered in recent years. What effect does the Chancellor estimate his announcement today will have, for example, on the crisis in children’s services that we have highlighted at every spending review and budget over the past two years? There has been a 29% drop in Government funding after eight years and as a result vulnerable children are left at risk.

On homelessness, the Chancellor mentioned £54 million of additional spending to tackle homelessness. There has been a 160% increase in people sleeping rough. In the past two years, people have died near the doors of Parliament. The LGA says that there is a £100 million spending gap just to get by. The most vulnerable in our society have been put at risk as a result of the Government's austerity over nine years, and he expects us to celebrate an inadequate attempt to plaster over the problems we have.

On bus services, the Chancellor mentions £200 million allocated to them. That is a third of the £645 million that has been cut from bus services since 2010.
The Government seem to forget that they cut 20,000 police officers. The Chancellor expects us to celebrate what he has announced today, when we now know that at best there will be only 13,000 on the streets. Can he tell us how many will be frontline? We will support him in the investment to protect religious establishments and communities, and we will support him in tackling the problem of protecting young children from online abuse—of course we will—but the real protection comes from the safer neighbourhood teams that we constructed under Labour and that we had in every one of our wards, with a sergeant, police officers and police support officers, all of whom have been wiped out. [Interruption.] An hon. Member shouts, “Not true.” He needs to go out into the community and talk about the increase in violent crime in our communities as a result of what has happened.

The Chancellor spoke of money to create another 10,000 prison places. Can he just tell us: are they the same 10,000 prison places promised by previous Justice Secretaries in 2016, 2017 and yet again in 2018? Can he answer how many suicides and how many assaults on staff have taken place because of the Government’s cuts to prison staff over the past nine years? Will he, or someone in the Government, ever apologise to the Prison Officers Association for ignoring its warnings about the effect of staff cuts on safety in our prisons?

Those are just some of the announcements we heard today, but there are many that we have heard very little about. What about those who have been effectively forgotten in the Chancellor’s opportunist, one-year spending round? What about real structural reform to address the social care crisis, which we have been waiting for, for how many years—three, four? All we have now is a sticking plaster of £1 billion, which will leave this sector in the same sorry state as it is in now. What does that mean in real terms? It means 1.4 million people not getting the care they need and 87 people a day dying before they get the social care they need to support them.

I understand that the Chancellor’s mates, the bankers, were pushing the other day for more tax cuts and less regulation. I suppose they think they have a soft touch in No. 10 and No. 11. I hope he sent them packing. When we compare how much has been cut from the basic social services that we and vulnerable people need for support, with what is calculated to be, by the end of the next couple of years, £110 billion given out in tax cuts to corporations, we can see why people do not believe the Government have any concept of social justice or equality. Does the Chancellor have any words for the thousands suffering—[Interruption.] The right hon. Member for Uxbridge and South Ruislip (Boris Johnson) said, “Pathetic.” I’ll tell you what develops real pathos. Many of us in our constituency surgeries are having to deal with people who are dependent on universal credit. Yet the Chancellor did not have any words for the thousands who are suffering from the brutal roll-out of universal credit—the people we represent who are now queuing up at food banks as a result of the cuts. Traditionally, the spending review concentrates on departmental expenditure limits, rather than social security. I appreciate that. But there was no reason why the Chancellor could not have signalled the Government’s intent at least to end the misery and hardship that their policy is causing and to end the roll-out of universal credit as it now is.

Most shockingly, the Chancellor has given no sign that he understands the scale of the climate emergency facing us and the urgency of the significant Government response that is needed. He mentions the climate but allocates minuscule amounts of funding to address an existential threat to our society. I hope that in the next few weeks Members will remember those who got no comfort from today’s announcements, if the Government push ahead with their plans for tax cuts that mainly benefit the wealthy, as is widely rumoured. I hope that Members will remember all those individuals and services that were deemed too unimportant by the Chancellor to address today. I tell him that whenever that election comes—in any election campaign—he can be sure that the Labour party will remind those people and the voters what nine years of austerity have done to them, and of today’s failure to act. The opportunity was there today really to end austerity—to start reversing austerity—and to give people some hope. What a missed opportunity.

We remember when we were told that there was no alternative, and that there was no money. We all know the lines—we have heard them enough times. They were not true then and they are not true now. The majority of economists have always agreed that there was another approach that the Government could have taken, rather than austerity, and we always argued—and we were right—that austerity was a political choice, not an economic necessity. As recently as March, the Conservatives ploughed on, saying that there was no alternative. Look at them now suddenly proclaiming an end to austerity, after 125,000 excess deaths as a result, after £100 billion has been taken out of the economy, and after the worst decade for wage growth since the 19th century—just because there may be an election around the corner. After all that, to deliver a pathetic sum to spending Departments, who are on their knees at the moment, is just adding insult to injury.

This is a Government who are not just callous and uncaring, but hypocritical. This is not a Government—it is a racket. They pretend to end austerity when they do nothing of the sort. They pretend to plan ahead while they plot a no-deal Brexit that would devastate parts of our economy. They are a Chancellor and a Prime Minister, as my right hon. Friend the Member for Islington North (Jeremy Corbyn) said yesterday, with no mandate, no morals and no majority. They are trying to distract us from the crumbling public services and stagnating wages that they have created after a decade in charge. It is almost as if they forget they have been in government for nine years. They seek to fool the British public with fantasy promises of a Brexit deal that they knew they could not deliver and they were not even trying to negotiate. This short-lived Government will go down in history for its unique combination of right-wing extremism and bumbling incompetence. This is a Government that betrays the people it is meant to serve—a Government that will never be forgiven, but will soon be forgotten.

Sajid Javid: At least the shadow Chancellor did not try to throw a little red book at me this time. He attacks the decisions that were made over the last decade to restore the nation’s finances. He attacks the same free enterprise system that has delivered the prosperity that
our nation enjoys. He refuses to understand that a strong economy is absolutely necessary to pay for public services.

Why have we made these decisions over the last decade that get us to where we are now, where we can properly end austerity for good? Labour trashed the economy the last time it was in power, like it always does. The shadow Chancellor talked about cuts that were made to public services over the last decade. Let us just remember what we inherited—the absolute mess that we inherited—in 2010: a deficit that was 10% of GDP, with £150 billion in borrowing in that year. It was the biggest budget deficit in our peacetime history and the biggest budget deficit of any large industrialised nation. Labour was borrowing £5,000 a second. There was the deepest recession that we had seen in almost 100 years. The shadow Chancellor talked about the bankers. Which Government gave us the biggest banking bailout in global history? It was the last Labour Government. That was our inheritance.

It was absolutely clear that had that unsustainable rate of spending continued, with no link between what was coming in and what was going out, the country would have gone bankrupt, just like it did with Labour in the past, when we had to go cap in hand to the International Monetary Fund. That is the legacy of every Labour Government. It took Conservatives to clear up Labour’s mess, bringing the deficit under control, bringing debt under control—having it falling for the first time in a generation in terms of the proportion of national income—reducing taxes for 40 million people and backing millions of businesses. And we have had a jobs miracle, with more people employed today in Britain than at any other time in our history and the lowest unemployment rate since 1975.

The shadow Chancellor talked about the impact of our policies on economic growth. Let me tell him about the impact on economic growth since 2010, since the Conservatives were back in office, our economy has grown by 18.7%—faster than the economies of France, Italy and Japan. I will tell him about the risk to the economy—the only risk to the economy is from the shadow Chancellor, his policies and the entire Labour party. They have a tax hike for everyone. They have a tax hike if you happen to own a garden, if you want to give a gift to someone, if you want to go on holiday, if you own a home—whatever you are, they have a tax hike for you. They want to raid private pensions. Just this week, we learned more about their plans. They want to confiscate 10% of almost all our large companies. That is £300 billion that they want to confiscate from pensioners’ private plans. They also want to renationalise industries—is it seven, eight or nine? I do not know how many they want to renationalise—than some of the people who think that they can criticise, so I do know what I am doing. The answer is to provide the answers to the questions—[Interruption.] Order. Provide the answers to the questions and then other colleagues will have the opportunity to question the Chancellor. It requires just a little versatility on one’s feet.

Sajid Javid: I have to say, Mr Speaker, I did not detect many questions, so I will finish very quickly to give an opportunity for Members to ask proper questions.

The simple truth is that Labour is unfit to govern. It would not deliver Brexit. It would wreck our economy over again. Hard-working families will pay the price and we will not let it happen.

Mr Kenneth Clarke (Rushcliffe) (Ind): I genuinely welcome my right hon. Friend to his appointment and congratulate him on it, and I sincerely wish him every success in carrying out his extremely important duties. I also welcome the many spending announcements he made. In particular, I single out further education, to which successive Governments have been trying to give better priority for the last 30 or 40 years. I hope that it shows in effect. Will he reassure me that the announcements that he has made are consistent with the fiscal rules of his predecessors, that we are still subject to the same limits on the deficit that were laid down, and that he is still aiming to achieve year-by-year reductions in debt as a proportion of GDP? If he can give me those assurances, it demonstrates what he has just said: that he is able to make these welcome announcements because austerity has been brought to an end by the achievements of his two predecessors over the last nine years.

Sajid Javid: I welcome the warm words of my right hon. and learned Friend. I remember all the excellent work he did when he held this position and I hope that I can learn from the way in which he performed his duties as Chancellor.

My right hon. and learned Friend asks me a specific question about the fiscal rules. This spending round is within the current fiscal rules. According to our forecasts, we expect to meet both the key rules of borrowing staying inside 2% of GDP and seeing a further fall in debt as a proportion of GDP. I would, however, point him to some of the other comments I made in my statement about looking again at the fiscal rules, particularly with an eye to taking advantage of record low interest rates and investing more—credibly—in an infrastructure revolution.

Kirsty Blackman (Aberdeen North) (SNP): I thank the Chancellor for advance sight of the statement.

The gimmicks and gems the Chancellor has presented today are nothing more than an effort to distract us from the crippling crisis that the Government are dragging us into. If that was meant to be a pre-election Budget, if I was a Back-Bench Tory I would be quaking in my boots right now. In less than two months, we could face a no-deal Brexit, unless that threat is removed today by the House of Commons supporting the cross-party Bill to secure an extension. The threat cannot be underestimated. We are standing here facing increased uncertainty due to Brexit. The outlook for our economy and for public finances remains extremely uncertain. The economy
has already taken a hit, as we saw GDP contract 0.2% in the second quarter of 2019. As Paul Johnson of the Institute for Fiscal Studies put it in *The Guardian*,

“Making big fiscal announcements in a period of great economic uncertainty means we will have little idea how sustainable or costly decisions made this week will be. The risks are exacerbated by not having up-to-date forecasts from the OBR.”

While the Chancellor has announced increased spending today, this will not help to end austerity; it will only postpone some of the hardship in the short term. Meanwhile, Brexit will bring lasting and long-term damage to our economy, and to our citizens’ livelihoods.

With the economy already faltering, the Chancellor’s predecessor has warned that a disruptive no-deal Brexit could have a £90 billion hit on the Exchequer and suggested there would be no money available. A no-deal Brexit would be devastating for Scotland, with the potential to destroy 100,000 Scottish jobs and cost every person the equivalent of £2,300 a year. Brexit caused UK manufacturing activity to contract in August for the fourth consecutive month to the lowest level since 2012. According to the BBC, sterling fell below $1.20 on 3 September to its lowest since October 2016. The Chancellor pretends his Government are putting people first, when in reality they are putting the cult of leave campaigners and their Brexit obsession before the interests of the economy and citizens.

Yesterday in Scotland the First Minister announced our programme for government, putting tackling climate change, protecting our economy and reducing inequality at the heart of our policy-making agenda. Here we are talking about food and medicine shortages, reducing opportunities for our young people and complete Brexit chaos. For the people of Scotland, this is a tale of two Governments, and only the SNP Scottish Government are acting in our interests.

The IFS is clear that pre-election bribes do not mean an end to austerity—that decade of austerity that cumulatively cut the Scottish block grant by more than £12 billion in real terms, left people having to choose between heating their homes and feeding their children and reduced social security payments for disabled people four times faster than the cuts for others.

If the Tories seriously wanted to make life better for citizens, they would give Scotland its fair share. This means the Chancellor should repay the £140 million of VAT owed to Police Scotland in refunds. We have been arguing for years for the convergence uplift moneys to be returned. There are 50 mentions of it in *Hansard*, 45 of them from the SNP, and most of the others in response to SNP questions. I am pleased with the pressure that we and our colleagues in the Scottish Government have brought to bear on this Government. It also means that Scotland must get its £3.4 billion share of the DUP’s dirty deal Brexit bung. Will the Chancellor rule out any new confidence and supply agreement with the DUP that would give them more money before we get the £3.4 billion we are owed?

Furthermore, it would appear that the Chancellor will overshoot his Government’s borrowing targets. Will he confirm that, and will he tell the House what borrowing rule changes he will introduce in the Budget? Will he guarantee that Scotland will not lose any of the EU funding it currently receives? The UK Government must, at the very least, match the compensation scheme already put in place by the EU and the Irish Government for the beef and suckler sectors in Ireland.

Finally, the Government must scrap the proposed £30,000 salary limit on foreign nationals entering the UK. Scottish Government analysis has found the average EU citizen in Scotland adds £10,400 to Government revenue and £34,400 to GDP each year. The proposed £30,000 salary limit on foreign nationals to the UK has been shown to be unworkable and should be scrapped. While the Tories balance the books on the backs of the most vulnerable and disadvantaged, the SNP Scottish Government are leading the way to deliver a fairer Scotland.

**Sajid Javid:** The hon. Lady talks about uncertainty. I would have thought, therefore, that she would have welcomed today’s statement. I think she referred to it as a Budget. First, there is a spending round, which is focused only on spending, not taxes or capital investment, and designed to give certainty to all Departments across Government on funding for the next year. Without it, they would not have that certainty. She claimed that Brexit uncertainty was damaging the economy. Need I remind her that, since the referendum, we have had record growth in British businesses, record growth in jobs—almost 1,000 new jobs created a day, with more people employed today than ever before—and record inward investment? If she wants to end uncertainty, she should support this spending round and make sure we leave the EU on 31 October.

**Several hon. Members rose—**

**Mr Speaker:** Order. There is extensive interest in the Chancellor’s statement, but I remind the House that there is a ten-minute rule motion to follow and other important business that must come onstream absolutely no later than 3 o’clock, and that therefore there is a premium on brevity from Back and Front Benches alike. I also make the obvious point that realistically lots of people who want to contribute will not have the opportunity to do so.

**John Redwood** (Wokingham) (Con): Wokingham and West Berkshire Councils need money for social care and schools. The current funding is not adequate. I am grateful to the Chancellor. This is very welcome. Does he agree that, at a time of world slowdown, led by a manufacturing recession in several leading countries, a boost to the economy is much needed here and that this is part of that boost?

**Sajid Javid:** My right hon. Friend speaks with great experience. I very much agree that one of the outcomes of today’s spending round will be a further confidence boost to our economy.
Alison McGovern (Wirral South) (Lab): The Chancellor claims that this is a boom in public spending, but we all know how big the bust has been, and nowhere has it been bigger than in DWP spending. Its spending will see a real-terms rise of 1.9%, which is welcome, but I ask the Chancellor: taking into account increases in the state pension and population increases, will he commit to no further cuts within that budget to working-age benefits?

Sajid Javid: The hon. Lady will know that this spending round covers day-to-day departmental spending and that the vast majority of DWP spending is not covered by day-to-day spending. So, when we get to a Budget, we can say much more about DWP spending. She will also recognise that this spending round will help more vulnerable people by protecting our economy and making sure it continues to grow and to generate jobs, which is the best way out of poverty.

Sir Michael Fallon (Sevenoaks) (Con): I welcome the increase in defence spending, which is well justified by the increase in the threats that the country faces. However, can my right hon. Friend reassure the House that any revision of the fiscal rules will never make the Government vulnerable to the charges of fudged targets, reference periods and spending classifications that characterised the last Labour Government?

Sajid Javid: I thank my right hon. Friend for his support for the increase in defence spending and I can give him that assurance. When the fiscal rules are looked at in time for the next Budget, that will be done openly, transparently and clearly, which is exactly what is needed to maintain market confidence.

Sir Edward Davey (Kingston and Surbiton) (LD): I welcome the Chancellor to his post, but is it not the case that headteachers, chief constables and NHS managers simply cannot rely on his fantasy figures if Britain crashes out of the EU?

The independent watchdog, the Office for Budget Responsibility, said just two months ago that a no-deal-Brexit would add £30 billion a year to public borrowing for the next four years. What insurance has the Chancellor taken out against that massive risk to his spending plans? Is this not just a con?

Sajid Javid: The right hon. Gentleman should know that this spending review is a one-time-only exercise. The Treasury is simply not fit for purpose when it comes to understanding how to invest in Britain’s biggest asset, which is its human capital—its people.

Sajid Javid: My right hon. Friend speaks with great experience and is right to highlight issues relating to children’s services. I can assure her that in the numbers that I have given today she will see, beyond the excellent investment in schools, investment across the board that will benefit children, especially vulnerable children, through social services in particular. She also made a good and valid point about human capital and the need to view it in a different way, and that is something that I am very interested in pursuing in the Treasury.

Wes Streeting (Ilford North) (Lab): If Dominic Cummings had not sacked his special adviser, he might have come up with a better speech.

I note that the Chancellor did not mention the growth figures, which is not surprising given that our economy is shrinking and every major sector of it—services, manufacturing, construction—is struggling. Is it not the case that, whether we are talking about the future of those industries or the spending plans that the Chancellor has set out today, every single promise is at risk from the no-deal recession that his Government are pursuing with their reckless no-deal policy?

Sajid Javid: The hon. Gentleman claimed that I had not mentioned growth figures. There are no new growth figures today because there is no OBR forecast, but I did refer to growth: in fact, I drew attention to the IMF forecast that we would grow faster this year than France, Italy and Japan.

The hon. Gentleman also talked of the risk to the economy. The risk to the economy is the uncertainty of not leaving the EU, and we must leave by 31 October. If he wants to end that uncertainty, he knows what he must do tonight.

Kirstene Hair (Angus) (Con): I warmly welcome the spending review. I welcome the extra £1.2 billion for Scotland and the extra £60 million for our farmers, and I was delighted to note the increase in Ministry of Defence spending. I urge the SNP Scottish Government to spend that money on education, health, policing, and connectivity in my constituency. Does the Chancellor agree that what we should be doing—what the SNP should be doing—is welcoming this extra investment, which shows the strength of being part of our United Kingdom, and removing the threat of independence, which would unleash the economy in Scotland?

Sajid Javid: I agree wholeheartedly. Let me take this opportunity to thank my hon. Friend for—along with other Conservative colleagues—helping me to focus on the issue of Scottish farmers, which has helped to secure the £160 million. She is also right about the extra £1.2 billion for Scotland. It is a huge amount—a record amount—but, unfortunately, one thing that we can be sure of is that the SNP will waste it.

Sammy Wilson (East Antrim) (DUP): Notwithstanding the best efforts of some Opposition Members to talk the economy down, I am glad that the Chancellor has been able to make these announcements. I welcome the £400 million for Northern Ireland, which will help us to recruit police officers, reduce waiting lists and give some relief to school budgets. Does he recognise, however, that, if he is to realise his goal of levelling growth across
the United Kingdom, much more still needs to be done to ensure that resources are sent to Northern Ireland and other regions of the United Kingdom to ensure that growth is experienced equally across the UK?

Sajid Javid: My right hon. Friend has made an important point. I thank him for his welcome for the extra £400 million for Northern Ireland, and also for his reference to levelling growth across the country. In my statement, I referred a number of times to the need to ensure that we have growth in every part of our great United Kingdom. That will require infrastructure investment and I hope that, when I set out the infrastructure strategy later this year, he will welcome it for those reasons.

Mr Richard Bacon (South Norfolk) (Con): Will the Chancellor tell us when we can expect an announcement on funding for serviced plots of land?

Sajid Javid: Let me take this opportunity to thank my hon. Friend for all the work that he has done in relation to self-build homes and more generally, in promoting easier access to homes for everyone. We are discussing that issue with the Ministry of Housing, Communities and Local Government, but I will pursue it further and get back to him.

Rachel Reeves (Leeds West) (Lab): I am surprised that the Chancellor has the cheek to call this a spending review because it is nothing of the sort. It is no surprise that the Office for Budget Responsibility did not dignify it with its own economic and fiscal analysis, as normally happens with spending reviews.

When the Chancellor made his three-year commitment to school spending, he said that he recognised the importance of schools’ being able to plan. May I ask him whether local authorities should also be able to plan for the future when investing in social care and youth services and tackling homelessness? If he thinks that they should be able to do that, why did they not get a three-year settlement as well?

Sajid Javid: Let me first say gently to the hon. Lady that this is a spending round. I have not referred to it as a spending review. As she may know, a spending review normally covers a number of years, whereas a spending round covers a single year. She said that I had not “dignified” it with an OBR forecast. No spending review or spending round comes with an OBR forecast; that is normally the case with a Budget, and there are two forecasts a year. I thought that she might already know that, but I am happy to let her know now. She also talked about the funding of sectors such as social care and youth services. I did refer to those: I set out plans for next year, but also plans for the future involving, for example, the new youth investment fund.

John Stevenson (Carlisle) (Con): The Chancellor clearly recognises the importance of growing the economy, because it is through a growing economy that we can afford public services. I understand that, with a view to achieving growth—particularly in the north—there have been discussions about the possible creation of free ports in the north of England. Carlisle Lake District Airport, which is owned by the Stobart Group and which commenced commercial flights recently, has the ambition to create an airport free port. Would the Chancellor support that?

Sajid Javid: As my hon. Friend will know, we have accelerated our work on the free ports generally, which is being led by the Trade Secretary and the Chief Secretary to the Treasury. However, I should be happy to consider a proposal for an airport free port.

Chris Bryant (Rhondda) (Lab): Instead of wasting £4 billion on no deal, can the Chancellor just spend some money in the Rhondda, please? Just 2% of that figure would pay for finishing off the Rhondda Fach relief road; for rebuilding Llyn-y-Forwyn school; for buying new trains, which might actually be clean and run on time, for the Treherbert line; for providing a new home for the Rhondda sea cadets; and for a new PET-CT scanner for south Wales.

Sajid Javid: The good news is we do not have to choose between investing in leaving the EU and investing in Rhondda or anywhere else in the country, and the reason is that, under the Conservatives, we have a strong economy. But if the Labour party were ever in charge, we would not have the money to invest anywhere.

Stephen Metcalfe (South Basildon and East Thurrock) (Con): I thank the Chancellor for his statement and particularly the focus on rebuilding our infrastructure. Of course he is right to ensure that it delivers value for money. May I therefore ask that he has another look at the lower Thames crossing to ensure that it is delivering value for money and that it delivers its primary aim of relieving congestion at the existing Dartford crossing?

Sajid Javid: The general point my hon. Friend makes about infrastructure and value for money is of course absolutely right, and as we spend more on infrastructure we must make sure that that principle is always maintained. He has invited me to take a further look at the lower Thames crossing. I will be happy to do that and to discuss it with him.

Caroline Lucas (Brighton, Pavilion) (Green): The Chancellor tells us that the challenge of decarbonisation is real, as if he has only just discovered it. But we face a climate emergency, so why have we not had a spending round that would actually match that climate emergency? Green groups are urging him to commit at least 2% of GDP on immediate climate action. Is he going to do it, or is this just going to pile up with all his other broken promises?

Sajid Javid: This spending round is focused on day-to-day resource spending. The hon. Lady may know that some very important investments that will need to be made on decarbonisation will be capital investments and that is just not covered today, but that does not mean to say it is not going to happen and is not taken seriously. However, one step that we have taken today is to provide more funding to the Department for Business, Energy and Industrial Strategy to work with the Treasury on the decarbonisation plan to meet the net 2050 targets; there is additional funding of £30 million to work on that programme. There are also other measures I have announced today that would help—for example, the £200 million on ultra-low emission buses. I hope the hon. Lady would welcome that, too.
Alberto Costa (South Leicestershire) (Con): I welcome the Chancellor to his position. The leaders of Conservative-led Blaby District Council and Harborough District Council, both in my South Leicestershire constituency, would greatly welcome a meeting with the local government finance Minister. Will the Chancellor help to organise that, so that the Minister can discuss the additional funds that the Chancellor has announced today?

Sajid Javid: I will gladly help my hon. Friend to organise such a meeting. I will certainly speak to Ministers in the relevant Department.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): The Chancellor will know that the Select Committee on Home Affairs has called for a long time for substantial additional resources for policing and that is important, so can he confirm that the £750 million he refers to is a real-terms increase and is all central Government funding, as he will know that central Government funding for policing has been cut by £3 billion since 2010? Can he also confirm that this is not yet enough to fund the restoration of the over 20,000 police officers who have been cut since 2010, and it also does not reverse any of the cuts of 7,000 PCSOs and 5,000 specialists since 2010?

Sajid Javid: What I can confirm to the right hon. Lady, and I hope she will find this helpful, is that for the Home Office my starting point was to roll over all funding in real terms that it had received this year, so that was the baseline, which had not been done before. I added to that the extra costs that would be required, with the major cost being for the extra officers. So the real-terms increase in the Home Office budget is £800 million. That is an increase in the real-terms growth rate of 6.3%, the biggest real-terms increase in the Home Office budget in 15 years.

Sir Edward Leigh (Gainsborough) (Con): As we saw on the Public Accounts Committee during the Labour years, if there are rapid increases in public spending, particularly on health, they are invariably accompanied by increasing levels of unproductivity, so how is the Chancellor going to maintain his laser-like focus on economy and efficiency and ensure that a greater proportion of our spending is not sucked into administration, away from the frontline? In other words, tax and spend on its own does not work.

Sajid Javid: My right hon. Friend makes an important point. He talked about it in the context of health, but we could apply it to the spending of many other Departments. He is absolutely right that as we allocate this new spending, especially if it is multi-year funding amounting to billions of pounds, it is imperative that we make sure every penny is spent wisely. That work is done jointly with the Department, but also in a unit in the Treasury. We will have a laser-like focus on efficiency, and if we need to take action we will not hesitate.

Frank Field (Birkenhead) (Ind): The Chancellor did not mention families who are today hungry and facing destitution; those families have suffered cuts of £1,200 in benefits. What message would he like to send them today?

Sajid Javid: I will say two things on that to the right hon. Gentleman. First, as I said in reply to a previous question, for welfare and the DWP today’s settlement covers only day-to-day resource spending and, as he will know, most spending on benefits is not day-to-day resource spending. Secondly, to answer his question on how this spending round will help people in such vulnerable positions, what I have announced today underlines the fundamental economic strength, and that will bring more confidence, meaning our economy can continue to grow and continue to generate jobs—and jobs will always continue to be the best sustainable way out of poverty.

Luke Graham (Ochil and South Perthshire) (Con): I welcome the Chancellor’s statement, including the £1.2 billion extra that will be coming to Scotland, which is an increase on the real-terms increase we already received in the Budget last year. May I especially thank him for the £160 million that will be coming back to our constituencies in rural funding, which was demanded by NFU Scotland and requested by my constituents, and is delivered by the Scottish Conservatives, with his help?

Sajid Javid: My hon. Friend is right on every count; it has been delivered by Scottish Conservatives, and may I take this opportunity to thank him for all the representations that he made to me, along with his colleagues, and for achieving this result? It just shows that Scottish Conservatives really care about their constituents, unlike the SNP.

Dr Sarah Wollaston (Totnes) (LD): This morning I met with NHS trust leaders from around the country; they painted an absolutely shocking picture of infrastructure that is crumbling, unsafe and broken. They welcome the unfreezing of £1 billion so that they can get on and fix some of that, but it does not go far enough; there is a £6 billion backlog, and they are asking for us to reach the levels of comparable countries in spending on NHS infrastructure. Will the Chancellor meet me to discuss their serious concerns and the measures that we need to take to move this forward?

Sajid Javid: I thank the hon. Lady for welcoming one of the changes I made a few weeks ago, which was to unlock or bring forward £1 billion of new capital investment in our hospitals and an additional fresh £850 million on top of that to upgrade 20 hospitals. She makes an important point, but today’s announcement is about day-to-day resource spending whereas she is talking about another important area, which is capital. I will make sure she gets the meeting with Ministers she wants.

Sarah Newton (Truro and Falmouth) (Con): I very much welcome this additional investment in our vital public services. The “Britain’s Leading Edge” report that I helped launch in July evidenced an historical bias in the funding of our public services between England’s regions and major cities. Will my right hon. Friend use the spending review to end this bias, so that regions such as Cornwall can play their full part in the Treasury’s economic renewal plans?
Sajid Javid: I agree with my hon. Friend, and she has made this point powerfully on a number of occasions. In the past, for example, we talked about making sure that police funding reflects local need. I hope she will have noted that in my remarks today I talked a lot about levelling up across the country, whether in infrastructure investment or in investment in public services, and I can give her an assurance that Cornwall will not be left behind.

Seema Malhotra (Feltham and Heston) (Lab/Co-op): I look forward to sharing plans for the Southern Rail access to Heathrow, which I hope will form an important part of the Chancellor’s new infrastructure strategy.

This month, Hounslow clinical commissioning group was due to present the full business case for the planned and urgently needed Heston health centre redevelopment to its governing body. However, the project is on hold after questions about whether the local improvement fund scheme, which was originally advised by the Department of Health and Social Care as the best-value funding option, could still go ahead following confusion around the Treasury’s policy on LIFTs schemes last year. Will the Chancellor meet me to review the situation, so that we can see whether the existing plans can be approved or whether any of the alternative capital funding he has announced will be available to enable this important and urgent development to go ahead?

Sajid Javid: I will happily discuss with officials the issue that the hon. Lady has raised, and I am sure that they will be happy to meet her.

Huw Merriman (Bexhill and Battle) (Con): I thank the Chancellor for the extra money for local government and social care, which will prove hugely impactful for East Sussex. I should like to make particular reference to the schools spending increases. The increase to £5,000 for secondary schools and £4,000 for primary schools next year will help East Sussex schools to almost catch up with some of the wealthier parts of the country. I should also like to thank the teachers, headteachers and governors who have fought their campaign, with me, with respect, reason and absolute passion to deliver the best for their schoolchildren.

Sajid Javid: I want to take this opportunity to thank my hon. Friend for his campaigning and for the way in which he has worked with the Treasury and the Department for Education on this. I think he is referring to the f40 campaign, with which I am very familiar as a constituency MP. I am pleased that we have been able to make this huge step change in school funding, which I know has been welcomed across the country.

Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): After all the announcements over the summer, I had hoped for more detail today. The Chancellor and his Department might have a laser-like focus, but he can rest assured that the Public Accounts Committee will be delving through these figures and holding him to account.

As others have said, the Chancellor has indicated that he is going to change the fiscal rules. We already have an 85% ratio of debt to GDP. Can he advise us of the tolerance level that he would go up to in that debt level, and is he considering increases in taxation?

Sajid Javid: I welcome the scrutiny from the hon. Lady’s very important Committee. She might not have enough time, but there is a lot of detail in the book that has been published alongside my statement today. She referred to a figure of 85% for the ratio of debt to GDP. I think the last Office for Budget Responsibility forecast in March had it at 82.2% and on a declining trajectory. On the changes to the fiscal rules, I have set out that I am looking at the fiscal rules in time for the Budget. There may well be changes, but I do not want to set out what they will be today, because we have not decided.

Jeremy Lefroy (Stafford) (Con): I welcome the Chancellor and his statement. Does the spending round contain any provision for the establishment of a UK development and investment bank, which I believe would be an extremely strong vehicle to make the kinds of investments that he talks about in the public and private sectors and internationally?

Sajid Javid: Today’s statement does not focus on capital, but my hon. Friend’s suggestion would certainly involve capital investment if it happened. I know that he has spoken to the Economic Secretary to the Treasury about this, and we are happy to have further discussions.

Dame Louise Ellman (Liverpool, Riverside) (Lab/Co-op): The people of Liverpool have suffered a horrific 64% cut in funding for local services. I was pleased to hear the Chancellor say this afternoon that no Department will be cut next year, but is there an absolute guarantee that Liverpool City Council will not have any real-terms reductions in its funding for local services next year? And when will he make the money available to complete the new Royal Liverpool Hospital?

Sajid Javid: The hon. Lady will know that local council funding will be a combination of grant funding and locally raised funding, so it is hard to say specifically what might happen to any particular council’s funding, as it will depend in large part on what that council chooses to do. However, I hope that I can give her some reassurance by telling her that, following today’s announcement, the core funding for local government next year across England will receive its highest increase in a decade.

Mary Robinson (Cheadle) (Con): In the north, there are 42,000 more people in work than there were a year ago, and 280 businesses are being supported through the £400 million northern powerhouse investment fund. I welcome the Chancellor’s announcement of the infrastructure revolution, and indeed the acceleration of the HS3 Northern Powerhouse Rail project. Will he ensure that, throughout the next year, the northern powerhouse is kept at the heart of Government thinking on the economy and on what we can do in the north to close the productivity gap and really deliver for the country?

Sajid Javid: Yes, I can absolutely give my hon. Friend that guarantee. I should also like to congratulate her on the excellent work that she has done locally to bring this issue to the attention of the Treasury, especially in relation to infrastructure investment in the north. She has done a fantastic job, and I would be happy to meet her and listen to her ideas, especially on infrastructure.
Several hon. Members rose—

Mr Speaker: Order. I am sorry to disappoint remaining colleagues, a point of which I did give notice at an earlier stage. I should, just as a courtesy, advise the House that it is the terms of the order the House of yesterday that require me to stick to time and to move on to the next business. I am genuinely sorry that some colleagues are disappointed.

Compulsory Purchase and Planning

Motion for leave to bring in a Bill (Standing Order No. 23)

2.46 pm

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): I beg to move, that leave be given to bring in a Bill to grant local authorities increased powers of compulsory purchase; to amend the law relating to land valuation and compensation; to make provision requiring landowners to fulfil conditions relating to planning permission; and for connected purposes.

Mr Speaker, it will be of no surprise to you or any Member that I begin this speech by extolling Hull's virtues. Hull is a growing, successful city that is attracting significant investment and undergoing really positive change. The council has already granted numerous housing, commercial, industrial and educational permissions, the majority of which have been implemented, and taking vital steps to secure our future. Members who were present at my Westminster Hall debate yesterday will have heard me talk about one such step: Hull's bid to become Yorkshire's maritime city. They will have heard me talk about the proud place that the sea plays in the history of Hull and how, for years, the shipping and deep sea trawling industries dominated our economy and their buildings stood prominently along our skyline. One such building was the Lord Line building on St Andrew's dock, which was constructed for the Lord Line trawler fleet in 1949. The Lord Line building is locally listed and a site of personal significance to the people of Hull, as it is one of the last buildings relating to Hull's fishing heritage. It is the site of the dock where the fishing boats used to come in and out when we were the capital city of the UK fishing trade, but it has been left to go to ruin, causing great upset in Hull's fishing community.

Young people go in there for reasons that I do not wish to elaborate on here. We can see from the discarded needles, from the bricks thrown from the top of the building and from the fire engines that attend the site regularly that it is not being properly safeguarded or protected. There will end up being a tragedy there, because people keep going to the building and it remains unsafe. If you ask people who is to blame, they will answer: Manor Properties. The company owns the Lord Line building and has a habit of promising wonderful, big, pie-in-the-sky dreams to the people of Hull, as it is one of the last buildings relating to Hull's fishing heritage. It is the site of the dock where the fishing boats used to come in and out when we were the capital city of the UK fishing trade, but it has been left to go to ruin, causing great upset in Hull's fishing community.

This is an exceptionally important local issue, and it is one that goes to the very heart of the concept of property rights and what we value in this country. The question that we, as the representatives of the people, must answer is whether owning something gives someone the right not just to use it and earn from it but to actively destroy it, especially when it is of cultural significance to others. Of course this is a philosophical question, but that does not make it any less important to answer. If anything, abstracting the question makes it easier to answer. Imagine if, instead of a building, the thing being owned was a priceless piece of art or a beloved
public service. There are few among us here who would say that anyone, even those who own such artefacts, had an absolute right to take a shredder to the Mona Lisa, for example, or to destroy our NHS. The fact that we can accept that there is no absolute right to destroy property that one owns is one of the bases of our compulsory purchase system, but unfortunately, in one area in particular, our current system of compulsory purchase does not go far enough. This is a situation in which a property developer continually fails to fulfil the conditions of their planning permission within a reasonable amount of time, such as in the Lord Line case. It is such situations that my Bill seeks to address.

The first of the main provisions through which we aim to do that is enhancing compulsory purchase powers when planning permission has not been implemented in full for five years. Such powers would enable a local authority or other relevant body to acquire a site provided that development commences within 12 months of the acquisition and that at least 50% of the development is completed within three years. Secondly, we would introduce compulsory sale orders that could be utilised by councils under the same conditions. Compulsory sale orders would give local authorities the power to order that a piece of land that met the required conditions be put up for open auction. Related to that, the Bill makes provision for the introduction of completion notices and for changing what it means for a developer to make a “material start” to a property, which would prevent a developer from just digging a hole and claiming that work has been done.

We are lucky in Hull, because we do not have a particular problem with land being held back from the housing supply, but that is an additional issue that the Bill could tackle. The two new powers would allow for a common-sense system for the transfer of ownership of buildings in a productive way that will prevent anyone from being able to sit on a piece of land and run it down. They would also give local authorities a choice, and even allow cash-strapped councils to free pieces of land from abusive ownership while properly compensating the owner.

However, we must consider what we mean by proper compensation and, again, my Bill contains two provisions to address that. The first establishes that the rate of proper compensation should be that provided in the Planning (Affordable Housing and Land Compensation) Bill, which was introduced by my hon. Friend the Member for Dulwich and West Norwood (Helen Hayes). The second would require a discount in compensation when a notice has been issued under section 215 of the Town and Country Planning Act 1990. We must also look at removing VAT for any conversion works to properties in heritage action zones and making new pots of money, to be administered by Homes England, available to local authorities to unlock such pieces of land.

The situation is not unique to Hull. It is also not a particularly party political issue, because such problems exist in constituencies up and down the country—the recent report by the right hon. Member for West Dorset (Sir Oliver Letwin) on land banking revealed as much. This Bill offers a common-sense method to address the issue that is potentially acceptable to both sides. Yes, there may be tangential issues in my particular version of the Bill that some Members may disagree with, but I plead with those who do disagree, and with the Government as a whole, not to throw the baby out with the bathwater and to work with me. Let us find a common-sense compromise solution that will not allow Lord Line to crumble. Let us act now to save this piece of Hull’s history. The people of Hull will not forget or forgive us if we do not.

Question put and agreed to.

Ordered,

That Emma Hardy, Mike Amesbury, Siobhain McDonagh, Bambos Charalambous, John Spellar, Stephen Pound, Rosie Duffield, Vernon Coaker, Mrs Madeleine Moon, Debbie Abrahams and Catherine West present the Bill.

Emma Hardy accordingly presented the Bill.

Bill read the First time; to be read a Second time on Thursday 5 September, and to be printed (Bill 434).
Point of Order

2.53 pm

Thangam Debbonaire (Bristol West) (Lab): On a point of order, Mr Speaker. I am sure that you, like so many people across the country, will have been moved by the sight of my hon. Friend the Member for Slough (Mr Dhesi) asking such a rousing question at Prime Minister’s questions this afternoon. However, many of us felt that the answer was woefully inadequate, and the question was on such a serious matter that there was a danger that an unhelpful impression was being given to the public. I wonder whether you could advise me on what further steps I can suggest that my colleague take in order to get his question—a serious question on the matter of racism in this country—properly dealt with.

Mr Speaker: I am not sure that my counsel is of particular value in this matter, although I am touched by the hon. Lady’s faith in my capacity to assist the hon. Member for Slough (Mr Dhesi) in his quest. What I would say is twofold. First, if the hon. Gentleman is disconcerted or irked by the answer that he received, it is open to him to table further questions in pursuit of satisfaction. Secondly, if the hon. Gentleman wishes to pursue the matter further beyond merely simple question and answer, it is open to him to seek an Adjournment debate on the matter, which could potentially attract the interest of other colleagues on both sides of the House. My immediate response is that those two devices may usefully meet the needs of the case. I am obliged to the hon. Lady for raising the matter, demonstrating not only her commitment to the issue, but her altruism on behalf of colleagues.

BILL PRESENTED

European Union (Withdrawal) (No. 6) Bill

Presentation and First Reading (Standing Order No. 57)

Hilary Benn, supported by Alistair Burt, Mr Philip Hammond, Mr David Gauke, Tom Brake, Stephen Gethins, Jonathan Edwards, Joan Ryan, Caroline Lucas, Chris Bryant, Stephen Doughty and Nick Boles, presented a Bill to make further provision in connection with the period for negotiations for withdrawing from the European Union.

Bill read the First time; to be read a Second time today, and to be printed (Bill 433).

Speaker’s Statement

2.55 pm

Mr Speaker: Under the terms of the Order of the House yesterday, amendments for the Committee stage of the Bill may now be accepted by the Clerks at the Table only. An amendment paper containing all amendments tabled up until 3.30 pm today will be available in the Vote Office and on the parliamentary website by 5.15 pm. Members may continue to table amendments up until the start of proceedings in Committee of the whole House. If necessary, an updated amendment paper will be made available as soon as possible during proceedings in Committee. For the benefit of everyone, however, I encourage Members to table their amendments as soon as possible.

The Chairman of Ways and Means will make a provisional decision on selection and grouping on the basis of amendments tabled by 3.30 pm, and that provisional selection list will be made available in the Vote Office and on the parliamentary website before the start of proceedings in Committee. In order to make the texts of the amendments available to Members as soon as practicable, it may not be possible to publish all the supporting Members’ names immediately. I hope that colleagues will not be unduly discommodulated or offended if that is the case. Those names will be added to the permanent online version of the Committee notice paper in due course. I hope that that advice is exhaustive at least for the narrow purpose that I had in mind.

Sir William Cash (Stone) (Con): On a point of order, Mr Speaker. It will be perfectly obvious to anyone watching these proceedings and, for that matter, the entire House that this incredibly rushed procedure is a travesty in itself. This will be incredibly difficult, even given the manner in which you put your statement just now, due to the speed with which we are going to have to assess the Bill, which we have not even seen yet and which, I understand, is only just being made available in the Vote Office. We will then have to make amendments to the Bill and then see the people who might support them. All that raises some incredibly difficult questions not only of procedure, but of the drafting of the amendments. That is my first point.

My second point is that there is an issue regarding Standing Order No. 14, which relates to the timing within which private Members’ Bills of this kind should be introduced. I would be grateful if some consideration was given to that point right now or shortly after you have had a chance to talk about it with the Clerks.

My third and fourth points are to do with Queen’s consent and the money resolution, because we went through all this in relation to the so-called Cooper-Letwin Bill. You made rulings on these matters then but, of course, this Bill is significantly different from that Bill on a whole range of matters. I understand you have had an opportunity to consider these questions privately, with the Clerk of Legislation I imagine, and I would be grateful if, in that context, you could give a ruling on the questions of both the money resolution and whether Queen’s consent is required.

The issues are there, and it is perfectly apparent that vast sums of money are being involved on a monthly basis as a result of the extension of time under the
Cooper-Letwin Bill. It is at least £8 billion from April to October, and now it is being extended by a further three months, which is even more money.

Mr Speaker: I am extremely obliged to the hon. Gentleman for his point of order, and I will attempt briefly to respond to each of the important points that he legitimately raises.

In terms of timing, it seems to me that there are two senses in which that concern can be aired and needs to be answered. The hon. Gentleman, if I understood the terms of his point of order correctly, focused in particular on the issue of time in the sense of the lack of it for Members to study the Bill and to table amendments. My response is as follows.

First, the hon. Gentleman is a quite remarkably experienced, skilled and dextrous parliamentarian. Now, admittedly not everybody has his level of experience, skill or dexterity, but I know he would not imagine that that of which he is capable is completely beyond everybody else. In other words, if everybody else has the opportunity to study the Bill and to come to a view about whether they wish to table amendments—the basic subject matter of the Bill was well known to them—they will be able to do so, probably at least close to his own level of acceptability and his own standard. That is the first point.

The second point on timing is that, of course, it is intended that the Bill will go through all stages today but, of course, there are several precedents for that. Those Bills have ordinarily been Government Bills, very often concerning Northern Ireland, but I accept it is unusual. What it is not, in any sense, is disorderly.

The hon. Gentleman has raised very important questions about a money resolution and Queen’s consent. Yes, this Bill is different, but I have, of course, consulted the Clerk of Legislation and other senior Clerks, on whose procedural expertise we regularly call. My ruling on Wednesday 3 April 2019, in respect of the earlier Bill that the hon. Gentleman referenced, was that “the European Union (Withdrawal) (No. 5) Bill does not require either a Ways and Means motion or a money resolution... extending the period under article 50 would continue the UK’s rights and obligations as a member state of the EU for the period of the extension, which would have substantial consequences for both spending and taxation.”—[Official Report, 3 April 2019; Vol. 657, c. 1130-31].

Clause 4(1) of the Bill before us today would require exit day to be moved to match any extension agreed with the European Council. The financial resolutions passed on Monday 11 September 2017 give fully adequate cover for the exercise by Ministers of their powers under sections 23 and 24 of the European Union (Withdrawal) Act 2018 to move exit day in order to keep in lockstep with the date for the expiry of the European treaties, which, of course, is determined by article 50 of the treaty on European Union.

So far as Queen’s consent is concerned, my ruling on Wednesday 3 April was that “as no prerogative consent was required for the Bill in 2017 giving parliamentary authority to the Prime Minister to take action under article 50 of the treaty on European Union, there is no requirement for new and separate prerogative consent to be sought for legislation in 2019 on what further action the Prime Minister should take under the same article 50 of the treaty on European Union.”

The Bill before us today could require the Prime Minister to seek and accept an extension in certain circumstances, although it would still be up to the European Council to agree unanimously to an extension with the UK. In these circumstances, and I say this on the basis of professional advice, my ruling is that Queen’s consent is not needed for this Bill.

It will probably not satisfy or even humour the hon. Gentleman when I conclude my response with what I am about to say, but it is this: he will not be altogether surprised to know that we did consider these matters, not least in the expectation that they are legitimate issues that might be raised either by him or by others. I have been advised, I am satisfied with that advice and I would not rule unless I had asked the questions and got the answers, and I have done. I have asked the questions, I have received the answers and I have been satisfied that it is orderly to proceed and that the answers I have given in respect of both money resolution and Queen’s consent are correct.

Nick Boles (Grantham and Stamford) (Ind) rose—

Mr Speaker: I call Mr Nicholas Edward Coleridge Boles.

Nick Boles: Further to that point of order, Mr Speaker. I am not sure whether the hon. Member for Stone (Sir William Cash), with his great distinction, is nevertheless blessed with the application called Twitter—if he is not, I am sure someone in his office is—but if he is, he will have seen that the right hon. Member for Leeds Central (Hilary Benn) tweeted a full and complete image of the Bill and all its provisions at 5.25 pm yesterday.

Mr Speaker: That point stands on its own and requires no response from me.

Mr Iain Duncan Smith (Chingford and Woodford Green) (Con): Further to that point of order, Mr Speaker. I have a small question on the basis of your judgment. As this whole issue of Queen’s consent hangs on whether, when this House triggered article 50, the statute covered and assumed the right under article 50(3) to extend and accept that extension, or whether that right still remains a Government prerogative under the prerogative powers. In a court case on 19 August, Lord Justice Hickinbottom of the Court of Appeal ruled categorically that it did not assume such a thing in the case brought by the English Democrats and ruled that the Government still retained the prerogative rights under article 50(3).

Mr Speaker, I wonder whether you have seen that ruling and whether you would take consideration of that prior to Third Reading, when I gather a final decision will have to be made.

Mr Speaker: I am grateful to the right hon. Gentleman for his point of order. My initial response is that we are guided in these matters by House rules in respect of Queen’s consent. It would be a mistake to think that they are extrapolated from or dependent upon judicial interpretation of the kind he references. We have our own procedures in relation to Queen’s consent, and what I am saying is consistent with those procedures.
I will certainly reflect further on the point the right hon. Gentleman has made, but it is not something that has a bearing on the Second Reading of this Bill.

Mr David Davis (Haltemprice and Howden) (Con): Further to that point of order, Mr Speaker. You say you have taken advice on this. You may remember that the last time a Bill was put through the House at this speed was the Data Retention and Investigatory Powers Act 2014. That was done relatively quickly, supposedly under the pressure of the Government of the day needing that...
European Union (Withdrawal) (No. 6) Bill

Second Reading

3.13 pm

Hilary Benn (Leeds Central) (Lab): I beg to move, That the Bill be now read a Second time.

I want to say at the start that every Member of this House, whatever view they hold on the fundamental political question before us, is trying, as they see best, to act in the national interest and in the interests of their constituents. The problem—the reason why we are here today—is, of course, that each of us has a slightly different view of what those best interests are.

I recognise that we have only a very short amount of time in which to debate this Bill. Let me respond on that point by quoting—I can do no better—the right hon. Member for West Dorset (Sir Oliver Letwin), who said: “it can only be done at high speed, because there is no time left.”—[Official Report, 3 April 2019; Vol. 657, c. 1065.] Wherever we stand on this issue, we know there is very little time left, and following the decision on Prorogation, there is even less time than would have been available previously. Therefore, I hope that, recognising that we have strongly held views, we will treat each other with respect and consideration during this debate.

The purpose of the Bill is simple: to ensure that the United Kingdom does not leave the European Union on 31 October without an agreement. The Bill has wide cross-party support; may I say that it is a great pleasure to be just above the right hon. Member for North East Bedfordshire (Alistair Burt) on the list of names? The Bill is backed by Members who have very different views on how the matter of Brexit should be finally resolved, including Members who until very recently were senior members of the Cabinet. People could describe this as a somewhat unlikely alliance, but what unites us is a conviction that there is no mandate for no deal, and that the consequences for the economy and for our country would be highly damaging. Those supporting the Bill believe that no deal is not in the national interest.

Mr Bob Seely (Isle of Wight) (Con): The right hon. Gentleman talks about no deal. There are multiple sector deals. So does he not see those sector deals as being multiple deals in their own right?

Hilary Benn: I do not know where these sector deals are. My concern, and the reason for this Bill and the support I hope it will enjoy in the House today, is that the Prime Minister has made it absolutely clear that he is prepared to leave on 31 October without a deal. Those who I hope will support the Bill today do not wish that to happen.

Frank Field (Birkenhead) (Ind): Does my right hon. Friend agree that these debates have been going on for long periods and many of us have tried to learn lessons from them, and that in that process people have changed their mind or the order of importance they give to things in respect of preventing a no-deal Brexit? One of the amendments today seeks to give people another look at what we might call the “May plus” proposal. Some people turned that down at the time but feel that if they had had then the experience that they have now they might have voted differently. Given all the rush that there, necessarily, has been, has he had the chance to look at that amendment tabled by my hon. Friend the Member for Aberavon (Stephen Kinnock), which now has quite a large amount of support? Can we have another look at that as an alternative to a hard Brexit?

Hilary Benn: I have not had a chance to read the final version, and it will be tabled with the Clerks during this Second Reading debate, but I am aware of the intention of the amendment and I completely understand what my hon. Friends are trying to achieve. We cannot continue to delay taking a decision, and I shall come back to that point later in my speech. I will, of course, also listen to the debate that follows in Committee. I would just say that the Bill is deliberately open as to the purpose of the extension; it provides a framework for reporting and debate. As I have just pointed out, it is supported by right hon. and hon. Members who have already voted for a deal and would vote for one again. It is important that we focus on the principal purpose, which is to prevent a no-deal Brexit, and keep the coalition that shares that view together. I will have more to say about that—

Sir William Cash (Stone) (Con): Does the right hon. Gentleman believe that, irrespective of the speed with which all this is being done, a matter of such importance should really be dealt with in the context of a general election?

Hilary Benn: There may well be a general election at some point, but this legislation needs to be passed. It needs to go through the other place and receive Royal Assent, and it needs to be given effect. In other words, we must secure that extension to article 50, otherwise there is a risk that the election would result in our leaving without a deal, which, as it may turn out at 7 o’clock tonight, is not what the House of Commons wants. We should respect the view of the House of Commons.

Mark Pritchard (The Wrekin) (Con): If this Bill passes and is given Royal Assent, can the right hon. Gentleman think of any other reason why the Labour party would not accept a general election?

Hilary Benn: I think I have just explained the reason, which has been made clear by my right hon. Friend the leader of the Labour party, my right hon. and learned Friend the shadow Secretary of State for Exiting the European Union, and others. We must deal with first things first, and preventing a no-deal Brexit is the central, most important question facing the country.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): I think the right hon. Gentleman has answered my query. The reality is that an election at this stage, or even next week, would undermine the purpose of the legislation. We cannot support one.

Hilary Benn: I can only agree, and I am grateful to the hon. Gentleman for being one of the Bill’s sponsors.

Several hon. Members rose—
Hilary Benn: I will take just one more intervention at this stage, because many people want to speak and time is short.

Tim Loughton (East Worthing and Shoreham) (Con): I applaud the right hon. Gentleman’s call for respect on all sides; we need to calm down the whole debate. I voted for the deal twice; he voted against the deal three times, presumably because he thought it was not in the country’s best interests. How does he think this procedure to delay any agreement yet further is going to produce an offer from the EU that might actually tempt him into voting for something because it is in the better interests of the UK than what has gone before? How can that possibly come about through this procedure?

Hilary Benn: The reason why I voted against the deal three times was not really to do with the withdrawal agreement—the legally binding treaty; it was to do with the nature of the political declaration and the absolute lack of clarity about where the then Prime Minister wanted to take the country. That is my view and other Members have different views.

Several hon. Members rose—

Hilary Benn: If Members will forgive me, I am not going to give way again at this point. I have been reasonably generous and I am conscious of the time.

It is important that we acknowledge the evidence before us about the consequences of no deal, because that evidence is the fundamental reason behind the Bill. As we heard from my right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper) when she spoke to her Bill earlier this year, it was reported that the Cabinet Secretary and National Security Adviser, Sir Mark Sedwill, had told the previous Cabinet that no deal would make our country “less safe”. If the National Security Adviser says that to the Cabinet, we ought to pay attention.

We have all seen the Government’s own economic assessment, which makes it clear that no deal would cause the greatest loss to the economy. Make UK, the body that represents British manufacturing industry, has described no deal as “an act of economic vandalism”.

Since we last debated the question of an extension, new information about the consequences of no deal has come to light. The Government themselves have now admitted that there would be damage to companies. They have said that they are prepared to compensate certain businesses and industries. This is the first time in my experience that a Government have advocated a policy that they know will do economic damage.

Several hon. Members rose—

Hilary Benn: Let me finish this point.

Operation Yellowhammer, on which the report was published in The Sunday Times, talked about the potential for protests; significant delays for lorries at Dover and other ports—the Exiting the European Union Committee heard powerful evidence on that subject only this morning—a potential impact on medicines; a decrease in the supply of fresh foods and some price rises; an impact on petrol refineries; huge uncertainty for businesses; and serious damage to farmers. Given the progress that Northern Ireland has made in the past 20 years, in some ways most worrying of all was the expression of the view that the current open border between Northern Ireland and the Republic could be unsustainable because of economic, legal and biosecurity risks.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): I am of course keen to support the Bill. My right hon. Friend made the point about security. Is he aware that the Home Affairs Committee repeatedly heard evidence from senior police officers and security officials about the devastating impact of a no-deal Brexit? We keep hearing all the time from the Government about bilateral security treaties, but they are not in place and we do not have agreements to keep our borders safe from terrorists, criminals, paedophiles and others who would exploit our national security.

Hilary Benn: I completely agree with my hon. Friend. That is one of the many unanswered questions about what happens the other side of Halloween. I shall come back to that point a little later in my speech.

Steve Double (St Austell and Newquay) (Con): May I clarify something? Members of the Labour party have commented in the media, and I think the right hon. Gentleman said earlier, that the Bill stops no deal. We should be clear that the Bill does not stop no deal; it prolongs the time until the date we leave. The likelihood is that, unless something changes dramatically, we will be at exactly this same point a few weeks before the new deadline. The only way to stop no deal is to revoke article 50. If that is really what Opposition Members want, they should be honest with the British public.

Hilary Benn: If someone says, “You can jump off a cliff, with all the damaging consequences, in a couple of weeks’ time, or we could put it off for three months—which would you like?”, the sensible course of action to take, given the damage that it would do to the country, is to put it off. I accept that ultimately we need to find a way forward. I have my own views, as have other Members, about how that should be done, but that is not the purpose of the Bill. It would, though, provide for a framework within which the Government could decide what they are going to do.

Dr Sarah Wollaston (Totnes) (LD): Three independent and highly respected bodies—the Health Foundation, the Nuffield Trust and the King’s Fund—have written an open letter to all MPs setting out in stark terms how there would be significant damage to health and care services from a no-deal Brexit and, more importantly, to the people who depend on them—the people we are supposed to be in the House to protect.

Hilary Benn: I agree with the hon. Lady. Other Members will have lots of other experience of the potential consequences. These are not risks that we should take with our economy, businesses, jobs, livelihoods and health. I hope these risks remind everyone in the House that, for all the focus on process, motions and procedure, this debate is about the impact that a no-deal Brexit would have on the lives of the people we represent.

Steve Brine (Winchester) (Ind): I understand that there is a political imperative to “get this done” and to “move on”, but is not the point that the practical
imperative is that no deal will not allow us to move on? It will resolve nothing and will lead to many of the implications that the right hon. Gentleman has talked about. If we have no withdrawal agreement on 31 October, we will have to seek a withdrawal agreement on 1 November.

Hilary Benn: The hon. Gentleman is absolutely right. Throughout a lot of these debates we have not discussed anything like enough what will happen the other side of 31 October, if the Prime Minister is able to get his way. I shall come to that point in a moment.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): With this Bill, the Chairman of the Select Committee is trying to prolong no damage until as far as 31 January. Make UK is absolutely correct that anything else but the current deal we have will damage the economy. We all have to get our heads around the fact that the best way to stop any damage at all is to revoke article 50. I have tabled an amendment to that end; it would include a helpful letter in the schedule. It needs one signature—that of the Prime Minister—and this nightmare will be over in that length of time.

Hilary Benn: I respectfully disagree with the hon. Gentleman, because just as no deal is unacceptable, so revocation—which is basically saying, “Let’s cancel the whole result of the referendum”—is not acceptable either. I have expressed previously in the House my view about how we should resolve this matter by going back to the people. Other Members have different views, but that is not the issue today.

Anna Soubry (Broxtowe) (IGC): If I may say so, I am particularly grateful to the right hon. Gentleman for the way in which he chairs the Select Committee and takes vital evidence. Is that not really the point, over and above the Bill? That is precisely the sort of work that should be done. Questions should be asked of Ministers. This place should be making sure that we are ready for no deal, yet we are being closed down next week when we should be sitting and asking questions. The right hon. Gentleman’s Committee, and others, should be able to do their valuable work.

Hilary Benn: The right hon. Lady is absolutely right. One consequence of Prorogation is that our Select Committees cannot meet. We cannot scrutinise the Government and hold them to account. That is what we are missing.

Jack Dromey (Birmingham, Erdington) (Lab): Does my right hon. Friend agree that it is surprising that there appear to be Members in this House who know more about making cars than those who make cars, more about building planes than those who build planes and more about engineering than the engineers? The simple truth is that the overwhelming and unmistakeable voice of the world of work and industry, and of all the employers’ organisations and trade unions, is that a no-deal Brexit would have catastrophic consequences, with tens of thousands of workers losing their jobs, making our country poorer in every sense of the word for years to come.

Hilary Benn: My hon. Friend makes a powerful point. Those industries and sectors, whose representatives we have all met and whose evidence we have heard, are troubled that the message that comes from their expertise and knowledge—after all, they are the people who create the wealth of the country—is not being heard by a Government who say, “We are prepared to leave with no deal on 31 October.”

Phil Wilson (Sedgefield) (Lab) rose—

Hilary Benn: My hon. Friend has a room next door to mine. Of course I will give way, and then I will make progress.

Phil Wilson: I am grateful to my right hon. Friend for giving way. This morning, I received a letter from North East England Chamber of Commerce, in which it says: “Over the past three years we have been clear and consistent: preserving the trading conditions and relationship we currently enjoy with the EU ought to be the primary objective of any Brexit outcome. Sadly, the Government’s willingness to embrace No Deal as an acceptable end to the Brexit negotiations flies in the face of this.”

It goes on to say that it is a disastrous outcome for the north-east of England. Do these comments not go to prove that his Bill is an absolute necessity?

Hilary Benn: They absolutely do.

Having now, in a sense, concluded a discussion and reflection on the economic and other consequences of no deal, I want to turn to what the Bill actually does. It intends to stop this happening by seeking an extension to article 50 in certain very specific circumstances.

It is very important to understand that the Bill allows the Prime Minister the opportunity to reach a new agreement with the European Union at the European Council and to seek Parliament’s consent to any such agreement. That is condition No. 1. It also allows the Government to bring a motion to the House of Commons to seek our consent for leaving without a deal—for example, if discussions at the European Council prove unsuccessful. I think that the Government would find it rather difficult to get such a motion through the House of Commons, but the Bill allows them to seek to do that. Clause 1 specifically provides for both those eventualities, and if either of the conditions is met there can be no further extension. If, however, neither of those conditions has been met by 19 October, which was chosen very deliberately as it is the day after the conclusion of the European Council, the Prime Minister must ask the EU for a further extension until 31 January 2020 in the form of the letter set out in the schedule to the Bill.

Clause 3 deals with what happens next. If the European Council accedes to that request, the Prime Minister must agree to it. If, however, the Council proposes an extension to a different date, the Prime Minister must agree to that as well, unless the House of Commons decides not to pass a motion agreeing to it. That is what clause 3(3) does.

It has been wrongly claimed in some commentaries that the EU could propose an extension of any length—six months; 20 years; a millennium—and the Prime Minister would be required to accept it, but that is not so. In those circumstances, the House could decide.
Furthermore, if a deal is reached after the Prime Minister has asked for an extension, that would override any extension, so it also allows him, if he can, to reach a deal after the European Council concludes on 18 October.

Dr Caroline Johnson (Sleaford and North Hykeham) (Con) rose—

Hilary Benn: I have dealt with that last point—an extension of whatever length. There is a means by which the Government can ask the House not to approve that, and then the House would have to make a decision in the light of what had been offered by the European Union. I do not accept the hon. Lady’s central premise that this somehow undermines the Prime Minister’s negotiating ability.

Sir Bernard Jenkin (Harwich and North Essex) (Con) rose—

Hilary Benn: I am responding to the hon. Lady if she just bears with me. I do not regard the threat of a no-deal Brexit as part of a credible negotiating strategy.

Dr Johnson rose—

Hilary Benn: Will the hon. Lady bear with me? The previous Prime Minister spent nearly two years saying that no deal is better than a bad deal and it did not seem to work then, and I do not think it will work now.

Dr Johnson rose—

Hilary Benn: I will give way one more time.

Dr Johnson: If I am correct, it would mean that if the European Union offered us a 10-year extension, as the right hon. Gentleman has suggested, the choice for this House would be a 10-year extension or the no deal he so wishes to avoid.

Hilary Benn: No, that is not the case. In those circumstances, the House could decide to ask the Prime Minister to go back. The central point is that it gives the House of Commons the ability to express a view, but if the extension was to 31 January we would have already decided that we were prepared to accept that. Therefore, it is only if the Prime Minister does not get a deal that the Bill prevents him from taking us out of the EU without an agreement.

Sir Bernard Jenkin rose—

Hilary Benn: I will give way one more time to the hon. Gentleman.

Sir Bernard Jenkin: Article 50(3) of the treaty on European Union baldly states that we leave after two years “unless the European Council, in agreement with the Member State concerned, unanimously decides to extend this period.” There is no obligation on the European Union to decide to make a conditional offer—it can decide—and yet the Bill requires the Prime Minister, in those circumstances, to accept the terms that are on offer, and that is it. The Bill hands the decision back to the European Union, rather than to this House.

Hilary Benn: I do not agree. Of course, we all recognise that with any of these provisions there is no guarantee that the European Union will grant a further request from the United Kingdom for another extension of article 50. It takes only one member state of the European Union to prevent the House of Commons from expressing a view. The Prime Minister was not then prepared to accept that there could be an extension of whatever length. That is why the Bill prevents the House of Commons from exercising that right.
Union to say, “No, I’m not giving the United Kingdom a further extension” for us to be in even greater difficulty than we are already.

The provision seeks to require the Prime Minister to ask for and agree to an extension, because that is what is required to prevent the current Prime Minister from taking us out of the EU on 31 October without a deal. We did not have to put those provisions in the earlier Bill introduced by my right hon. Friend the Member for Normanton, Pontefract and Castleford because the former Prime Minister readily accepted the decision of the House of Commons, but we are now in different circumstances.

Clause 2 covers what happens if an extension is proposed and agreed. Members have asked, quite rightly, what the extension is for. The immediate answer is, of course, to avoid a no-deal Brexit on 31 October, but clause 2 provides a framework under which the Government will publish a report to the House on 30 November—this comes back to the point that my right hon. Friend the Member for Birkenhead (Frank Field) raised with me earlier—and move a motion to the effect that the House has approved the report. That gives the Government a chance to say, “What are we going to do next?” It is also something that we can point to with the European Union. Members should remember that, last time, Mr Tusk said, “Use the time well,” and it is important that we in this House show that we are not just saying, “Right, we said, “Use the time well,” and it is important that we in this House show that we are not just saying, “Right, we want a further extension, and then we are going to twiddle our thumbs for another three months.”

The Bill suggests a process. If the report is amended or rejected, there must be further reports from the Government on 10 January and every 28 days thereafter, either until an agreement is reached with the EU or until otherwise indicated by a resolution of the House. I think the framework in clause 2 will help to answer the question about what we intend to do with the additional time, and that will be a matter for Parliament.

Tom Brake (Carshalton and Wallington) (LD): Surely, one of the things that we would want to do during that time is to try to find a solution to the Irish question. Is the right hon. Gentleman aware that the EU Commission’s taskforce is reporting that the Prime Minister is reneging on his commitment to protect the all-Ireland economy and meaningful north-south co-operation? Clearly, the time should be used to ensure that there is decent co-operation.

Hilary Benn: I have read those reports and they are of concern to me, as I know they are to the right hon. Gentleman and many others in the House.

The aim of the clause is not, as I think the Leader of the House suggested yesterday, to create a “marionette Government” but, I would argue, to give the Government the time they need to do their job. I say that because it is not clear what is happening at the moment, as we discussed yesterday, and how much negotiation is taking place when no proposals have been made. It is very hard to understand that, because I would have thought that the Government had been working flat out since July. It is also important to make the point that even if agreement was reached, it is very hard to see how it would be possible to get the House’s approval and pass all the legislation between 18 October or so and 31 October.

My final point is this. What would happen if we left with no deal? The Prime Minister talks about getting it done and ending the uncertainty, but the truth is—the hon. Member for Winchester (Steve Brine) made this point powerfully—that no deal would not end anything. It would simply plunge us into greater uncertainty—uncertainty about the degree and length of disruption, uncertainty about the border arrangements in Northern Ireland, and uncertainty about our future trading relationship with our biggest, nearest and most important trading partners, the other members of the European Union.

Given that it has taken three years to get this far—in other words, not very far at all—and given that it took Canada seven years to negotiate a deal and the Prime Minister says he wants a super-Canada deal, it is going to take years to agree a new relationship. Every single EU member state, member state parliament and regional parliament will have to agree to any deal. No deal will not be the end of Brexit; it will only be the end of the beginning. In that time, faced with that degree of uncertainty, businesses will have countless decisions to make about where to invest, what to make and where, what to do about the sudden disappearance of all the arrangements that they have come to know and work within, and what to do about the sudden imposition of tariffs. It would be utterly irresponsible to allow that to happen. We have a duty to prevent it, and I hope the House will vote for this Bill tonight.

Mr Speaker: In an attempt to accommodate lots of Members who wish to take part, I am obliged to impose a five-minute limit on Back-Bench speeches with immediate effect.

3.44 pm

Alistair Burt (North East Bedfordshire) (Ind): I rise to speak as the proud but slightly bemused independent Member for North East Bedfordshire. I commend my friend, the right hon. Member for Leeds Central (Hilary Benn), for his remarks and the way in which he went through the technicalities of the Bill. I have no wish to do the same and do not wish to detain the House on those matters. Let me make just three brief points in support of the Bill.

First, is the Bill a stumbling block to negotiations? No, it is not. The Bill does not prevent the Prime Minister or the Government from negotiating. The reason that we do not yet have a deal or might not get one is not this Bill. Ever since the referendum and the start of negotiations, a variety of reasons have been cited for not getting a deal. In no particular order, it has been: a remainer Parliament, a remainer Prime Minister, Olly Robbins, the EU, Michel Barnier, Martin Selmayr—always a different reason. We were told recently that all could be solved if only we elected a Prime Minister who was a Brexiteer with an absolute determination to leave, no questions asked, because the EU would then fold and we would have the deal that the UK always wanted. We have such a Prime Minister, whose determination is clear, and the EU has not folded, so this time we are being told that it is us—that it is me. That is nonsense.

There are two reasons why we have not had a deal. First, Members in this House have not voted for a deal. If they had looked at it hard two years ago, they would have bitten your hand off to accept all the provisions in
the withdrawal agreement and the transition period, which a Brexiteer will now be in charge of. The second reason is that many in the UK have failed to grasp that it is we, not the EU, who are leaving the EU. That means that it is a negotiation between us. We have never really understood the EU or its arguments, believing that a negotiation was a series of demands from the United Kingdom, not a negotiation. That and the language that we have used—built on 20-odd years of the drip, drip of poison about the EU—has made sure that we did not get a deal.

Ms Angela Eagle (Wallasey) (Lab): The right hon. Gentleman and I came to this House in the same year, so I am sad to hear his announcement that he is going. Does he agree that the kind of language being used from the Government Front Bench and in the media about those who are trying to prevent no deal, such as “traitors” and “collaborators”—all of that war-like about those who are trying to prevent no deal, such as Denis Healey, Willie Whitelaw and Ted Heath—all of that war-like language—is less than helpful?

Alistair Burt: Absolutely. In my conclusion, I shall talk a bit about that and how we have got to reset, but the hon. Lady makes a good point.

Secondly, why do we want to avoid no deal? I will not repeat all the things that the right hon. Member for Leeds Central said, which are obvious; the economics are clear. For me, there are three reasons. The first is the threat to the Union. I am a Scot, my mother and father are from Scotland. I am a proud Scot. I am also British through and through. I could not believe a recent poll of Conservative members that said they would abandon almost anything, including the Union, providing they left the EU. I regard that as a terrible threat. We should not risk it.

My second reason is Ireland, which is treated by some here as some sort of irrelevance and a place that has made up the border issue to prevent us from leaving the EU. With our history in relation to Ireland and everything that happened there, it became our best friend in the European Union. Our choice to leave—our Brexit—has put Ireland in the most catastrophic situation of any country, and we now expect it to accept another English demand that it should do something. Have we no understanding of what that relationship means and the damage done?

My third reason for wanting to avoid no deal is the damage to Europe and the relationship with Europe itself. I grew up as part of the first generation to avoid war in Europe for countless hundreds of years. I arrived in the House of Commons when there were giants here such as Denis Healey, Willie Whitelaw and Ted Heath—people for whom Europe was the place where they and their friends had fought and died—and they wanted something different. That has always motivated me in my sense of Europe. Whether we are in the European Union or not, that relationship with Europe is clouded by the sort of language that the hon. Member for Wallasey (Ms Eagle) mentioned. I do not want to see that relationship threatened by a no deal.

Sir William Cash: Will he take a second intervention?

Alistair Burt: I have listened to the hon. Gentleman involuntarily for most of the years that I have been here—most, not all, because I went to campaign for him in his by-election of 1984. I have no wish to hear from him voluntarily. [Laughter.] Let me go on.

Thirdly, let me end where I began, as the Independent Member for North East Bedfordshire. I do not complain at the removal of the Whip—voting on an issue of confidence. I accept the rules—but I say to my colleagues: just think how this looks. Last week, the Conservative party lost Ruth Davidson, and George Young in the House of Lords resigned the Whip. This morning, we lost my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke) and my right hon. Friend the Member for Runnymede and Weybridge (Mr Hammond)—who made the economy we were cheering just a few minutes ago. What are people going to think about what we have left and what we have lost? Some will have been very happy at the fact that some have been purged—purged. A few weeks ago, one of our colleagues retweeted an article in The Daily Telegraph that looked forward to the purging of remoaners in the Conservative party. That was disgraceful. I say to my colleagues, if we are being purged now, who is next? Watch a film called “Good Night, and Good Luck”, and you will take my point.

This may be the last substantive speech I make here as I am not standing again—and who knows when the election will come? I will leave with the best of memories of this place, friends and colleagues on all sides. The obsession that my party has developed may have sought to devalue my past as a friend of the EU, of our sister centre-right parties, and of many friends, and it may have curtailed my future, but it will not rob me of what I believe. I will walk out of here looking up at the sky, not down at my shoes. [Applause.]

Mr Speaker: Order. I call Jane Dodds to make her maiden speech.

3.51 pm

Jane Dodds (Brecon and Radnorshire) (LD): Thank you, Mr Speaker. It is a pleasure to be speaking in this particular debate.

May I start by paying tribute to my predecessor, Mr Chris Davies? He worked hard for our local communities, raising awareness of the very difficult issue of mental health and suicide in farmers. I thank him for his service. Chris followed hard on the heels of the highly respected Liberal Democrat MP, Roger Williams. Roger’s are large boots to fill and, if I can even partly match his passion, service and commitment, I shall be very pleased.

It is a huge privilege to represent Brecon and Radnorshire, one of the most beautiful constituencies in the country. It is also the largest constituency in England and Wales—something that I am sure some Members here will have discovered during the recent by-election when searching for another elusive farmhouse up yet another long and scenic track. Brecon and Radnorshire is home to strong and resilient communities, some of which are Welsh-speaking. Sadly, many of our libraries, banks and post offices in these communities have closed in recent years. Despite this, there is a real joy for life in the old counties of Radnorshire and Brecknockshire, as well as a healthy rivalry between them, that makes sure that the mid-Wales spirit—yr ysbryd—is alive and well.

Many Members here will have had the luxury of making their maiden speeches in the weeks and months following a general election, looking forward to the many years of a full parliamentary term. My maiden speech could not be made in more different circumstances. [Laughter.]
[Jane Dodds]

On the night of the by-election, I promised the people of Brecon and Radnorshire that I would tell the Prime Minister exactly why a no-deal Brexit would be damaging for my constituents. Well, I am delighted that last night my very first vote as the Member of Parliament for Brecon and Radnorshire was to help Parliament take back control of the agenda and to do everything possible to prevent us leaving the EU without a deal, including speaking in this debate today. When it comes to a no-deal Brexit, we need to stop talking in terms of the hypothetical and the theoretical and start talking with candour about the real and damaging consequences it would bring.

A no-deal Brexit would be damaging for everyone in my constituency, but particularly for the people who are the lifeblood of Brecon and Radnorshire—the farmers. Welsh farmers, as we heard this morning, export 40% of their lamb, and over 90% of that goes to the EU. Currently, if farmers in Brecon and Radnorshire export to the EU, export tariffs are—let me have a think—zero. A no-deal Brexit would mean 40% tariffs on Welsh lamb exports. That would risk putting farmers in my constituency and right across Wales out of business.

I will be using my votes today to ensure that a no-deal Brexit is avoided, as it would be catastrophic for the people of Brecon and Radnorshire. Whether people voted remain or leave, they did not vote for a no-deal Brexit that would make them poorer. They did not vote for my very first vote as the Member of Parliament for my constituents. Well, I am delighted that last night my right hon. Friend the Prime Minister has had the will to table this legislation, which I share. Whether or not this Bill is passed, it is very important that the Prime Minister adheres to its terms, because it is a fundamental duty of Government to uphold the rule of law.

Mr Hammond: I absolutely agree, but we have heard clearly that we cannot rule out the possibility that the Government will dispute the interpretation of the Bill and that there will be a need for litigation in the courts, to ensure that its effect is delivered.

We need to act because there is no mandate for a no-deal Brexit, and a no-deal Brexit will be a catastrophe for the United Kingdom. I remind my hon. and right hon. Friends on the Front Bench that many of us who are now on the Back Benches have had the privilege of seeing the detailed analysis from within Government about the precise and damaging effects of such a no-deal Brexit.

We need to act for another reason. The Prime Minister repeats two statements. He says that he is sincerely trying to get a deal, and he says that we will leave on 31 October come what may, do or die. Regrettably, those two statements are incompatible. Even if the fantasy deal that the Prime Minister sets out, where the EU concedes to every demand of the United Kingdom and removes every one of its red lines, were agreed tomorrow, it would still not be possible to get through all the stages of process required, including passage through both Houses of this Parliament, by 31 October. So we had to act.

The right hon. Member for Leeds Central (Hilary Benn) set out brilliantly the purposes of the Bill and how it works. Time is limited, so I do not intend to rehearse those arguments. I want simply to focus on two claims that are made against Conservative supporters of this Bill—or former Conservative supporters of this Bill—by the Government and seek to rebut them. Presumably these claims have been made as a justification for the mass purge that occurred last night.

The first claim is that, by removing the threat of no deal on 31 October, we are cutting the legs from under the Government in their negotiations with the EU. That is wrong. It is wrong because, actually, there is no negotiation going on with the EU. We have had confirmation from multiple sources across the European Union that nothing is happening, and confirmation from within Government that nothing is happening. The Government have declined to bring forward any proposals or serve any proposals on the European Union. It betrays a deep misunderstanding of the way European politics works. Yes, European politics is every bit as scrappy as British politics, but across the continent of Europe people who are sworn enemies and debate vigorously are used to having and make deals because, for the overwhelming majority of our colleagues in Europe, coalition Government is the norm. They have a different system from our adversarial system.

The EU has taken a remarkably consistent approach throughout these negotiations. On the format of the negotiations, on its mandate and on its commitment to transparency, it publishes everything openly. Nothing that we are doing here is going to undermine the Prime Minister’s ability to negotiate with the EU. The thing that will undermine it is his unwillingness to pursue a realistic negotiating objective. If he tried to achieve significant changes to the way the backstop works, that would be a major concession by the EU, but I do think that my right hon. Friend—as a new Prime Minister, leading a new Government—would stand at least a reasonable chance of getting a hearing and maybe succeeding. However, by setting the bar, as he has, at the
in peace. That allows different communities to live together and people across a line; they are the manifestation of times, they are more than a question of getting goods of peace in Northern Ireland. As I have said many strange, to put it mildly—bearing in mind that the allowance me to intervene. Does he agree that it is very grateful to the right hon. and learned Gentleman for including the December joint report.

The Government are seeking to backtrack, and to progress on this crucial point, it was reported yesterday point has already been touched on—far from making and there is no workable alternative on the table to Assent sometime soon. Ridiculous! There is no progress, anything in case a Bill he had not heard of gets Royal this week. So for the last six weeks, he has not done completely in knots in suggesting that he had not put Minister’s questions today the Prime Minister tied himself and there is no workable alternative on the table to progress in the talks.

The Government are convincing no one, and at Prime Minister’s questions today the Prime Minister tied himself completely in knots in suggesting that he had not put forward any proposals because this Bill might pass later this week. So for the last six weeks, he has not done anything in case a Bill he had not heard of gets Royal Assent sometime soon. Ridiculous! There is no progress, and there is no workable alternative on the table to prevent a hard border in Northern Ireland. Indeed—this point has already been touched on—far from making progress on this crucial point, it was reported yesterday that the Government are seeking to backtrack, and to revisit the commitments to protect the all-Ireland economy, including the December joint report.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): My wife comes from County Armagh, and I was married some two miles from the border at the height of the troubles. Is it not arguable that the present border arrangements in the island of Ireland contribute massively to the present peace process that we enjoy?

Keir Starmer: Massively. They are the manifestation of peace in Northern Ireland. As I have said many times, they are more than a question of getting goods and people across a line; they are the manifestation of peace that allows different communities to live together in peace.

Lady Hermon (North Down) (Ind): I am enormously grateful to the right hon. and learned Gentleman for allowing me to intervene. Does he agree that it is very strange, to put it mildly—bearing in mind that the Republic of Ireland is our nearest EU neighbour, shares a land frontier with part of the United Kingdom in Northern Ireland and is a co-guarantor of the Good Friday agreement—that if the Prime Minister has been so, so busy negotiating over this summer, as he claims, he has not actually found time to go to Dublin to meet the Irish Prime Minister, Leo Varadkar, and discuss any proposals that he might have? Is that not extraordinary?

Keir Starmer: Yes, it is extraordinary, but it sits with the other evidence that there are not any proposals being put forward and that there are not any negotiations actually taking place. Therefore, we are not closer to a deal now than we were when this Prime Minister took office; in truth, we are further away. That appears from leaks to be the Prime Minister’s chief of staff’s policy position, because he talks of negotiations, apparently, for domestic consumption, yet the talks are a sham.

Mr Ben Bradshaw (Exeter) (Lab): Will my right hon. and learned Friend reassure me that we will not fall into the trap being set by the Prime Minister, and that we will not support a general election before not only this Bill is enacted, but its provisions, including an extension, have been implemented?

Keir Starmer: I can confirm that we will not be voting with the Government tonight and that we will keep our focus on the task in hand, which is to ensure that we do not leave the EU without a deal, and that requires the passing and implementation of this Bill.

Ms Angela Eagle: Will my right hon. and learned Friend give way on that point?

Keir Starmer: I will make some progress and give way in a moment.

So the truth is that we are on course for a no-deal Brexit for which there is no mandate from the public or from this Parliament. We might think that in those circumstances this Parliament would be sitting every available day between now and 31 October, to avert this threat, to scrutinise the Prime Minister’s plan—if there is one—and to find a way forward, if we can. We would all willingly sit on those days to find that way forward, but no; from next week the Prime Minister wants to shut this place down for five weeks in this crucial period. He thinks that we and the public will be fooled by the obvious untruth that Prorogation is merely for a Queen’s Speech. The five-week Prorogation is to silence this House and frustrate attempts to prevent no deal, and any suggestion to the contrary from anyone, in my view, is disingenuous.

Ms Eagle: Does my right hon. and learned Friend agree that the characterisation by Conservative central office, which is appearing on Twitter and on its other social media even now, as we debate this extremely important Bill—hashtagging this Bill the #SurrenderBill—is beneath contempt?

Keir Starmer: It is beneath contempt, and I can only imagine how businesses—the people who work in businesses and the management of businesses—will look on in horror, because they have repeatedly told me and many other Members of this House their deep concerns about no deal, and we are protecting this country against no deal.
Simon Hoare (North Dorset) (Con): Will the right hon. and learned Gentleman give way?

Keir Starmer: I will make some progress and then I will give way.

In circumstances in which there is no progress in the negotiations, we are hurtling towards no deal and the Prime Minister is closing down this place, we have no alternative but to pursue this Bill. We have to act with urgency and to pass binding legislation to rule out no deal by the time this House prorogues. That is what this Bill will achieve today.

I want to put on record my thanks to the right hon. and hon. Members who have worked over many weeks on this Bill, in particular the right hon. Member for West Dorset (Sir Oliver Letwin), the right hon. and learned Member for Beaconsfield (Mr Grieve), my right hon. Friend the Member for Leeds Central (Hilary Benn) and the right hon. Member for Runnymede and Weybridge (Mr Hammond), as well as the leaders of the Scottish National party, the Lib Dems, the Greens, Plaid and Change UK, because this has genuinely been a cross-party Bill. On behalf of all my colleagues, I acknowledge the courage of the 21 former Conservative MPs who voted as a matter of principle in the Standing Order No. 24 debate last night, putting their country before their career. We acknowledge their courage and what they did as a matter of principle.

Why has there been such concerted effort? It is not usual to find an alliance of all Opposition parties and cross-party MPs. The answer is that we all appreciate the appalling damage no deal would cause to jobs, to industry, to our NHS, to security, and to peace and prosperity in Northern Ireland. Therefore, we were all shocked, if not surprised, at the warnings contained in the leaked Yellowhammer documents: food and fuel shortages, delay to medicines, and chaos at ports and channel crossings, all affecting the poorest communities.

What leapt out to me from the Yellowhammer documents was the honest advice to the Government that, try as they might, the civil servants could not find a way of avoiding the conclusion that if we leave without a deal there will have to be infrastructure in Northern Ireland.

Justine Greening (Putney) (Ind): Is it not ironic that in the very week the Government announce an advertising campaign called “Get ready for Brexit”, they simultaneously refuse to release any details about what we are meant to be getting ready for? Would Ministers not be better advised to be transparent about the impact of no deal, and, frankly, about the fact that it sounds to me like there was never a detailed plan on how to deliver Brexit? There has not been one in three years, and I really worry that it never existed in the first place.

Keir Starmer: Of course that information should be put in the public domain, so that everybody understands the impact of no deal. The fact that the Government do not want it in the public domain speaks volumes. The mantra is that they cannot put our proposals in public because they do not negotiate in public, but they can surely put them before the partners they are supposed to be negotiating with. They just are not there.

Jonathan Edwards: Will the right hon. and learned Gentleman give way on that point?
Secondly, in relation to a no-deal outcome, what the right hon. Member for Leeds Central and colleagues have put forward is on the premise that there is no mandate for no deal. It is certainly true that the leave campaign in the 2016 referendum did not advocate no deal. That was not its preference and, as I understand it, that is still not the Government’s preference, but nor was it put to the electorate that we would leave only if there was a deal with the EU. That could never have been guaranteed. There was no pattern to follow and no example for us to look at, and it could never have been certain that the EU would put forward a proposal that we found acceptable. Indeed, some of us who argued for remain in the referendum campaign said, “If you decide to leave, you take a leap in the dark. You cannot know what the future will look like and you cannot know what, if any, deal we will be offered by the EU or by anyone else.” The electorate, as it was their absolute right to do, listened to those arguments, rejected them and decided to leave anyway. It was their decision to make and, in my view, they were perfectly entitled to make it.

Margot James (Stourbridge) (Ind): Even if I accepted my right hon. and learned Friend’s main point about the way in which the referendum campaign was conducted by leave, which I do not, does he not accept that in a democracy, minorities have rights? A minority as big as 48%, and a majority in Northern Ireland, in Scotland and in our northern cities, should not be so dismissed.

Jeremy Wright: I certainly agree with my hon. Friend that minorities should not be dismissed, and frankly, the way in which we conduct this debate should reflect the fact that 48% of the public voted in a different way from the prevailing outcome. I do not think that we have succeeded in that as a Parliament or in a broader national debate. The truth is that we—Parliament—set out the rules for this referendum in the European Union Referendum Act 2015. As she has just said, many of us participated in the referendum campaign on both sides of the argument, and we stressed that it was the public’s decision to make. When they had made it, we—Parliament—decided to trigger article 50 of the EU treaty.

As someone who has spent more time than is good for anyone looking at article 50, I can tell the House that it does not require the leaving country to do so with a deal. When we—Parliament—decided to trigger the article 50 process, we knew, or we should have known, that one possible outcome was a no-deal outcome. It was not one that we wished to see and not one that we expected to see, but it was one that could have happened, so I am afraid that on this fundamental point, I cannot agree that we do not have a mandate for no deal and therefore that we must proceed as the right hon. Member for Leeds Central sets out in the Bill.

Lisa Nandy (Wigan) (Lab): I very much welcome the Bill and the tone with which my right hon. Friend the Member for Leeds Central (Hilary Benn) introduced it. It reminded me of the famous book, “Profiles in Courage”, by John F. Kennedy, in which he said that “there are few if any issues where all the truth and all the right and all the angels are on one side.”

We would do well to remember that in this House, Coherent, persuasive and passionate arguments and points have been made by people with every single type of view on Brexit, and we ought to respect one another and conduct the debate in that spirit.

This is not an easy thing for me to vote for, because I have spent the last few years arguing passionately that delay has consequences, that companies in my constituency need certainty and that the public cannot take much more of this. They want to see us come together, compromise and respect the 48% of people who came out and said that they wanted close ties with the EU.

Simon Hoare: Will the hon. Lady give way?

Lisa Nandy: I will not, because of time. They also want to see us respect the fact that 52% of those who voted wanted to leave the EU. We said it was their choice, and we have a duty to try to enact it.

But the truth is this Bill is the right thing to do. There are many people in my constituency—a third—who voted remain and want us to stop this process altogether. There are others—I would say the most significant group—who want to cut all ties and leave the EU altogether. They shout louder than the others and often drown out the voices calling for consensus, but it is my job to make sure they do not, because they do not have the right to put food manufacturing companies in my constituency out of business. We lived through the closure of the mines in Wigan and we live with the consequences still. It was a tragedy for many families from which some never recovered. I will not let those small and medium-sized employers in my constituency, which make up the bulk of employment, be put out of business because we cannot get our act together as a House, because we cannot stop this reckless Prime Minister, because we cannot work together to achieve the deal we have promised the people.

People do not have the right to say to the child in my constituency waiting for a potentially life-saving clinical trial, “You will not get it”. A mum stopped me at the train station to say she was stockpiling medicine. They do not have the right to keep her up at night because she does not know if her child will survive. That is why this matters. After years of saying that no deal was a hoax, that it was a bluff, that it would not happen, we in this House have woken up to the reality of it, and now we have to make sure it does not happen. We have to go out and win that argument with the public, so that, as my right hon. Friend the Member for North East Bedfordshire (Alistair Burt) so rightly and eloquently said, we can walk out of here looking at the sky, not at our shoes.

4.21 pm

Sir Nicholas Soames (Mid Sussex) (Ind): I rise to support this Bill, but before I do so, I want to make it clear that I have always believed that the referendum result must be honoured. Indeed, I voted for the withdrawal agreement on every occasion it was presented to the House, which is more than can be said for my right hon. Friend the Prime Minister, the Leader of the House and other members of the Cabinet whose serial disloyalty has been such an inspiration to so many of us. I think that history will in due course favour the view articulated so clearly last night by my right hon. Friend the Member for West Dorset (Sir Oliver Letwin) that a threat to
commit an act of self-harm if your counterparts in negotiations do not do exactly as you wish is not likely to be an effective or successful negotiating strategy.

The Bill is modest in its ambitions but powerful in its mandate. It merely seeks to avert the immediate risk of the disaster of a no-deal Brexit on 31 October and thereby seeks to give the Government and the House a further opportunity to achieve a resolution of this profoundly difficult issue. Contrary to the Prime Minister’s assertion, the Bill does not deprive him of the ability or flexibility to achieve a negotiated settlement with the EU on 17 October, but it does ensure that if he should fail, as with his current demands I think he is likely to do, there will be time for him to rethink his remarks.

I will not be standing at the next election.

Sir Oliver Letwin (West Dorset) (Ind): Will my right hon. Friend accept it from me—I think this view is shared not just on the Conservative Benches but across the House—that that would be a great loss to our shared not just on the Conservative Benches but across the House—that that would be a great loss to our shared

Sir Nicholas Soames: I am very grateful to my right hon. Friend, for whom I have such high regard.

I will not be standing at the next election, and I am thus approaching the end of 37 years’ service to this House, of which I have been proud and honoured beyond words to be a Member. I am truly very sad that it should end in this way. It is my fervent hope that this House will rediscover the spirit of compromise, humility and understanding that will enable us finally to push ahead with the vital work in the interests of the whole country that has inevitably had to be so sadly neglected while we have devoted so much time to wrestling with Brexit. I urge the House to support the Bill.

Stephen Gethins (North East Fife) (SNP): I congratulate the hon. Member for Brecon and Radnorshire (Jane Dodds) on her maiden speech. I warn her that, although it may not look like it or feel like it, in normal parliamentary times I would still be in my first term, and there are a number of twists and turns that we have seen and that she should continue to expect.

As the right hon. Member for Mid Sussex (Sir Nicholas Soames) has just illustrated so eloquently, there are very few positives to be taken from this process, but one of them has been the way in which those of us who disagree vociferously on many issues have been able to cross party lines and reach out. I thank the right hon. Gentleman for his speech and for his service as well, and I thank other colleagues with whom I have had the privilege of being able to deal.

Nick Boles (Grantham and Stamford) (Ind): Will the hon. Gentleman give way?

Stephen Gethins: I will give way once.

Nick Boles: I thank the hon. Gentleman for allowing me to intervene briefly. He has just paid tribute to the cross-party work to secure the Bill—hopefully—this evening. Does he agree that it is crucial—and I know that the hon. Member for Carmarthen East and Dinefwr (Jonathan Edwards), who is also part of our coalition, has made plain his view—for us not only to secure the Bill in law, but to secure its implementation before any election is called or held, and not to allow the possibility of a re-elected Johnson Government who would then reintroduce a no-deal Brexit on 31 October?

Stephen Gethins: Yes. As usual, the hon. Gentleman has been a good colleague, and has made an excellent point. In a Parliament of minorities, we must work together. We want a general election, but we will not have a general election on the terms of this Government, because we do not trust them. None of us can trust them, and we should be absolutely clear about that.

Over the past few years—and I say this personally—it has often been humbling to see people give up careers and livelihoods for what they think is right, and we have seen the best of that over the past few days. There are Members opposite, and Members on these Benches who may not have started on these Benches, who know that a no-deal Brexit will damage their constituents. I never thought that I would be here proposing a Bill with the likes of the right hon. Member for Putney (Justine Greening), the hon. Member for Grantham and Stamford (Nick Boles) and the right hon. Member for Runnymede and Weybridge (Mr Hammond). To be fair to them, I do not think they thought that they would be here proposing a Bill—which might be passed—with a member of the Scottish National party. However, that is the position in which we have been left.

The Bill does not go as far as I might have liked. My SNP colleagues and I do not want to see Scotland taken out of the European Union against its will, and we want to stop Brexit. However, I know that others who have signed the Bill and will vote for it want to deliver Brexit. We disagree on that, which is fine, but we agree fundamentally that a no-deal Brexit is unacceptable and must be stopped at all costs.

This legislation is important, and I am sorry that we have a Government who cannot be trusted and who have tried every trick in the book to avoid scrutiny and democracy. Can Members imagine how we can be in a position whereby, over the weekend, the Government could be asked a legitimate question about whether or not they respect the rule of law? I hope that Members will reflect on that during the coming days. Unfortunately, it goes to the heart of the Prime Minister’s approach. He is the least trustworthy resident of No. 10 Downing Street whom anyone can remember. We are in our present position because of a mess of his making. He had no plans before the referendum, and he has no plans now.

There is nothing new in the negotiations, and the Ministers have told us nothing new about them. Instead, we have a Government who are perfectly willing to let the rest of the population endure food price increases when too many people already depend on food banks, medical shortages that will hit the most needy and vulnerable, and damage to public services that have already been hit by a decade of austerity, depriving our young people of education and employment opportunities that my generation enjoyed and benefited from.

All of us in Parliament should be doing our utmost to support and protect those people. That is a basic tenet of our democracy. This slash-and-burn approach to politics will damage everyone across these islands and Europe for decades, but most of all it will damage
people in the United Kingdom. We can stop it now, and we can do so with legislation. We owe that to the most vulnerable, and to those who will be worst affected.

4.29 pm

Sir William Cash (Stone) (Con): I want to refer briefly to the remarks of the right hon. Member for North East Bedfordshire (Alistair Burt). I simply want to explain very simply that I was going to intervene because he referred to the sacrifice that people had made in the last war and I want to put it on record that my father was killed in the last war, and I think I understand not only the issues involved in that, but also the fact that he fought for freedom, and I believe that that is our heritage, and that is what we should fight for—not to be governed by other people. I just leave that on the record.

I happen also to very much agree with my right hon. and learned Friend the Member for Kenilworth and Southam (Jeremy Wright) on what is an extremely rare occasion when somebody has actually explained, as I have a number of times, that there is nothing in this arrangement that has been foisted upon us that would prevent us from leaving without a deal. We can do so if we wish to do so, and there is nothing in the referendum Act, or any question in the Act, which constrains us from that course of action.

Fundamentally, I simply want to make the following point. I would not call this the European Union (Withdrawal) Bill; I would call it the European Union (Subservience) Bill. We have only to look at the words in the Bill, and in the very short time that I have available I will simply refer to a few of its phrases. Clause 1 says:

“The Prime Minister must seek to obtain from the European Council an extension of the period”.

Clause 3 states:

“If the European Council decides to agree an extension... the Prime Minister must, immediately after such a decision is made, notify the President of the European Council that the United Kingdom agrees to the proposed extension”

and so on.

Clause 4 says, in relation to the withdrawal Act of 2018 that, where regulations are to be made, for the definition of exit day

“for ‘may’ substitute ‘must’.”

This is a disgraceful reversal of our constitutional arrangements. We operate in a free Parliament where we have elections that are taken periodically—every five years as a normal rule—and we make our decisions. We have a system of parliamentary Government, not government by Parliament: that is a fundamental constitutional principle. This Bill offends that principle, and that is why I am deeply opposed to its proposals.

4.32 pm

Joan Ryan (Enfield North) (IGC): I strongly support the Bill before the House and have long believed that a no-deal Brexit would be disastrous. Resolving this issue and stopping our country crashing out of the EU is of the utmost urgency, as I believe that the Prime Minister wants no deal. All the actions of the current Prime Minister support that view as does everything he has said since becoming Prime Minister. He is sending our country hurtling towards no deal. This is a prospect no one voted for, or campaigned for, in 2016. It is simply wrong to be playing with people’s lives, jobs, businesses and wellbeing in this way.

At Brimsdown in Enfield we have the second largest industrial estate in London. It is a vital part of our local economy, with 8,000 people employed in 240 companies on site. Many of these companies trade throughout the EU. If we crash out with no deal and these companies get hit by tariffs on their exports, Brimsdown and Enfield will suffer.

The Chancellor of the Duchy of Lancaster yesterday promised to help firms hit by no-deal tariffs but gave no full details on how that would work in practice, nor is he willing to publish estimates of the impact no-deal tariffs could have on various sectors. How much financial support would be made available to companies? How long would that support last for? Which businesses would and would not be covered by Government subsidy? There are so many questions and never any answers.

In Enfield we also have very high levels of deprivation that are growing apace. We have nearly 40,000 children living on or below the poverty line, but a no-deal Brexit or a general election are not going to stop this nightmare; they would exacerbate exponentially the problems my constituents are facing.

We hear much about the technicalities of all this every time it is debated, and particularly today. Those who want a no-deal Brexit or any kind of Brexit at any price want to talk all the time about technicalities. I want to see Members of this House take real responsibility for the impact that a no-deal Brexit would have on our constituents, particularly the most vulnerable of them.

It is an abrogation of our responsibility as their representatives to go down this road, and let us be clear that a no deal will just be the start. I believe that the only way out of this mess is to go back to the people with a people’s vote on Brexit, but at the very least we must take the catastrophe of no deal off the table now. I urge all Members to support the Bill today.

4.35 pm

Antoinette Sandbach (Eddisbury) (Ind): I want to put on record what a pleasure it has been to serve my constituents in Eddisbury. I think they would be amazed to know that the purge of the Conservative party that took place yesterday led to their Member of Parliament being expelled from the party, together with eight Privy Councillors, two former Chancellors, a former Lord Chancellor and my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke), who has been a political inspiration to me for years. The economic arguments are well known, but in my constituency, where the chemicals, car, pharmaceuticals, aerospace and nuclear industries and the food and drink sectors are all key sectors in the north-west, 80,000 jobs are at risk in a no-deal Brexit. I do not regret putting my job on the line to save my constituents’ jobs, but I do regret that the Prime Minister forced me to do it. I want to say to Conservative colleagues that no deal is not the end of Brexit. My hon. Friend the Member for Isle of Wight (Mr Seely) said yesterday that he wanted Brexit to be over, to focus on other issues that matter to his constituents. I agree; so do I. I voted for the deal three times. However, keeping the threat of no deal on the table does not achieve this.
I say this to my Prime Minister: the reason that your negotiations are undermined is not because of a no-deal Brexit, but because the Europeans cannot see the steps that you are taking to build consensus in this House and get any concessions given to you through Parliament. That is what puts you in the weaker position, not a threat of no deal. Without the public and Europe being able to see how you are trying to build consensus in this House, and how this party, this Government, this House and this Parliament are trying to work together to get a solution, you will not get concessions from Europe. It is the people in this House who voted down the compromise—the withdrawal agreement—that have brought us to the brink of a no-deal precipice. I believe in the principle that Parliament should have a say in one of the biggest questions of our times, and tonight we should stand up.

**Sir Oliver Letwin:** My hon. Friend is on a point that has not been sufficiently emphasised. Does she agree that, at root, the horrors that those of us who find ourselves estranged from the party we love have gone through over the past 18 months derive from the inability of successive Governments to find a compromise?

**Antoinette Sandbach:** I completely agree. This is a result of the inability of successive Governments to work cross-party across the House to seek common ground, common agreement and common principles. I know many people in this place from all sides of the political divide, and I am certain that there is a will and a way to get through this, but I just have not seen the leadership from the Front Benches to argue for it. That has been my biggest shame in being a Member of this Parliament for the past three years: not seeing proper leadership out there to build our country back together again, to get people to work together and to explain in our constituencies why we should honour the referendum result but do so in a way that will maximise the chances of a positive relationship with Europe and give us the best foundations to build on for the future. That is why I say that Parliament should have a say in the biggest question of our time. If we cannot get that leadership on the Front Benches, Parliament needs to provide that leadership to the country.

4.39 pm

**Caroline Flint** (Don Valley) (Lab): May I extend my best wishes to the right hon. Member for Mid Sussex (Sir Nicholas Soames)? I will miss our occasional lift encounters in Portcullis House—[Interruption.] Hang on, do not use up all my three minutes on that, because it is not for today.

I have voted for a deal twice, and I would have voted for the withdrawal agreement Bill, so I have probably voted for a deal more times than some prominent members of the present Government. However, I have also opposed no deal more times than some of the ex-Cabinet members and Ministers who are supporting this Bill today. I have been trying to seek compromise, but the decision on the UK’s departure from the European Union that we delegated to the British people has been dogged by a lack of compromise on both sides. Hard-line leavers and hard-line remainers have succeeded in turning a complicated decision into a crisis. Between them, they are eroding the trust and patience of the British people.

Today’s debate is born of the understandable fear that the UK will leave with no deal and that that will cause avoidable damage to our economy. It is born of a fear that the Prime Minister—I hope I am not using unparliamentary language, Mr Speaker—is insincere in his stated intention of reaching a deal with the EU27. However, others in the House must also be self-critical. It is disingenuous for someone to tell the public that they are against no deal if they are really also against any deal and, indeed, against Brexit. If the EU27 can accept a deal, however revised, it must be better for the UK and the EU27 than no deal.

Therefore, if the amendments in the name of my hon. Friend the Member for Aberavon (Stephen Kinnock) are selected today, I urge colleagues to support them, because they would tie an extension to securing a deal, which is the proper way forward.

**Jeremy Wright:** Will the right hon. Lady give way?

**Caroline Flint:** I will give way, but only once.

**Jeremy Wright:** I thank the right hon. Lady for giving way and pay tribute to her for the way in which she has sought compromise. Many of us have voted for deals of various kinds, and I agree with what she says about the approach set out by the hon. Member for Aberavon (Stephen Kinnock), which has considerable potential. Does she agree that one of the other reasons why we should seek to resolve this by way of a deal, and do so quickly, is that the longer the argument goes on, the more divided our society remains and the harder it will be to knit it back together? The danger of an approach that simply asks for a further extension, without any real idea of what we will use the extension for, is that that argument is perpetuated and the damage continues to be done.

**Caroline Flint:** I absolutely agree. One of my greatest concerns in all this is that, following a referendum that saw such a massive record turnout, there are many people who will never vote again if we continue to thwart a conclusion, and that will damage our democracy for decades to come. I am saddened that some in this House think that our only obligation is to the 48% and that others think we only need to consider the 52%. We need to respect the British people, whether they voted leave or remain and whichever party they support. We must show them that we can move forward and not simply block progress at every stage.

I want to look my leave voters in the eye and say, “Yes, I respected, as a remain voter, the decision to leave. We have now left. We will regain control of our laws and borders.” To remain supporters, whom I stood alongside in 2016, I want to say, “Yes, we respected the decision to leave, but we have successfully protected the things that you and I value most: open trade with the EU, workers’ rights, high environmental standards, rights for Brits abroad, respect for EU citizens working here, student exchange programmes, joint research projects”—I could go on. All of that can be secured, but only with a deal.

No deal is a decision, but one that defers 100 decisions. I urge the Government to secure a deal before 31 October, and I am willing to work every day and every hour to make that happen. However, other colleagues must also
show some compromise as well. We must link an extension to securing a deal, because an extension with no purpose is not the way forward.

Several hon. Members rose—

Mr Speaker: Order. I would like to call two more speakers, but I want the Secretary of State to be on his feet no later than 4.50 pm.

4.44 pm

Sir Edward Leigh (Gainsborough) (Con): It is a pleasure to follow the right hon. Member for Don Valley (Caroline Flint), and I agree with virtually everything she says.

It is a pleasure to have listened to my right hon. Friend the Member for North East Bedfordshire (Alistair Burt) and for Mid Sussex (Sir Nicholas Soames), with whom I have served in this House for 36 years. I know they do not want to stand again, but if they were to stand, I would want to stand with them shoulder to shoulder as a Conservative candidate.

There are procedures for dealing with this sort of issue, but I very much hope that those like my right hon. Friend the Member for Runnymede and Weybridge (Mr Hammond) who voted for their conscience—I do not agree with him, but he did vote for his conscience—can find a way to stand again for our party. The trouble with purges is that if one group of people is purged, another group of people might have to be purged when we try to push a deal through Parliament, so I think we need compromise.

Indeed, that is the whole point of what I want to say today. I am a Brexiteer and my constituency voted 62:38 for Brexit, but I am in a bit of a minority here because I voted for the deal three times. We hear so much about how terrible a no deal is, but so many people in this place voted against the deal three times.

We could have had Brexit by now. This whole thing could have been resolved, and I still want to resolve it. I still believe it is perfectly possible to make progress in these negotiations in the coming weeks.

So much ink has been wasted on the backstop, and there has been so much debate about something that will never happen. I do not believe, and I do not think anybody believes for a moment, that the backstop will ever happen. Nobody intends to impose a hard border, and there are so many ways to resolve this. We are this close to resolving the issue, and there has been so much talk about how we do not trust the Prime Minister and how he wants a no deal. I genuinely believe that he and the Cabinet want to achieve an orderly Brexit, but the problem they face is that the present deal simply cannot get through Parliament, so they have to make progress.

We had the Brady amendment, so we can win a vote in this place. I do not want to make a bore of myself by going on about devices such as the Vienna convention, which I have mentioned many times, but they are all possible. The trouble with this Bill is that if it is passed—I know this has been said many times, but it is an unanswerable point—there will be absolutely no incentive for the EU to make any progress, and therefore it drives a coach and horses through our negotiating tactics.

I end with an argument that might appeal to the Labour party. At the October 1957 Labour party conference, Aneurin Bevan said:

“if you carry this resolution”—

the resolution was on unilateral disarmament—

“you will send a Foreign Secretary...naked into the conference chamber.”

That is what we will be doing if we pass this Bill, so let us compromise, let us draw together and let us get a deal.

4.47 pm

Justin Madders (Ellesmere Port and Neston) (Lab):

Vauxhall Motors in Ellesmere Port has been producing cars for over 50 years. It employs around 1,000 people, with many thousands more in the supply chain and associated businesses, but statements made by the parent group over the summer have made it crystal clear that the plant’s very existence is dependent on the UK avoiding a no-deal Brexit.

We know the plant faces challenges, as every car manufacturer does, but in the past, with the help of the Government, management and unions, everyone has pulled together to make it work, but now we have the absurdity of the Government actively pursuing a policy that will destroy the industry. WTO terms mean a 10% tariff on all car exports, and around 80% of the vehicles built in Ellesmere Port are exported to the EU.

We know the plant just will not be able to compete with other plants across Europe with a 10% albatross around its neck. It is as stark as that: no deal means no Vauxhall.

I have always said that I will abide by the outcome of the referendum, but that does not mean I will do so at any cost, and certainly not at the cost of my constituents’ jobs, which is where we are now. The Government are effectively asking me to put my constituents on the dole queue, and I cannot in all conscience do that. I am astounded that any Government would choose that course of action, so let us be clear about where we are.

The Conservative party, which used to have a reputation as the party of business, has purged itself of 21 Members who voted against a policy that they know could knock 10% off the economy. If anyone had said a year ago that that is where we would find ourselves, I would not have believed them, but such is the reckless ideological madness we see from the Government. That is exactly where we are today.

The Prime Minister tells us that he cannot negotiate with the EU if a no deal is taken off the table, but given that he claims the primary change he wants to make is on the Irish backstop, which is a very specific issue, there seems to be no connection between the changes he says he wants to make and the need to keep the threat of no deal on the table.

I am, as many hon. Members are, at a loss to understand how the Prime Minister can reconcile his statement yesterday—that the first thing the EU asks in respect of any proposals made by the Government is whether they have the support of Parliament—with his refusal to share his proposals with Parliament. How can he say we would support his proposals if we do not even know what they are?

It is not only the automotive sector in my constituency that is under threat: aerospace, chemicals and petroleum, to name but three, employ thousands of people whose jobs are at risk from a no-deal Brexit. I have just come from a briefing by the Road Haulage Association, which has clearly said the sector is not ready for a no-deal
Brexit on 31 October; it says that with just 42 working days left it still does not know what the customs documentation process will be or who it can go to for advice. It is doing what it can, but at the moment we face haulage businesses going bust and food rotting on lorries because it cannot be delivered on time, leaving aside the effect that will be had on medicine supplies.

So let us, as a country and as a Parliament, pull ourselves back from the edge at the eleventh hour. Let us have a moment of clarity. Let us have a moment of reason and of compromise, so that we do not force Brexit through by 31 October regardless of the consequences, because those consequences will be devastating and enduring, and they will do nothing to heal the deep divisions that have led us here in the first place.

4.50 pm

The Secretary of State for Exiting the European Union (Stephen Barclay): May I begin by paying tribute to the new hon. Member for Brecon and Radnorshire (Jane Dodds), who spoke with great distinction on behalf of her constituency?

As they indicated that they may have been making their final speeches in the House, may I also pay tribute to my colleagues the right hon. Members for Mid Sussex (Sir Nicholas Soames) and for North East Bedfordshire (Alistair Burt), who have served with great ability and courtesy throughout my time in the House?

The central issue before the House is whether the Government’s negotiation is sincere and deliverable. The Opposition have continued to refuse to vote for a deal, while making it clear that they will rule out no deal. As the right hon. Member for Don Valley (Caroline Flint) pointed out, there is an inherent contradiction in that position.

The problem with this Bill is, as my right hon. Friend the Member for Gainsborough (Sir Edward Leigh) made clear, that there is no incentive for the EU to move, because it gives the EU complete control of the outcome of these talks. Let me remind the House that President Tusk, and others within the EU, have repeatedly said that they do not want the UK to leave. He has said:

“If a deal is impossible, and no-one wants no deal, then who will finally have the courage to say what the only positive solution is?”

So let us be in no doubt: those on the other side of the negotiation do not want the UK to leave. They do not want to lose the financial contribution of 12% of the EU budget that the UK pays or the £1 billion per month that this extension will mean. So there will be no incentive for the EU to move and this, in practice, will be legislation that will act as purgatory and endless delay.

Stephen Doughty: Of course it was the Government’s own chief adviser who described the negotiations as “a sham”, so we know what is really going on. I wish to ask the Secretary of State whether it is true that members of the Government Legal Service have been requested, in the past two days, to provide advice on all tactics possible to avoid this Bill receiving Royal Assent. Is that true—yes or no?
his concerns about the detail, but he will remember that when the previous Government simply presented detail against that all-weather test, the Commission dismissed it as purely magical thinking.

Lady Hermon: My patience has been rewarded; I am enormously grateful to the Secretary of State for allowing me to intervene.

The Secretary of State will be well aware that the Prime Minister claimed in August that the backstop contravenes the consent principle in the Good Friday agreement. Will the right hon. Gentleman take this opportunity to correct the record? The backstop in no way compromises the consent principle in the Good Friday agreement. It is important to have that on the record.

Stephen Barclay: There are two issues in relation to that point. First, the Prime Minister has concerns about the rule-taking element of the backstop, under which those in Northern Ireland will continue to take rules on which they will not have a say. Secondly, there is the concern that the element of consent from both parts of the community in Northern Ireland is undermined.

To address the hon. Lady’s earlier intervention in respect of contact with the Irish Government, the Prime Minister will discuss the issues around the alternative arrangements with the Taoiseach on Monday. That will build on considerable other interaction with the Irish Government—for example, I had a meeting with Simon Coveney in the Irish embassy in Paris last week, and the Foreign Secretary met him in the same week. There has been extensive contact with the Irish Government.

The Prime Minister’s EU sherpa is in Brussels today. The last round of technical talks was last week and he will have further talks on Wednesday to explore much of this detail. But the detail needs to be in place at the end of the implementation period, which is the end of 2020—or even potentially, by mutual agreement, at the end of a further one or two years. The timescale, therefore, is realistic and negotiable—

Peter Kyle (Hove) (Lab): Are you talking about the Bill?

Stephen Barclay: The Bill? I am very happy to talk about the Bill. The issue for the hon. Gentleman is that he talks about voting against no deal, but he should come clean and admit that actually he is opposed to Brexit entirely. The public want Brexit delivered. The business community wants certainty. The Bill will leave our negotiations in purgatory, with a third extension after more than three years. Much has been made about parliamentary time—about the period between now and 14 October—but the EU itself says that a deal would not be struck until the eleventh hour, and that it would take until 17 October for the EU Council to reach a decision. The issue is not the time that is spent in September, but the time between 17 October and 31 October.

Over the summer, this new Government have narrowed their negotiating asks, as set out in the letter to President Tusk. They have targeted their request on the withdrawal agreement and a best-in-class free trade agreement. This is a Bill that is intended to stop Brexit. I urge colleagues to oppose it.

5 pm

The Speaker put the Question (Order, 3 September), That the Bill be now read a Second time. The House divided: Ayes 329, Noes 300.

Division No. 440] [5 pm

AYES

Abbott, rh Ms Diane
Abrahams, Debbie
Ali, Rushanara
Allen, Heidi
Allin-Khan, Dr Rosena
Amesbury, Mike
Antoniacci, Tonia
Ashworth, Jonathan
Bailey, Mr Adrian
Bardell, Hannah
Bebb, Guto
Beckett, rh Margaret
Benn, rh Hilary
Benyon, rh Richard
Berger, Luciana
Betts, Mr Clive
Black, Mhairi
Blackford, rh Ian
Blackman, Kirsty
Blackman-Woods, Dr Roberta
Blomfield, Paul
Bolsover, Nick
Brabbin, Tracy
Bradshaw, rh Mr Ben
Brake, rh Tom
Brennan, Kevin
Brine, Steve
Brock, Deidre
Brown, Alan
Brown, Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Richard
Burt, rh Alistair
Butler, Dawn
Byrne, rh Liam
Cable, rh Sir Vince
Cadbury, Ruth
Cameron, Dr Lisa
Campbell, rh Sir Alan
Carden, Dan
Carmichael, rh Mr Alistair
Champion, Sarah
Chapman, Douglas
Chapman, Jenny
Charalambous, Bambos
Cherry, Joanna
Clark, rh Greg
Clarke, rh Mr Kenneth
Clwyd, rh Ann
Coaker, Vernon
Coffey, Ann
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Cowan, Ronnie
Coyle, Neil
Crausby, Sir David
Crawley, Angela
Creagh, Mary
Creasy, Stella
Cruddas, Jon
Cryer, John
Cummins, Judith
Cunningham, Alex
Cunningham, Mr Jim
Daby, Janet
Dakin, Nic
Davey, rh Sir Edward
David, Wayne
Davies, Geraint
Day, Martyn
De Cordova, Marsha
De Piero, Gloria
Debbonaire, Thangam
Dent Coad, Emma
Dhesi, Mr Tanmanjeet Singh
Docherty-Hughes, Martin
Dodds, Anneliese
Dodds, Jane
Dougherty, Stephen
Dowd, Peter
Drew, Dr David
Dromey, Jack
Duffield, Rosie
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Ellman, Dame Louise
Elmore, Chris
Esterson, Bill
Evans, Chris
Farrelly, Paul
Farron, Tim
Fellows, Marion
Field, rh Frank
Fitzpatrick, Jim
Fletcher, Colleen
Flint, rh Caroline
Forbes, Lisa
Fovargue, Yvonne
Foxcroft, Vicky
Frith, James
Furman, Gill
Gaffney, Hugh
Gapes, Mike
Gardiner, Barry
Gauke, rh Mr David
George, Ruth
Gethins, Stephen
Gibson, Patricia
Gill, Preet Kaur
Glindon, Mary
Godsiff, Mr Roger
Goodman, Helen
Grady, Patrick
Grant, Peter
Gray, Neil
Green, Kate
Greening, rh Justine
Greenwood, Lilian
Greenwood, Mary
Greetham, James
Gupta, Kirti

Noes

Allin-Khan, Dr Rosena
Abbott, rh Ms Diane
Abrahams, Debbie
Ali, Rushanara
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Glindon, Mary
Godsiff, Mr Roger
Goodman, Helen
Grady, Patrick
Grant, Peter
Gray, Neil
Green, Kate
Greening, rh Justine
Greenwood, Lilian

The Speaker put the Question (Order, 3 September), That the Bill be now read a Second time. The House divided: Ayes 329, Noes 300.
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Bill read a Second time; to stand committed to a Committee of the whole House (Order, 3 September).
European Union (Withdrawal) (No. 6) Bill

Considered in Committee (Order, 3 September)

[SIR LINDSAY HOYLE in the Chair]

Sir Mike Penning (Hemel Hempstead) (Con): On a point of order, Sir Lindsay. We are about to debate in Committee, under your chairmanship, amendments that are not available to Members. I have just been to the Vote Office to try to find the amendments. [Interruption.] They have become available now, but they were not available five minutes ago. How can we possibly debate such an important issue without the amendments being released earlier?

The Chairman of Ways and Means (Sir Lindsay Hoyle): The amendments have not yet been selected for voting. They were allowed to be tabled until 5 o’clock, so there had to be time for that. If you were to go now, they should be listed, but the amendments to be voted on have not been chosen yet. During the next two hours, I am sure that a man as competent as yourself will keep up with what changes may come.

Sir Mike Penning: Possibly.

The Chairman of Ways and Means: I am confident of that.

Clause 1

DUTIES IN CONNECTION WITH THE WITHDRAWAL OF THE UK FROM THE EUROPEAN UNION

5.21 pm

Richard Graham (Gloucester) (Con): I beg to move amendment 19, in clause 1, page 1, line 3, leave out subsections (1) to (3) and insert—

‘(1A) After this Act has been passed, but no later than 21 October 2019, the Prime Minister of State must make arrangements for—

(a) motion to the effect that the House of Commons has approved an agreement with the European Union under Article 50(2) of the Treaty on European Union, to be moved in the House of Commons by a Minister of the Crown; and

(b) a motion for the House of Lords to take note of the agreement, to be moved in the House of Lords by a Minister of the Crown.

(1B) If the House of Commons decides to approve the motion in paragraph (a), subsection (4) must be complied with.’

The intention of this Amendment is to ensure that debate takes place after the European Council meeting on 17/18 October 2019 on either the existing withdrawal agreement or any new withdrawal agreement that may have been agreed.

The Chairman of Ways and Means: With this it will be convenient to discuss the following:

Amendment 8, page 1, line 16, leave out subsection (2).

Amendment 9, page 2, line 8, leave out subsection (3) and insert—

‘(3) If the condition in subsection (1) is not satisfied, subsection (4) shall apply.’

Amendment 10, page 2, line 10, leave out subsection (4) and insert—

‘(4) The Prime Minister shall seek to discuss with the European Council a further short extension of the period under Article 50(3) of the Treaty on European Union ending at 11.00 pm on 31 October 2019 by sending to the President of the European Council a letter in the form set out in Schedule [Form of letter from the Prime Minister to the President of the European Council (No. 2)].’

Amendment 20, page 2, line 12, leave out from “2019” to end of line 17.

The intention of this Amendment is to ensure that if the House of Commons approves a withdrawal agreement, the Prime Minister must seek an extension of the period under Article 50(3) TEU.

Amendment 6, page 2, line 14, at end, insert

‘in order to debate and pass a Bill to implement the agreement between the United Kingdom and the European Union under Article 50(2) of the Treaty on European Union, including provisions reflecting the outcome of inter-party talks as announced by the Prime Minister on 21 May 2019, and in particular the need for the United Kingdom to secure changes to the political declaration to reflect the outcome of those inter-party talks.’

This amendment would set out as the purpose of seeking an extension under Article 50(3) TEU the passage of a Withdrawal Agreement Bill based on the outcome of the inter-party talks which concluded in May 2019 – see NC1 for contents of the Bill and Amendment XX for text of the request letter to the European Council.

Amendment 11, page 2, line 15, leave out subsection (5). Clause stand part.

Clause 2 stand part.

Amendment 22, in clause 3, page 2, line 43, leave out subsections (1) to (3).

The intention of this Amendment is to remove the requirement to accept whatever extension is decided on by the European Council while preserving the flexibility in subsection (4) to agree an extension otherwise than under this Act.

Amendment 25, page 3, line 3, leave out subsection (2).

Amendment 23, page 3, line 19, leave out “section” and insert “Act”.

The Amendment is consequential on Amendment 22 leaving out subsections 3(1) to 3(3).

Amendment 16, page 3, line 35, leave out subsection (5) and insert—

‘(5) This section comes into force on the day on which this Act is passed.

(5A) The remaining provisions of this Act come into force on such day or days as the Secretary of State may by regulations made by statutory instrument appoint.

(5B) No regulations may be made under subsection (5A) unless a draft of the statutory instrument containing them has been laid before Parliament and approved by a resolution of each House of Parliament.’

Amendment 17, page 3, line 35, leave out from “force” to end and insert “on 22 October 2019.”

Clause 5 stand part.

New clause 1—Publication of Withdrawal Agreement Bill—

‘(1) The Prime Minister must within the period of five days, not including any Saturday, Sunday or bank holiday, beginning with the day on which this Act is passed publish a copy of a draft Bill to implement the Withdrawal Agreement between the United Kingdom and the European Union under Article 50(2) of the Treaty on European Union.

(2) The draft Bill must include provisions reflecting the outcome of inter-party talks as announced by the Prime Minister on 21 May 2019, and in particular—
provision for the Government to seek to conclude alternative arrangements to replace the backstop by December 2020;

(b) a commitment that, should the backstop come into force, the Government will ensure that Great Britain will stay aligned with Northern Ireland and to incorporate in United Kingdom law paragraph 50 of the 2017 joint report from the negotiators of the European Union and the United Kingdom Government on progress during phase 1 of negotiations under Article 50 TEU on the United Kingdom’s orderly withdrawal from the European Union (TF50 (2017) 19);

(c) provision for the negotiating objectives and final treaties for the United Kingdom’s future relationship with the European Union to be approved by the House of Commons;

(d) legislation on workers’ rights to guarantee workers’ rights in the future in the United Kingdom will be no less favourable than comparable workers’ rights in the European Union;

(e) provisions ensuring that there will be no change in the level of environmental protection applicable in the United Kingdom after the United Kingdom leaves the European Union, and to establish an independent office of environmental protection, able to uphold standards and enforce compliance;

(f) a requirement for the United Kingdom to seek as close as possible frictionless trade in goods with the European Union as possible, while outside the single market and ending free movement;

(g) a requirement for the United Kingdom to keep up to date with European Union rules for goods and agri-food products that are relevant to checks at the border in order to protect employment that depends on just-in-time supply chains;

(h) a customs compromise for the House of Commons to decide upon;

(i) an opportunity for a decision to be made by the House of Commons whether the implementation of the withdrawal agreement should be subject to a referendum; and

(j) a duty for Ministers of the Crown to secure changes to the political declaration to reflect the provisions in this subsection.’

This New Clause would require the publication of a Withdrawal Agreement Bill incorporating the ten headline points from the inter-party talks which concluded in May 2019.

Amendment 7, schedule, page 4, line 10, at end insert

‘I wish to make clear to European Council colleagues that the purpose of this proposed extension is for the UK Parliament to debate and pass a Bill to implement the agreement between the United Kingdom and the European Union under Article 50(2) of the Treaty on European Union, including provisions reflecting the outcome of inter-party talks as announced by the Prime Minister on 21 May 2019, and in particular the need for the United Kingdom to secure changes to the political declaration to reflect the outcome of those inter-party talks.’

This amendment would require the Prime Minister to set out in the letter to the President of the European Council seeking an extension under Article 50(3) TEU that the reason for seeking an extension is to pass a Withdrawal Agreement Bill based on the outcome of the inter-party talks which concluded in May 2019 — see NCI for contents of the Bill.

That the schedule be the schedule to the Bill.

New schedule 2 — Form of letter from the Prime Minister to the President of the European Council—

‘Dear Mr President

The UK Parliament has passed the European Union (Withdrawal) (No. 2) Act 2019. Its provisions now require Her Majesty’s Government to seek to discuss an extension of the period provided under Article 50(3) of the Treaty on European Union, including as applied by Article 106a of the Euratom Treaty, currently due to expire at 11.00pm GMT on 31 October 2019. I am writing therefore to inform the European Council that the United Kingdom wishes to discuss a further short extension to the period provided under Article 50(3) of the Treaty on European Union, including as applied by Article 106a of the Euratom Treaty.

Yours sincerely,

Prime Minister of the United Kingdom of Great Britain and Northern Ireland.’

Richard Graham: I rise to seek colleagues’ patience in proposing something that I believe is a compromise that many Members in this House have long sought and many people have expressed support for. The compromise goes like this. There are many of us on both sides of this House who do not want no deal and yet, as has been pointed out by many Members, including the right hon. Member for Don Valley (Caroline Flint), many colleagues have not supported a deal. My simple amendment to the Bill would require the Government to have a vote on Monday 21 October—the first sitting day after the EU Council—on a deal, whether it be a new deal or the previous deal. Should that vote be successful and approved by Members of this House, the Government would be required, if they needed more time, to ask for an extension from the European Union, purely in order to get the legislation through Parliament.

Whereas other amendments that will be debated today require the Government to ask for an extension and then set about trying to find the deal, mine does the opposite. It gives us all the chance to vote for either the existing deal previously negotiated by the last Government or whatever new deal is successfully negotiated by the new Government. That means that everyone in this House who wishes to prevent no deal would have the chance to do so by voting for that deal. I hope that many colleagues around this House who have been able to prevent making a decision between a deal and no deal would realise that that was the last chance to do that—merely a week before no deal became the default on 31 October.

I know there are some colleagues for whom the business of asking for an extension is part of the circuit of trying to prevent Brexit from happening at all, and I understand that. However, I believe there may be a majority in this House who have accepted the will of the people in the referendum, and who have said and told their constituents that they respect the referendum result, and a lot of us were elected on a manifesto pledge to do so. This would be the moment when we could put that to the test and vote for a deal.

Alex Sobel (Leeds North West) (Lab/Cop): The hon. Gentleman’s amendment mentions our having a motion of the House. The last time we had a withdrawal agreement motion, we had five days of debate. Is there sufficient time to have five days of debate before 31 October, if we pass his amendment?

Richard Graham: The short answer to that is almost certainly no. However, we have had not just five days of debate, but weeks and months and years of debate on these issues. The previous deal, which I regarded as a good deal, was debated ad infinitum in this House. I do not believe that we would need five more days of debate to be able to reach a decision about whether we wanted a deal or no deal.
Sandy Martin (Ipswich) (Lab): The hon. Gentleman says that he regarded that deal as a good deal. However, a very large number of Members in this House do not regard it as a good deal. His amendment, proposed in the way it is, seems to suggest that this is a binary choice. It is not a binary choice. We want a deal that actually satisfies the reasons why we think we need to get the best out of a Brexit deal or remain, and this does not enable us to do that.

Richard Graham: I understand the hon. Gentleman’s point of view. There are 650 Members of this House, all of whom, if we designed the perfect deal ourselves individually, would have differences from each other. However, we are at the stage where I believe the vast majority of people in this country want this issue resolved. Therefore, if we are to decide whether we want to accept a default position of no deal because we cannot reach agreement on a deal, this would be the moment for all of us to ask ourselves what we really want: do we really want a deal at all, or are we prepared to go straight to a no deal?

My amendment does not call for the Government to have a vote on no deal. It accepts that, if the vote for a deal were lost, this Parliament would have had myriad opportunities to support a deal and would, in that situation, have failed. I believe this amendment is fair to almost every point of view in this House. It gives us all one last chance to vote for a deal if we do not want no deal.

Neil Gray (Airdrie and Shotts) (SNP): The hon. Gentleman’s amendment is of course predicated on the Prime Minister actually negotiating a new deal. What evidence does he have, because I cannot see any, of there even being a negotiating team in place, as the 30 days evaporate like snow off a dyke? Can he show us that there is any evidence of a new deal coming back from this Prime Minister?

Richard Graham: In fact, the hon. Gentleman misreads part of the point of my amendment, which is not to prejudge whether or not the Prime Minister and this Government come back with a deal. I believe the Government are genuinely trying to get a deal, but it is perfectly possible either that they do not succeed, or—this would be the hon. Gentleman’s view—that they are not really trying that hard. In either of those events, my amendment would allow this House to vote on the deal that was put before this House previously. It would give everybody one more chance—the hon. Gentleman’s party says it is against no deal—a chance to vote for a deal. If, in that situation, the House were to say, “We don’t like this deal: it’s not good enough for us”, there could be no hiding from anyone in this country about why we had gone for no deal. It would be because this House failed the final opportunity to prevent that. I believe, in that situation, this is fair to everyone.

Jim Shannon (Strangford) (DUP): Surely, the withdrawal agreement was rejected on the three times that it came to the House, and the backstop was a clear issue on each of those three times. If that continues to be the case, would the hon. Gentleman still insist on pushing for a withdrawal agreement that has on the backstop? Clearly, for us, the backstop has to be removed, and that is the opinion of the Prime Minister, and, I understand, this Government.

Richard Graham: My amendment suggests that there are three options for this House to vote for on Monday 21 October. The first is the withdrawal agreement as it was presented to the House previously. The second is the withdrawal agreement plus the cross-party agreement that was reached, but was never voted on in this House. The third is any new deal arrived at by the Government. In that situation, Members would have the chance to vote for a deal and prevent no deal, which many of us feel could have dire consequences.

Alex Chalk (Cheltenham) (Con): My hon. Friend is coming up with such sensible provisions. Does he agree that this would smoke out those who claim to want to avoid no deal but, truth be told, vote against every route to avoid it? This would smoke them out. If they vote for this, they will truly be avoiding no deal.

Richard Graham: My constituency neighbour is absolutely right, but my aim is not so much to smoke out—to use his phrase—the motives and underlying thoughts of colleagues across this House, but to give all of us the opportunity to say, ultimately, what we really prefer: is it a deal or is it no deal? In that sense, he is absolutely right.

Harriet Baldwin (West Worcestershires) (Con): I thank my hon. Friend for the thoughtful way in which he is setting out his case. He and I both just voted against the principle of this Bill on Second Reading, largely because we want the Prime Minister to have the strongest possible hand in his negotiations with the European Union. I shall listen carefully to the Minister’s response, but does my hon. Friend think that by agreeing this amendment tonight the House would in any way weaken the Prime Minister’s negotiating hand?

Richard Graham: My hon. Friend makes a very good point. One reason I drafted this very short amendment in the way that I did, with the help of the Clerks, was precisely not to take away the pads or gloves of the Government’s batsmen when they go into negotiations with the European Union, because this way would not predetermine the result of their negotiations at all. It would allow them to seek the deal that I believe—contrary to what some colleagues from the Scottish National party are saying—they are sincere about. If they were unsuccessful, it would still give the rest of us a chance to have a vote on a deal before no deal became the default option, so she is absolutely correct. This is not designed to weaken the Government’s stance in any way, but rather to allow their sincerity to give us the chance to express our view.

Neil O’Brien (Harborough) (Con): I thank my hon. Friend for his brilliant contribution in bringing forward this amendment. I voted for the withdrawal agreement. I was proud to do so, because the only way to stop no deal is to vote for a deal. I hope and expect that our new Prime Minister will get an even better deal than the last one, but my hon. Friend’s amendment really would preserve the freedom of action of this House and give us a lifeboat if things went wrong. I will support it in the strongest possible terms.
Richard Graham: I am very grateful to my hon. Friend. That is the key point: when constituents ask us, “Will this House have the final say before we go to a no-deal exit from the European Union?”, my answer is that I believe we should have a chance to vote once more, and this amendment would provide that.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): Given what the hon. Gentleman is saying, some of us are concerned that the Prime Minister is talking of a cut-and-run general election before the circumstances support a cut-and-run general election before the Halloween calamity of the Prime Minister’s Brexit.

Richard Graham: It is a perfectly valid point that this short amendment does not allow for every conceivable possibility that might exist out there. It does not—unlike this Bill, tabled by the right hon. Member for Leeds Central (Hilary Benn)—sketch out the precise wording of the letter that the Prime Minister should write to the European Union, for example. The Prime Minister said that Parliament would be prorogued until 14 October, after which the European Council meets. Monday 21 October is the first sitting day after that Council. It is to me—I may be naïve—incalculable that the Government would not be here that day and would not allow that debate if Parliament had passed this amendment. I am, to some extent, taking on faith what I, and we, have been told about this Government’s plans, but I believe that that is a reasonable position to take.

Angus Brendan MacNeil: On a point of order, Mr Hoyle. Before the next speaker, in these days of Twitter I would just like to correct the amendment paper. Some people might be surprised to find my name leading amendments 6 and 7, together with new clause 1, which I and other colleagues from across the Committee agree should be voted for. The Prime Minister is talking of a cut-and-run general election before the calamity befalls him on Halloween. I would just like everybody to know that this is a drafting error. It might be very dizzy if he went that far south.

The Chairman of Ways and Means: That is a great point of correction. I think the hon. Gentleman would be very dizzy if he went that far south.

Stephen Kinnock: I gently say to the hon. Gentleman that the meaningful votes that took place are a very different kettle of fish from what was produced by the cross-party talks. As I will say later in my speech, the cross-party talks contained a number of extremely important compromises and concessions from Labour Members. It is therefore a travesty that this Parliament never had the opportunity to debate or vote on the withdrawal agreement Bill. It is a different kettle of fish from what went before. For those with short memories, the withdrawal agreement Bill was very different from the former Prime Minister’s initial so-called “blind Brexit”—which was rejected three times by this House—because it contained 10 major concessions that gave far more clarity on the UK-EU relationship. We were not prepared to give carte blanche to the Government.

The cross-party talks gave the detail that we need. That was a direct result of the hard work of Opposition and Government Front Benchers and negotiating teams over the course of six weeks of serious talks. The concessions included a customs union compromise, with a binding vote on post-Brexit customs arrangements; a workers’ rights Bill that would guarantee that employment rights in the UK would not lag behind those of the EU; a pledge that the UK would see no change in the level of environmental protection after Brexit; a promise to seek as close to frictionless trade in goods with the EU as possible while being outside the single market and ending
free movement; a commitment to having parliamentary time to allow for a vote at Committee stage on whether the deal should be put to a second referendum; an assurance to MPs that they must have the final say on the future UK’s relationship with the EU; and a promise that Northern Ireland would stay aligned with the rest of the UK on regulations and customs, even if the backstop were to come into force.

**Harriet Baldwin:** I appreciate the spirit in which the hon. Gentleman is approaching this debate and his amendments. Will he clarify whether the 10 changes that he outlines would involve changing anything in the 585-page withdrawal agreement?

**Stephen Kinnock:** The 585-page withdrawal agreement would remain intact, because those are the separation issues. All these issues relate to the future relationship, which the EU has made clear it is open to amending. The future relationship is, of course, a political declaration. The reasons why Labour Members were opposed to previous deals were that there was so little detail on the future relationship, and frankly, that we had said repeatedly that the Government should, rather than going to the wrong extreme in this debate, reach out to Labour Members. Finally, the former Prime Minister agreed to do that. We had the cross-party talks, and it is a travesty that this House never had the opportunity to debate and vote on those issues.

**Norman Lamb (North Norfolk) (LD):** As someone who feels very strongly that the polarisation in this debate has been immensely damaging for our country and that there are not enough people finding ways of bringing our country back together again, may I ask the hon. Gentleman whether he shares my view that this is a route to achieving a compromise—an art that appears to have been lost in this place at present—and perhaps a way for someone such as me, who believes in a relationship that is akin to what Norway has, to find a way forward and achieve a compromise that not only meets the obligation of implementing the referendum outcome, but recognises the views of many people about the need to maintain a very close relationship with the EU?

**Stephen Kinnock:** I thank the right hon. Gentleman for his intervention and for adding his name to our amendment. I agree with every word that he said. Let us not forget that a Parliament that is captured by its extremes is one that plays directly into the hands of the no-dealers, because the legal default position is that if there is no alternative, we leave without a deal. The failure to compromise has played directly into the hands of the no-dealers, who are a small minority in this House. The tail has been wagging the dog for too long. It is time for it to stop. The Committee stage of a withdrawal agreement Bill would provide ample opportunity for amendments such as a common market 2.0 type of arrangement, but that has to be debated in this House in Committee. Let us first get it over the line on Second Reading.

**Luke Graham (Ochil and South Perthshire) (Con):** The hon. Gentleman is proposing a compromise, which I appreciate—it is time that Members started to vote for things, rather than just against things—and he says he wants greater detail. I served under my right hon. Friend the Member for Aylesbury (Mr Lidington) in the Cabinet Office, and as we know there was no cross-party Front-Bench agreement on these measures. Even if we were to go forward with this compromise, he would not have his Front Benchers behind him, so how can we get behind it?

**Jeremy Wright (Kenilworth and Southam) (Con):** As the hon. Gentleman knows from the Second Reading debate, I have a good deal of sympathy with the approach he is setting out. I appreciate, too, that he is recommending to the House that we pass amendments 6 and 7 as well as new clause 1. If I were minded to support new clause 1 but not amendments 6 and 7, would I effectively be presenting an option that everyone in the House could choose to adopt, in preference to no deal and no Brexit, and that the Government could bring forward so that there was an option for us all to pursue, but then if the Government were to themselves negotiate a separate deal, nothing in new clause 1 would prevent them from proposing that option?

**Stephen Kinnock:** I can confirm that we are saying in the amendments that the vote should reflect the outcome of the cross-party talks, but clearly this is not about setting that in stone. The current Prime Minister is welcome—good luck to him—to go to Brussels and try to get a deal. I am sure that hon. Members will forgive me if I am sceptical about whether serious attempts are being made to do that, but if he is able to secure changes that he feels he can bring back, clearly they would still have to be based on that 585-page document, which is the basic building block for a deal. It will not be torn up by the EU.

**Mr Kenneth Clarke (Rushcliffe) (Ind):** As the hon. Gentleman says, the House has never voted on the proposal that so nearly came forward. I think I would have supported it had it got that far. Does he agree that had the whole House realised then what form subsequent events would take to lead us to today and what would happen to public opinion in the ever increasingly wild debate that followed—if the vote could have been taken with that foresight—it would have been carried by a large majority in this House, that the withdrawal deal, as amended, would now be in place, and that we would now be able to have civilised and sensible debates about the long-term arrangements to be agreed during the transition period?

**Stephen Kinnock:** I thank the Father of the House. Like many Members, I wish that crystal balls had been handed out when we first came to this place. Unfortunately,
that was not the case. It goes back to what he said earlier—Parliament and the debate have been captured by the extremes, and we have to move on from that. We have to break the deadlock and find a sustainable way of preventing no deal, and the way to do that is to leave with a deal.

**Ian C. Lucas (Wrexham) (Lab):** My hon. Friend and his colleagues have put forward a very interesting amendment indeed. Could he clarify what discussions he has had with the Opposition Front Benchers about the amendments and what response he has had from them?

**Stephen Kinnock:** I recognise my hon. Friend’s point, but at present I have not had a conversation with our Front Benchers on this topic.

My party’s Brexit spokesperson, my right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer), made it clear in an interview on last weekend’s Marr show that Labour only withdrew from the talks due to the inability of the former Prime Minister to deliver her own party. He stated:

“We took a judgement call that some of the proposals that the Prime Minister put forward she would not be able to get through her own party”.

I think this confirms that our side was ready to compromise on a deal if the Prime Minister could have delivered her own party. The good will was clearly there. Now all the focus should be on finding a way to put that deal back on the table, to study it, to debate it, to amend it, to vote on it, and ultimately to use it as the basic vehicle for sorting out the shambolic situation we find ourselves in.

**John Redwood (Wokingham) (Con):** I appreciate the tone of the hon. Gentleman’s remarks, and I agreed with his opening remark that we want this to be over with and to move on, but my worry is this. Does not his idea require guarantees and statements from the European Union? What would they be, and how could we secure them?

**Stephen Kinnock:** At the heart of our amendment, and of the withdrawal agreement Bill, is a document that has absolutely been signed off by the EU27. It is there; it is ready to go; it is off the shelf. The changes—the 10 concessions—relate to the political declaration on the future relationship. So the answer to the right hon. Gentleman’s question is that the European Union would, I think, bite our arms off if we were able to come forward and say, “This is the deal. It needs some tweaks, but, in essence, this is where we need to go.” That is why I think it is so vital for us to use the extension period for a purpose.

**Victoria Prentis (Banbury) (Con):** The hon. Gentleman is being very generous in giving way. I am sorry that there are so many questions, but it is interesting to note that when there is a sensible suggestion the House is genuinely interested in trying to establish some consensus, and in that spirit I ask a slightly cheeky question. Were one to have committed oneself to “do or die” by 31 October, is there any way in which we could get this consensus—this new idea—through the House before that date without relying on the extension?

**Stephen Kinnock:** As my right hon. Friend the Member for Don Valley (Caroline Flint) said on Second Reading, we are ready to work every hour of every day, 24/7. The 31 January date is named in the extension document, but if we can get this done before then, and indeed before 31 October, yes—and the huge advantage is that it is on the shelf and ready to go.

We would not have to accept the withdrawal agreement Bill as it stands in its entirety. We could add amendments in Committee; we could improve it, just as with any other legislation. Those who are campaigning for a second referendum can even try again to add a confirmatory vote in Committee, if that is the way they wish to go. As I said earlier, I myself would consider trying to introduce something nearer to a common market 2.0 approach. All those options would be open to us in Committee, but we have to get the Bill over the line on Second Reading. The reality is that whatever angle we are coming from in this deeply divided and fragmented House, the withdrawal agreement Bill is the only game in town if we want to make progress.

Our second substantive proposal calls on the Government to publish a copy of the draft Bill to implement the withdrawal agreement between the United Kingdom and the European Union within five working days. The draft Bill must include provisions reflecting the outcome of the inter-party talks. We know that that document exists, and we need to see it published so that we can give it the scrutiny that it requires.

For any Member who supports either a deal-based Brexit or even a second referendum, supporting our amendments is the most sensible and pragmatic approach, and the way forward. Let us get this done. Let us rediscover the lost art of compromise. Let us move our country forward, on to the issues that matter to people up and down the country.

**Mr Iain Duncan Smith (Chingford and Woodford Green) (Con):** I am sorry to interrupt the hon. Gentleman, because I suspect that he has reached his peroration, but may I ask him a simple question? Has he checked with his Front Benchers that they would support his amendment if he was to press it?

**Stephen Kinnock:** I understand that our position at the present time would be to abstain, but I am not 100% sure of that. I really hope that, having listened to the debate, colleagues throughout the House will consider supporting the amendment, because I think that given the amount of support that we are receiving from Members on both sides of the House, we have a real chance of getting this across the line.

**Albert Owen (Ynys Môn) (Lab):** Will my hon. Friend give way?

**Stephen Kinnock:** I will give way briefly, but then I must press on.

**Albert Owen:** In new clause 1(2)(b), my hon. Friend talks of alignment with Northern Ireland. Is he saying that the whole United Kingdom—all four nations—would be in a single market until such time as the Europeans reached an agreement during the transition period?

**Stephen Kinnock:** That is correct. The commitment in the clarifications of the withdrawal agreement Bill makes it clear that that will be the case until such time as alternative arrangements are found. I will be absolutely frank: the backstop is at the heart of the withdrawal agreement Bill, but if Members really boil it down, how
many in this House are actually opposed to it? I am a big fan of the backstop because I believe the backstop protects peace in Northern Ireland. The vast majority of Conservative MPs voted for the withdrawal agreement, which has the backstop at its heart. There are a maximum of 50, or 60 maybe, Members of Parliament who are opposed to the backstop, and as a result we are in the mess we are in now; it is the definition of the cliché “the tail wagging the dog”, and it has to stop.

Let us move forward. Let us get back to the issues that people really care about on the doorstep: education, health, housing and cutting crime. Do we remember when we used to discuss those issues in politics—the vital bread-and-butter issues that really matter to our communities?

This House has been paralysed by its extremes; it is time to break the deadlock, and I hope that colleagues will join us in the Division Lobby later in that spirit.

Several hon. Members rose—

The Chairman of Ways and Means (Sir Lindsay Hoyle): Order. To help the situation for Members, nothing has been selected for votes as yet, so let’s hope that people will be happy.

Sir William Cash (Stone) (Con): The question I raise in this series of amendments relates in particular, as I said in my brief speech just now, to the extent to which the United Kingdom is put under a duty—an obligation—to be subservient to the European Union. I find this Bill deeply offensive for that reason alone, and, as I said earlier, our whole parliamentary constitutional arrangement is based on the fact that we make decisions in general elections by the free will of the British people in a secret ballot. When those decisions are taken and the results come out in the respective constituencies and a majority or otherwise is arrived at to decide upon the composition of this House of Commons, that is a free Parliament based on a secret ballot and on the free choice of the British people.

I believe that we are heading for a general election, and I think that that will sort out a lot of the problems we are currently experiencing with this Bill and, indeed, in relation to the whole question of satisfying the decision taken by the British people in the referendum, and indeed by this House on frequent occasions with the referendum Act itself by six to one, the notification of withdrawal Act by 499 to 120, and then again the European Union (Withdrawal) Act 2018. Every single Conservative MP voted for that Act, which clearly stated that we would leave the European Union and repeal the European Communities Act 1972 on exit day, which is 31 October. That is categorically the law of the land, so the whole concept of our democracy, which is somehow or other being subverted by this Bill, is actually already in place; this has been decided and I see absolutely no justification whatsoever for seeking to reverse it. I also see no justification for reversing the votes that my hon. Friends have themselves already cast over and over again in favour of not only the referendum Act—it was also in the manifesto—but the notification of withdrawal Act, and the withdrawal Act itself?

So I can see no justification for the majority in this House, because although this measure scraped through by 29 votes, we know where the votes came from. There is no doubt about it; they came from former Conservative Members of Parliament, and some who are unfortunately—I think by their own choice—in a position where they have had the Whip taken away from them.

I regret that; I saw it happen on a previous occasion with the Maastricht treaty, although it did not happen to me personally, but I can only say that if you live by the sword, you die by the sword.

Sir Oliver Letwin (West Dorset) (Ind) indicated assent.

Sir William Cash: My right hon. Friend nods his head, because that is true, and that is how it goes.

John Redwood: But is not the fundamental unacceptable point about this piece of draft legislation the way in which it allows the EU to dictate to the United Kingdom and the Prime Minister any terms it likes and leaves us no bargaining position whatsoever?

6 pm

Sir William Cash: That is absolutely right, and that is why, in my short speech earlier, I said that this should be called not the European Union (Withdrawal) Bill but the European Union (Subservience) Bill. This is a subjugation, and we have experienced this. That is why I called on the previous Prime Minister to resign. We had a capitulation on 11 April; we had a flurry of points of order, then we had a statement that afternoon, at which point I asked her whether she would resign, because she had capitulated. This Bill is a mirror image of that, but in a way it is even worse, because it places a legal duty on the Prime Minister—enforceable by judicial review if it came to it—to carry out this act of political suicide. Members on the Opposition Benches really ought to reflect on the full extent and nature of the subservience, subjugation and vassalage that they are putting the United Kingdom in. It is a total and utter disgrace. It flies in the face not only of the referendum result itself but of section 1 of the European Union (Withdrawal) Act 2018, which specifically states:

“The European Communities Act 1972 is repealed on exit day.”

Exit day is prescribed as 31 October.

I want to add another point, which is about money. Does the self-indulgence of the people who voted for this bear in mind the fact that every single month that has gone by since the end of March, when we should have come out, is costing about £1.2 billion? Every time they go in for this self-flagellation and this unbelievable determination to extend the period of time—for no purpose whatsoever, because they will never come to an agreement—it is costing the British taxpayer, the people we represent. This is a denial of the democracy that they expressed in the referendum, which we in this House specifically gave to them to decide. We did not say, “Oh, we’re giving you this right under the European Union Referendum Act 2015 to make a decision on whether we stay or leave, but actually when it comes to it, if we don’t like the outcome, we are going to turn turtle on you and reverse that decision in Parliament.”

Parliament, by a sovereign Act that is still on the statute book, gave the right to the British people unconditionally and deliberately to make that decision of their own account, and not ourselves.
An astonishing illustration of what I am saying is to be found in clause 3(2) of the Bill, which states:

“If the European Council decides to agree an extension of the period in Article 50(3) of the Treaty on European Union ending at 11 pm on 31 October 2019, but to a date other than 11.00 pm on 31 January 2020, the Prime Minister must, within a period of two days beginning with the end of the day on which the European Council’s decision is made, or before the end of 30 October 2019, whichever is sooner, notify the President of the European Council that the United Kingdom agrees to the proposed extension.”

This is the enforceable duty. This is the insane provision that is being imposed on us in defiance of our constitutional arrangement that decisions are taken not by individual Members of Parliament in a private Member’s Bill but by the elected Government, in line with the referendum decision. So the Prime Minister would be under an obligation within a period of two days—beginning with the end of the day on which the Council’s decision is made, or before the end of 30 October 2019, whichever is sooner—to notify the President of the European Council that the United Kingdom agreed to the proposed extension. So, it is not just that we are going to be saddled with a decision on an extension to 31 January 2020 to the cost of something well over £3 billion, because if the Council agrees, we would then be under an obligation to accept whatever date it puts forward, being a date other than a period ending 11 pm on 31 January 2020. It is strange to say that I have not heard that point being explained by the proponents of this Bill. I heard the right hon. Member for Leeds Central (Hilary Benn) giving a description on Second Reading of what the Bill is about, but I did not hear him say what I have just said. I would like him to get up and deny it if what I have just read, which is in the text of the Bill, is wrong.

Hilary Benn (Leeds Central) (Lab): I did directly address that question in my speech on Second Reading, but the hon. Gentleman has not read clause 3(3), which explains the circumstances in which subsection (2), to which he has such objection, would not apply.

Sir William Cash: I do not think that that is really an excuse, because the reality is that this is the decision—[Interruption.] I will read out the subsection to which the right hon. Gentleman just referred. It states that “subsection (2) does not apply if the House of Commons has decided not to pass a motion moved by a Minister of the Crown within a period of two calendar days beginning with the end of the day on which the European Council’s decision is made or before the end of 30 October 2019, whichever is sooner, in the following form—

“That this House has approved the extension to the period in Article 50(3) of the Treaty on European Union which the European Council has decided.”

However, the likelihood of that not happening is absurd. I really do think that this is just another example of the kind of obfuscation which this Bill provides in almost every clause. In fact, it is not just obfuscation, because it drives a coach and horses through the way in which we should be and have been governed.

Mr Duncan Smith: A valuable point was raised earlier that also explains how this Bill is problematic, which is that clause 3 assumes that the EU would in some way make a conditional offer. However, the EU is in control of whether it makes any kind of offer—conditional or not—so the Bill hinges on the EU’s ability or desire to do that, which of course probably will not happen, and it is not meant to, anyway.

Sir William Cash: That is true. Indeed, we had all this back in April when, if one looks at the text of the decision and the manner in which it has taken, one can see that it was hedged with certain conditions. What is going on here is that this Bill is driving us to do something that is in complete contravention to the decision that has been taken already in section 1 of the European Union (Withdrawal) Act 2018, which itself implements the decision that was taken by the British people. This Bill undermines the referendum, it undermines the law of the land as expressed in section 1 of the 2018 Act, and the commencement order has already been made.

I pay tribute to my right hon. Friend the Secretary of State for Exiting the European Union for bringing in that commencement order, which makes things a done deal. We are now in a position whereby we have repealed the European Communities Act 1972, subject only to the fact that the law of the land says that that will have effect on 31 October. This Bill is a monstrous piece of legislation designed to turn inside out not only our constitutional arrangements, but the decision of the British people in the referendum and Government policy.

The Prime Minister established another important point in his leadership election result. He got two thirds of the parliamentary Conservative party to vote for him, and he got two thirds of the grassroots—the associations—to vote for him. If ever a Prime Minister had a mandate to make such decisions within the framework of the Conservative party, it is there, which is another reason why I take exception to the fact that this Bill is going through because a number of colleagues—I am sorry to have to say this, because it is a sad business—are flying in the face of the mandate that the Prime Minister got within the framework of the Conservative party.

There is no doubt whatsoever that, within the framework of our constitution—and I will conclude with these words—it is simply monstrous that we should be put in a position where a judicial duty is imposed on the Prime Minister to make a decision under the terms of this Bill. Frankly, I find it inconceivable that anyone could possibly vote for it.

Sir Christopher Chope (Christchurch) (Con): It is a pleasure to follow my hon. Friend the Member for Stone (Sir William Cash) who, as always, is on the side of the optimists rather than the defeatists.

Listening to the hon. Member for Aberavon (Stephen Kinnock), with whom I have had the pleasure of serving on the Brexit Committee, I fear he is a pessimist in this. He thinks we need a compromise, but he does not talk about the need for the European Union to compromise. He talks only about the need for the United Kingdom to compromise, in the face of a clear commitment by the British people to leave the European Union.

I will speak briefly to the amendments in my name and in the name of my right hon. and hon. Friends. Three years ago, the people of the United Kingdom instructed us, with the largest democratic mandate in our history, to obtain a divorce from the European Union and, in March 2017, Parliament accepted that instruction by giving notice under article 50 of the EU treaty.
Article 50 makes provision for an amicable divorce or for a divorce without agreement. In a traditional divorce to dissolve a marriage, both parties accept the irretrievable breakdown and try to agree sensible future arrangements, but the EU has never accepted Brexit. The EU and its institutions do not want a divorce. If there was any doubt about that, it has been made clear to us on the Brexit Committee whenever we have visited the European institutions and their leaders that the EU is just hoping and praying that Brexit will go away and that we will remain in the European Union.

They do not want a divorce, so their motivation is to contest that divorce by putting forward unreasonable and unacceptable terms that offer us only a punishment deal. My right hon. Friend the Member for Maidenhead (Mrs May) anticipated that in her Lancaster House speech, in which she said she feared that that might be the approach of the European Union, that it would be intent on offering us a punishment deal.

That is exactly what the EU has done, and the only alternative to a punishment deal under article 50 is no deal. Unless amended, this Bill will remove even that option, which enables us to put pressure on the European Union to come to the negotiating table to talk about a better deal.

As my right hon. Friend the Leader of the House said yesterday, this is a dreadful deal that has already been rejected by the House on several occasions. With this Bill, are we really going to be left with the options of either no Brexit or Brexit in name only? That is essentially what we are talking about tonight.

The United Kingdom’s freedom to divorce under article 50 is constrained by this Bill by being made subject to an EU veto that enables the EU to block Brexit, effectively indefinitely, unless or until the UK reneges on the decision of a referendum. The Bill removes any incentive for the EU to negotiate, which is why the Prime Minister is right. If this Bill passes tonight, we will take away from him any opportunity to negotiate. All he could do is be a supplicant at the table of the European Union. In effect, this would be an example of modern international slavery, where we are imprisoned by the EU with no reasonable way out.

6.15 pm

Sadly, the EU’s collaborators in this House have become more strident and less cautious as time has elapsed. My right hon. Friend the Member for West Dorset (Sir Oliver Letwin) has said, in public, in this House and in private, that his objection to no deal is only because of the lack of preparation—

Lady Hermon (North Down) (Ind) rose—

Sir Christopher Chope: I will not give way. My right hon. Friend has now dropped that pretence, telling us yesterday that this Bill will show whether or not the House of Commons accepts a policy of a no-deal exit. He is saying that if this Bill carries on into law, we will be telling the EU, “Not to worry, in no circumstances will we be leaving without a deal.” In other words, we will be throwing in the towel to the EU. Nothing in this Bill is related to the no-deal preparations or recognises that since the change of Government expenditure on no deal has increased dramatically and that we are now in a position where we will be prepared for no deal—we should have been better prepared for it in the first place.

If the remoaners had the guts, they would have brought forward a Bill to revoke article 50, which is what they want in their hearts and what the EU wants, but they know that that would be resoundingly defeated if it were presented to this House. What we have instead is the revocation of article 50 in all but name—a device to deceive the public. This is a squalid little Bill. It is an affront to Parliament, to democracy and to the people, because it enslaves the UK to the EU. It relegates us to the status of a colony. It treats the UK as though we had been vanquished in war, by giving the EU the power to dictate the terms of our surrender. I despair at the defeatism of so many of my colleagues, and I hope that we will fight back and win in a general election, for which I cannot wait.

Jeremy Lefroy (Stafford) (Con): On a point of order, Dame Eleanor. Is it in order for my hon. Friend the Member for Christchurch (Sir Christopher Chope), for whom I have great respect, to compare what we are talking about now with slavery, which, around the world, is a most terrible thing and—

The First Deputy Chairman of Ways and Means (Dame Eleanor Laing): Order. I appreciate the point the hon. Gentleman is making, and indeed his dedication to fighting that particular evil, but that is a debating point, not a point of order, and we do not have time this afternoon.

Mr Duncan Smith: I am going to be brief, as I know many others want to get in, Dame Eleanor. I wish to compare a couple of these amendments and say a few words as to why this Bill is a very bad one. First, let me say to the hon. Member for Aberavon (Stephen Kinnock), who is, sadly, no longer in his seat, that his is a genuine attempt to find a way forward. I have just been reading it, having just looked at it, and it is intriguing. He is specific in one of his amendments, saying that the purpose of the letter to extend would be to “include provisions reflecting the outcome of inter-party talks as announced by the Prime Minister on 21 May 2019”.

As I say, this is a genuine attempt being made by those who really do think that this House stands in serious danger of being perceived by the public more and more as having taken the position that nothing will satisfy it and that the only thing that it wants at the end of it all is to defy the decision taken at the time of the referendum. That is very much the opinion growing out there, and I was intrigued when the hon. Gentleman made the point that we in this place are now being perceived as a Parliament opposed to the people, not a Parliament to represent them. The people voted to leave, whether we liked it or not, and now this Parliament seems set on a course to obfuscate and delay that, with a view to overturning it eventually.

There is no question in my mind about the hon. Gentleman’s legitimate observations—we get on very well and play football together, so I am slightly in favour of him anyway—but although he said the talks were good, the problem was that at no stage did his Front-Bench colleagues conduct them in a genuine sense. The truth was that they probably never intended to
agree anything with my right hon. and hon. Friends who were in government at the time. I had a whispered exchange with the Father of the House, and he made the point that one reason for that was probably that they were under attack by the second-referendum crowd, who were absolutely opposed to any idea that the Opposition could strike any kind of agreement with the Government that would do away with the idea of a second referendum and therefore the opportunity to vote down the original referendum result. That lies at the heart of it. There is a deceit in all this. As I said earlier, I genuinely believe that the hon. Gentleman was genuine in his view, as were many of those aligned alongside him in that regard, but I do not believe that to have been true of the Labour party Front-Bench team—in fact, throughout all this they have played fast and loose.

When I come to the proposition with which the Bill is concerned, I come back to why I think it is a bad Bill. For all the talk about not wanting to have no deal and wanting to have a deal, although some of those who propose this measure voted for the previous Prime Minister’s deal, if every one of them really wanted any deal rather than no deal, they would have voted for that deal. Strangely, they found themselves voting against it at the time.

Richard Graham: My right hon. Friend is making an absolutely valid point. There is a huge amount of virtue signalling in the House from people who do not want no deal but will not vote for a deal. The amendment I have tabled would enable everyone to state clearly, on the record for their constituents, whether they will allow us all the chance to vote for a deal rather than for no deal, on Monday 21 October. Does my right hon. Friend agree that that is a sensible way of being absolutely straightforward about the issue?

Mr Duncan Smith: I encompassed the hon. Lady in my remarks about those lined up alongside the hon. Member for Aberavon with genuine intent, who want to do something about it.

All these issues are interesting, but the problem we face is that the position of those on the Labour party Front Bench has now completely shifted. It is clear to me that they do not want an agreement of almost any sort. Any obstacle will be placed in the way and a deal will never be achieved. They think that enough delay will produce a second referendum, and of course, they want to vote remain. This Bill is a vehicle to produce a route to a second referendum. That is what this is all about.

All I can say is that I did not want my colleagues to be taken out and to lose the party Whip—I have been a bit of a rebel in the past myself—but everybody knows what they do when the Government say there is a vote of confidence. The Government set a vote of confidence on this issue because it is at the very heart and soul of where the Government currently are, which is that they want to negotiate a deal. They want to get a deal, but they do not think we will ever get a deal if we are not able to say, “Ultimately, we will leave, whatever the case, so it is over to you to show some flexibility in the arrangements.”

I simply say that I will continue to vote against the agreement notwithstanding the fact that some of my colleagues will not. I have to say that this Bill is a route to delay and that delay in turn is a route to a second referendum and that second referendum, the Opposition hope, is a way to overturn the view and belief of the British people, which would be quite undemocratic.

Andrew Percy: I have some sympathy with amendment 19 moved by my hon. Friend the Member for Gloucester (Richard Graham), and some sympathy with new clause 1 and also amendment 6, but I cannot vote for them, particularly new clause 1 and amendment 19, because people outside have figured out what is really going on here. As I said in my intervention earlier, we are in this position of not having left the European Union because there are people in here who were elected on a mandate and who stood up and said that they intended to deliver the result, but who have never had any intention of delivering our exit from the European Union. They are scared of their electorate, yes, and they now scared of their “selectorates”, but they never had any intention of delivering on the result. What they have done is play for time, exactly as suggested a moment ago by my right hon. Friend the Member for Chingford and Woodford Green (Mr Duncan Smith). They now want to play for time again, because they want to get us to 2020. When we get to 2020, it suddenly becomes, “Well, that referendum was in 2016. It is quite hard to implement a mandate from 2016 in 2020, which is roughly the length of an average Parliament.” That is what is going on in here.

The people have figured it out. My constituents went to the polls in 2016 and voted to leave the European Union by a margin of 67% in the belief that the result would be implemented because both sides had told them that. They trotted along to the general election of 2017.
Some 93% of them voted for two political parties, which said that they were going to implement the result. They have figured it out. They believe that there are people in here who never had any intention of delivering on the result. If we have another extension and something else comes back, there will be another reason why they cannot quite bring themselves to vote for it. The particular niche thing that they select, perhaps never having mentioned it before, will suddenly be the block on why they cannot quite get themselves across the line. I am sick of it. The people are sick of it. They have figured it out. The reason why we are in this position is that, when people talk about compromise, we have had this perverse alliance—

Sandy Martin: Will the hon. Gentleman give way?

Andrew Percy: No.

We have had this perverse alliance—

Sandy Martin: Will the hon. Gentleman give way?

Andrew Percy: No.

We have had this perverse alliance of people who never wanted us to leave the European Union—remainers—voting with the minority of people on the Conservative Benches who actively want us to have a no-deal Brexit. They have trotted through the Lobby together, while people like me who came into this House in 2010 are absolutely determined to get us out of the European Union. We have done exactly what was asked of us and what is being demanded of us now. We have compromised. We have looked at that withdrawal agreement and said, “You know what, it is not perfect, but I respect the promise that I made to my constituents.” I respect the minority of my constituents who also voted remain and therefore expect me to represent them as well, which is why I have compromised and voted for that deal on three occasions. I have voted for a Norway option and an European Free Trade Association option on four other occasions, and the same people who lecture us repeatedly about how we need to compromise to get us across the line are the very same people—not all of them, but many of them—who trotted through the Lobby to kill that deal on three occasions and to kill the indicative votes on those four occasions.

I have to ask this question: when did it become the case that people who campaigned for remain could tell people who voted leave what is it that they voted for? When did it become acceptable for them to say, “No, no, no! These leave voters, whom I do not fully understand because I was on the wrong side of the debate and on the wrong side of my constituents, did not vote for no deal”? Last night, I received an email from a constituent called Kirsty. She posted this question to me. She said, “Why do these people who got the referendum result wrong, were on the wrong side, get to say why I voted?” She said, “I know why I voted leave and I am prepared to have a no deal.” She signed off as Kirsty, under 40, not a racist and quite well educated. All we have heard throughout is that if someone wants a no-deal outcome, then obviously they are just a stupid, thick, racist northerner. People have seen this, and we are sick of it. I will not support any amendment that allows a further extension, because my constituents and I know what is going on here. Those colleagues are playing it long, playing for time and saying that they respect the result when they have no intention of doing so. They did not respect the result in March or April of this year, and they are not going to on 31 October. You can sure as damn tell it. Dame Eleanor, they ain’t going to on 31 January either.

John Redwood: I would like us to leave on 31 October, as agreed, with a free trade agreement, or with serious talks about a free trade agreement, so that new tariffs or barriers need not be imposed on our trade with the EU or its trade with us. I am quite sure that we have a chance of achieving that only if so-called no deal is left firmly on the table, and if the European Union knows that we will leave with no withdrawal agreement or free trade agreement if it does not agree to those talks or offer such an agreement. That is our only lever.

I came to this debate against the Bill, because I think it tries to take away our only or best negotiating lever. I have listened carefully at amendment 6, new clause 1 and amendment 19, and I have listened to the debate on them. I am quite sure that the hon. Member for Aberavon (Stephen Kinnock) and my hon. Friend the Member for Gloucester (Richard Graham) have very good intentions. I am sure that they are desperately trying to find compromise and a way forward at a time when the country is divided, as it was during the referendum campaign, and when this House remains extremely divided, or fragmented, into a series of different factions with different views on the best outcome.

Having listened to the debate, I share the view of my hon. Friends the Members for Brigg and Goole (Andrew Percy) and for Christchurch (Sir Christopher Chope). The amendments are on the side of thwarting the referendum result. They are designed to undermine Britain’s main negotiating card, which is our right to leave without having to make any more payments, accept any more laws or accept any instructions on our borders. The three things that the leave voters I met in large numbers during the referendum campaign wanted were to take control of our money, our borders and our laws. We have the right to do that on 31 October.

Patrick Grady (Glasgow North) (SNP): Take control of our laws!

John Redwood: Yes, take control of our laws. [Laughter.] That is what we are arguing about today. I am explaining the extreme irony that this Parliament, which claims to believe in democracy, is deliberately trying to thwart our democracy by denying the result of the democratic decision that was made by the people, and that we said was theirs to make; and that this Parliament is trying to overturn the promises that many candidates—on the Labour side, in particular—made in the general election of 2017, and that they seem to have forgotten now that they are Members of Parliament.

Sir William Cash: I noticed the laughter from the Scots Nats at what my right hon. Friend said. In view of the very good sense that he was speaking, I invite the House to consider this. Is it not the case that under the withdrawal agreement, during the transition period,
decisions will be taken by the Council of Ministers to impose obligations and laws on the United Kingdom without our even being there, without any transcript, without any Hansard and almost invariably by consensus? Is not the whole thing a massive racket, the object of which is to put us in a state of subjugation—

The First Deputy Chairman of Ways and Means (Dame Eleanor Laing): Order. Sir William, thank you, but we are running out of time.

John Redwood: My hon. Friend makes an extremely important point, which goes to the heart of the crucial issue about our democracy that the hon. Member for Glasgow North (Patrick Grady) raised from a sedentary position. One of the features that many of us found most objectionable about the withdrawal agreement was precisely that for a long and unspecified transition period that could have stretched on for many months—it was not clear what would end it—we would be under any new law that the European Union wished to impose on us, with no vote, voice or ability to influence that law.

At the moment, as a full member, we have some influence. We have a vote, and sometimes we manage to water down or delay something, but in the transition period we would have none of those rights. Any of the existing massive panoply of European law could be amended or changed by decisions of the European Court of Justice, and that would be binding on the United Kingdom. This is completely unacceptable for a democratic country—that, when a majority of people in a democratic referendum voted to take back control of their laws, their Parliament then says, “No; far too difficult a job for us. We don’t want to participate in this process. We don’t want to take control of your laws. We want to delegate most of them, in many fields, to the European Union and have a foreign court developing our law for us in ways that we might find completely objectionable.” None of the amendments that I have just been mentioning, in the names of my hon. Friend the Member for Gloucester (Richard Graham), the hon. Member for Aberavon (Stephen Kinnock) and others, intending to find a compromise, tackles this fundamental obstacle to the withdrawal agreement and to the idea that we can somehow negotiate our way out of the European Union if it does not think we just intend to leave.

Lady Hermon: I am very grateful indeed to the right hon. Gentleman for taking an intervention. May I take him back to something that he said, because it is really very important? The right hon. Gentleman and many of his colleagues have claimed—in the referendum, subsequently and tonight—that they are going to take back control of the borders. May I just ask him how he intends to take back control of South Armagh, and would he like to come to Crossmaglen and explain why it is all right for us to go out without a deal?

The First Deputy Chairman of Ways and Means (Dame Eleanor Laing): Order. We are running out of time, and it would not be a proper debate if we did not hear from those on the Front Benches. I am sure that the right hon. Gentleman will understand that and bring his speech to a conclusion very quickly.

John Redwood: Well, of course, if we just leave, we take back control of our borders. We can then decide whether we wish to do anything about it. We may wish to leave in place exactly all the existing arrangements. I am not making any recommendations that would embarrass the hon. Lady or her friends in Northern Ireland. We are very sensitive about that border. Indeed, the British Government have made it very clear that they see no reason to impose new barriers or difficulties on our side of the Northern Ireland-Republic of Ireland border at all. I am sure that will be very welcome to all those in this House who are seriously worried about this issue. It makes one wonder why the backstop was ever invented or necessary. Why is it so difficult for the European Union just to strip it out given that the EU has a sincere promise—agreed, I think, by all parts of this House—that we do not wish to impose new barriers on that border in a way that could be an obstacle to good relations and the peace process?

Craig Mackinlay (South Thanet) (Con): I wonder whether my right hon. Friend has ever had the experience of having builders in and not having given them an end date. What happens? The building work goes on and on and on. Is it not time that we told the builders, “The end date is 31 October. You finish the job—no ifs, no buts, no compromise”?

The First Deputy Chairman: We all know that it is great for emphasis to repeat things, but we are running out of time.

John Redwood: I will accept your guidance, Dame Eleanor.

In conclusion, these amendments do not fix the Bill. This Bill is extremely damaging to our democracy, undermines our negotiating position and would therefore achieve the opposite of what many of its proposers say they are trying to achieve.

Stephen Gethins (North East Fife) (SNP): One thing that this Bill has done today is to show the progress that can be made when Members of Parliament work together and overcome our political divides. Something that is also clear is that nobody seems to be arguing that leaving the European Union is a good idea.

I am not sure how to follow the last contributions, or how to talk about issues such as democracy when we have a Government who want to ignore laws that get passed by this place, who already ignore motions on crucial issues such as pensions fairness for the WASPI women and who want to stuff the unelected House of Lords full of pro-Brexit peers. The idea that that is somehow democratic and bringing back control defies belief.

Worst of all is the prospect of a no-deal Brexit for which there is no mandate—no one voted for it. In fact, the Prime Minister told us that it would be the easiest deal in the world and there would be no chance that this would ever happen.

Many Members on the Government Benches understand that, and I pay particular tribute to the right hon. Member for North East Bedfordshire (Alistair Burt), who made a fine contribution earlier today and who was a fine Minister, but for whom there is no space left in the Conservative party. But the hon. Member for Stone (Sir William Cash) told us everything we needed
to know. When he talked of a mandate, he talked in terms of a Conservative party leadership election in which 0.1% of the population, if that, could vote. That is not a mandate; that is not democracy. Let me say to such Members—I have tried to say it gently terms but I will do so in the strongest terms possible—that given the harm caused to everybody by the Government’s no deal, Brexit is bigger than the Conservative party, and bigger than every single party in this place. When Members think about this tonight, they would do well to remember that.

Members such as the hon. Member for Gloucester (Richard Graham), among others, have had good intentions in what they try to do, but this is a Government who have no idea what they are doing, and we must—must—take no deal off the table. I thank the Members who have backed our Bill tonight for their contributions. We will not be backing any amendments because we need to get this Bill through and take no deal off the table.

Paul Blomfield (Sheffield Central) (Lab): I thank everybody who has contributed to this debate, because it has been largely thoughtful and reasoned, both in Committee and on Second Reading. It has been the sort of debate that we could usefully have had more often over the past couple of years. I recognise that the amendments, particularly those tabled by the hon. Member for Gloucester (Richard Graham) and my hon. Friend the Member for Aberavon (Stephen Kinnock), are put forward with good intentions and to seek to assist the process. However, our view on all the amendments is determined by the objective of the Bill itself, as was made clear by my right hon. Friend the Member for Leeds Central (Hilary Benn) on Second Reading.

The Bill has one clear purpose, which is to prevent a disastrous no-deal Brexit on 31 October. An extraordinary coalition has been brought together over the past few weeks to put the Bill forward in the spirit of consensus. We know that no deal would be a disaster for jobs, for the NHS, for policing and for security. The Government’s own papers from Operation Yellowhammer made that clear.

In addition, there is real anxiety about the lives of EU citizens in the UK and those who are too often forgotten, UK citizens in the EU, being thrown into uncertainty and potential legal jeopardy. Of course, as many have pointed out, no deal would not be the end of Brexit, quite the opposite: it would be the beginning of years of long negotiation over our future relationship in which we would start from a significantly disadvantaged position.

When we make the arguments against no deal, we are speaking not only on behalf of the coalition in this House but for many beyond. The CBI has called no deal “a tripwire into economic chaos”. The TUC has said it would be “a disaster” for working people. This is our last chance to avoid no deal. The House has voted against it three times, but we need this legislation because the Prime Minister and his Government cannot be trusted to enact the will of the House without it. Parliament is sitting today only because of the amendments to the Northern Ireland (Executive Formation etc) Act 2019 tabled by the right hon. and learned Member for Beaconsfield (Mr Grieve). The Prime Minister made it clear that he saw this September sitting period as a nuisance, saying that the “whole September session...is a rigmarole”.

The Prime Minister has told the House that he is pursuing a deal with the EU, but he has equally told the House that nothing has been proposed to it, and the EU has, in effect, confirmed that. We heard the devastating critique from the former Chancellor earlier today. European officials have told the press:

“There was literally nothing on the table, not even a sketch of what the solution could look like.”

The Prime Minister’s closest adviser has apparently called the talks “a sham”—he said that right at least. The Government’s current working alternative to the backstop is simply taking the backstop out. Nothing new is being proposed. But if, by some miracle, there is some deal negotiated with the EU, then the Prime Minister can bring it back to the House for us to vote on; that is incorporated in the Bill. Let me turn to the amendments to the Bill.

6.45 pm

Stephanie Peacock (Barnsley East) (Lab): Does my hon. Friend agree that there is no mandate in this place for no deal, just as there is no mandate for remain? In that spirit, will he and those on the shadow Front Bench support our compromise amendment, which looks to bring Members across the House forward to get a compromise deal and get the House and the country out of this crisis?

Paul Blomfield: My hon. Friend pre-empts the point that I was about to make, as I was coming on to talk about the amendments. She is right to say that there is no mandate for no deal. All those who campaigned so vigorously for leaving the European Union in 2016 made it absolutely clear that they were doing so with the intention of securing a deal—a better deal, and a deal that would be available in months. The voters who cast their ballots back in 2016 were given the clear impression that that would involve a relationship described by the current deputy Prime Minister—if that is still the description—of broadly similar to what we have at the moment. There is no mandate for no deal. Clearly, people voted to leave, but by a painfully—

Ian Austin (Dudley North) (Ind): Will my hon. Friend give way?

Paul Blomfield: I will.

Ian Austin: Like me, my hon. Friend stood on a manifesto that promised to respect the referendum and to implement the outcome of that referendum, yet it is absolutely clear that what those on the Labour Front Bench have done during this process is frustrate the entire exercise, create as much chaos as possible and prevent any prospect of a deal being implemented. If he wants people to believe that he is in favour of a deal, can he update the Committee on what work those on the Labour Front Bench are doing to put forward constructive proposals to uphold the mandate he was given at the last election, which was to find a way of leaving the EU?
Paul Blomfield: I am happy to do that. We stood at the last election on a commitment to respect the result of the referendum but to rip up the negotiating mandate that the Tory Government had, which we felt failed the British people. I said from this Dispatch Box on 4 December 2018, when winding up the debate that the Prime Minister opened on the withdrawal deal, that if only she had seized the opportunity to be straight with the British people that they had voted to leave but by a painfully close margin and that the mandate was that we would no longer be members of the European Union but that we could retain a close relationship—in a customs union, aligned with the single market and part of the agencies and partnerships that we had built together—then we could have secured a deal. We entered into the cross-party talks in that spirit.

Mr Duncan Smith: Will the hon. Gentleman give way?

Several hon. Members rose—

Paul Blomfield: I am conscious of the need to give the Secretary of State time to speak and the Chair’s beady eye, so I will not. I have taken a number of interventions. I will finish the point, which relates to the last intervention.

The point about the cross-party talks was that we entered into them in good spirit and with clear proposals. The Prime Minister refused to budge on her red lines, and those talks broke down. I listened carefully to the speech made by my hon. Friend the Member for Aberavon, and I listened carefully to him on the radio this morning. The difficulty with the amendment he has tabled is not his intention, but some of the practicalities of it, because he is proposing an amendment for something that does not really exist—a withdrawal agreement plus points to which the Government did not agree.

Stephen Kinnock: Will my hon. Friend give way?

Paul Blomfield: Briefly, on that point.

Stephen Kinnock: I accept that we do not have an officially published withdrawal agreement Bill, but we do have a clear commitment from the Government based on the cross-party talks, which would be easily encapsulated in a Bill that was ready to be put forward to Parliament—I know, because the former Chief Whip showed it to me.

Paul Blomfield: I think my hon. Friend is talking about the Theresa May Government, which is a very different proposition from the one we face at the moment. We were not at that stage of agreement. If there had been the basis for an agreement, we would have seized that opportunity in the talks. Although I have sympathy with what he says, and those proposals could be part of the discussions that we need to have in the extended period that we will secure when this Bill is passed, as will the proposals that other Members across the Committee have made, we need the space to have those discussions, and we can only achieve that space by voting for the Bill.

This Bill has successfully brought Members across the House together around a single, clearly focused objective. We are united behind the need to avoid a no-deal Brexit. We need to keep our focus very narrowly on that when we vote and ensure that we achieve that objective because we know—a clear majority know; a growing majority within this House know—that if we allow ourselves to stumble into a no-deal Brexit, it will be a disaster for the country.

The Secretary of State for Exiting the European Union (Stephen Barclay): The principle of this Bill in seeking an extension is wrong. The Government opposed it on Second Reading and we will oppose it on Third Reading. Indeed, it is so flawed that we have not bothered to table amendments to it; we oppose it in all forms.

This Bill cannot be improved because it goes against the democratic wish of the British people, the vote of 17.4 million of our citizens and the strong desire of many up and down this land who want certainty and clarity and who want Brexit done so that we can get on to the wider domestic agenda, as set out by the Chancellor in the spending review earlier today: 20,000 more police officers, with recruitment starting in Yorkshire tomorrow; a record increase of £6,000 on starting salaries for teachers; levelling up opportunity for those who warrant it; and supporting the economy through the tough decisions we took in 2010, which allows the record investment in our NHS, with 20 new hospital upgrades.

The hon. Member for Aberavon (Stephen Kinnock) spoke with sincerity and I do not question the spirit in which he brings new clause 1 to the Committee this evening, but he also spoke of compromise. As my hon. Friend the Member for Brigg and Goole (Andrew Percy) correctly identified, the reality is that the hon. Member for Aberavon voted against the deal all three times—all three times.

Stephen Kinnock: Not the deal in the amendments.

Stephen Barclay: Now the hon. Gentleman says that he would vote for the deal as in the amendments. However, as he also said, the withdrawal agreement is unchanged. The vote on the third meaningful vote was not on the political declaration, which his new clause 1 speaks to. His vote in the third meaningful vote was against the withdrawal agreement alone; the extension was granted to 12 April and then 31 October. That would not have necessitated participation in the European parliamentary elections. I respect the spirit in which he brings new clause 1 to the Committee, but he seeks compromise on a withdrawal agreement text that he himself has voted against.

Luke Graham: My right hon. Friend will have greater knowledge of this than many in the House, so will he confirm that the cross-party talks were not actually able to agree a compromise? Furthermore, the Government did go out of their way to make assurances on workers’ rights, environmental standards and domestic legislation that the Labour party demanded and subsequently rowed back on when it came to passing a vote, agreeing a deal and moving this country and this House forward.

Caroline Flint (Don Valley) (Lab) rose—

Stephen Barclay: I will come to the right hon. Lady in a moment, but I will just address my hon. Friend’s intervention. It is the case that the talks with the official Opposition were done in good faith on both sides. There were areas of genuine misunderstanding, such as
about the appetite of the Government through the political declaration to participate, for example, in EU agencies. Perhaps at the start of the talks there was some genuine misunderstanding about that. However, as I set out at the start of those talks, if the purpose of those talks was to seek a second referendum, one only needed to look at the Kye-Wilson amendment to see that the talks were not necessary. If we look at the way the talks collapsed, it was on the basis that the position of my shadow and opposite number—he is someone of great integrity, and I respect his position—is one of seeking a second referendum. If that was genuinely the crux of his concern, surely that was self-evident at the start of those talks, and it was not necessary for those talks to progress in order to tease out that point.

Caroline Flint: Of course, I have voted for a deal a number of times. I say, with the greatest respect, we have to move on from talking about who did what and when, and we have to look forward. Many of my colleagues regret not voting for a deal and they are dealing with that right now. From the Back Benches, we are trying—maybe those on both Front Benches could listen to this—to identify and agree that there is much in the withdrawal agreement Bill where there is consensus across the House. It is not the only deal, and our amendment asks Members to reflect and build on it, but, for goodness’ sake, we have to move on. There is an increasingly loud voice across the House wanting a consensus to move forward.

Stephen Barclay: I agree with the right hon. Lady in substance and form. She is right about the requirement for us to move forward and not to look back. In fact, I made a similar point to the Irish Government about how we can move forward constructively, rather than look back at some of the talks to date. She is also right that there is much in the withdrawal agreement on which we can move forward.

That is reflected, if one looks at—[Interuption.] I am trying to address the right hon. Lady’s point. There is much in the letter to President Tusk where the Prime Minister has narrowed down the issues in the withdrawal agreement. Many of my colleagues are concerned about lots of different aspects of the withdrawal agreement, whether on money, the European Court of Justice or geographical indicators, and the Prime Minister has narrowed those issues down. However, it is the case, as my hon. Friend the Member for Brigg and Goole reflected, that some of us have sought compromise and will continue to do so.

Mr Duncan Smith: This is not really about the hon. Member for Aberavon (Stephen Kinnock) and the others, who genuinely, I think, do want to do something. The truth is, it is about the Labour party’s Front-Bench team, which is on a wrecking process. This is all about how to wreck the process of Brexit, have a second referendum—hopefully when everyone is so tired out that they will vote against it—and then overturn the referendum. If they have a genuine view, they should vote with us tonight to wreck this Bill.

Stephen Barclay: My right hon. Friend is absolutely correct. The Prime Minister has been crystal clear in setting an objective of 31 October. In being clear and in turbocharging—through the Chancellor of the Duchy of Lancaster—our preparation for a no-deal outcome we do not seek, we have seen movement, as I touched on in my remarks on Second Reading, from a starting point where not a word of the withdrawal agreement could be changed, to one in which creative and flexible solutions can be explored. Indeed, the Prime Minister’s Europe adviser is in Brussels today making progress on that, yet his work is dismissed by some, because of media reports, as not being of the substance that I know it to be.

John Redwood: Will the Secretary of State confirm that the possibility of us leaving without signing a withdrawal agreement is our main pressure point on the European Union and that without that there is no reason it should give ground?

Stephen Barclay: My right hon. Friend is correct that the European Union, like the United Kingdom, wants a deal, and it is worth reminding the House why that is the case. While its position on money, citizens’ rights and the Northern Ireland border has been unified, the impact of a no-deal outcome is asymmetric across the EU, particularly on issues such as fishing and geographical indicators that are not protected. It is worth reminding the House that there are over 3,000 European geographical indicators, but just 88 UK GIs, so when we hear that the EU is fully prepared for no deal—that my counterpart, Michel Barnier, says it is fully ready for no deal—there is a difference between legislation or regulations it may want to put in place and the reality of operational readiness, which is much more varied between member states.

This Bill is about delay. It is about legislative purgatory. It is about disguising the true intent—not of all colleagues, because there are some who have voted for a deal three times—or of many who voted against a deal not once, not twice, but three times, yet then say that they are against no deal, as well. This is a Bill that is designed to stop Brexit and comes at a cost of £1 billion a month—£1 billion that we want to see invested in our frontline in the way the Chancellor set out. This is a Bill that is flawed. I urge colleagues across the House to oppose it on Third Reading.

7 pm

The Chair put forthwith the Question already proposed from the Chair (Order, 3 September), That the amendment be made.

The Committee proceeded to a Division.

The Chairman of Ways and Means: I ask the Serjeant at Arms to investigate the delay in the No Lobby.

The Committee havind divided: Ayes 65, Noes 495.

Division No. 441] [7 pm

AYES

Afolami, Bim

Aldous, Peter

Andrew, Stuart

Badenoch, Mrs Kemi

Baldwin, Harriett

Barron, rh Sir Kevin

Bottomley, Sir Peter

Boles, Andrew

Bradley, rh Karen

Bowie, Andrew

Champion, Sarah

Chalk, Alex

Cavalfield, Maria

Clark, Colin

Cooper, Rosie

Crabb, rh Stephen

Davies, Mims

Dinenage, Caroline

Dyke-Price, Jackie

Duguid, David

Dunne, rh Mr Philip

Ellwood, rh Mr Tobias

Flint, rh Caroline

Ford, Vicky
European Union (Withdrawal) (No. 6) Bill
4 SEPTEMBER 2019
European Union (Withdrawal) (No. 6) Bill

Tellers for the Ayes:
Mark Garnier and George Hollingbery

NOES

Abbott, Rh Ms Diane
Abrahams, Debbie
Adams, Nigel
Afriyie, Adam
Ali, Rushanara
Allan, Lucy
Allen, Heidi
Allin-Khan, Dr Rosena
Amess, Sir David
Antoniacci, Tonia
Ashworth, Jonathan
Bacon, Mr Richard
Bailey, Mr Adrian
Baker, Mr Steve
Barclay, rh Stephen
Bardell, Hannah
Baron, Mr John
Bebb, Guto
Beckett, rh Margaret
Bellingham, Sir Henry
Benn, rh Hilary
Benyon, rh Richard
Beresford, Sir Paul
Berger, Luciana
Berry, rh Jake
Bettes, Mr Clive
Black, Mhairi
Blackford, rh Ian
Blackman, Bob
Blackman, Kirsty
Blackman-Woods, Dr Roberta
Blomfield, Paul
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Brabin, Tracy
Bradley, Ben
Bradshaw, rh Mr Ben
Braithwaite, Mr Ben
Brennan, Kevin
Brell, Adrian
Brock, Deidre

Morgan, rh Nicky
Newton, Sarah
O'Briain, Neil
Offord, Dr Matthew
Onn, Melanie
Opperman, Guy
Percy, Andrew
Poulter, Dr Dan
Prentis, Victoria
Quin, Jeremy
Ross, Douglas
Rudd, rh Amber
Selous, Andrew
Shelbrooke, Alec
Stewart, Iain
Sym, Sir Robert
Tugendhat, Tom
Walker, Mr Robin
Wright, rh Jeremy

Gill, Preet Kaur
Gibson, Patricia
Gethins, Stephen
Gaffney, Hugh
Fysh, Mr Marcus
Fayne, Hugh
Gapes, Mike
Gardiner, Barry
Gauke, rh Mr David
George, Ruth
Gethins, Stephen
Ghani, Ms Nusrat
Gibson, Patricia
Gill, Preet Kaur

Gillan, rh Dame Cheryl
Girvan, Paul
Glen, John
Glindon, Mary
Godsiff, Mr Roger
Goldsmith, Zac
Goodman, Helen
Goodwill, rh Mr Robert
Grady, Patrick
Grant, Mrs Helen
Grant, Peter
Gray, Neil
Grayling, rh Chris
Green, Chris
Green, Kate
Greening, rh Justine
Greenwood, Lilian
Greenwood, Margaret
Grieve, rh Mr Dominic
Griffith, Nia
Griffiths, Andrew
Grogan, John
Gwynne, Andrew
Gymah, Mr Sam
Haigh, Louise
Halton, rh Robert
Hall, Luke
Hamilton, Fabian
Hammond, rh Mr Philip
Hammond, Stephen
Hancock, rh Matt
Hanson, rh David
Hardy, Emma
Harman, rh Ms Harriet
Harper, rh Mr Mark
Harrington, Richard
Harris, Carolyn
Harrison, Trudy
Hart, Simon
Hayes, Helen
Hayes, rh Mr John
Hayman, Sue
Heald, rh Sir Oliver
Healey, rh John
Heappey, James
Heaton-Harris, Chris
Hendrick, Sir Mark
Hendry, Drew
Hermon, Lady
Hill, Mike
Hiller, Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hollobone, Mr Philip
Holloway, Adam
Hosie, Stewart
Howarth, rh Sir George
Howard, John
Hughes, Eddie
Huq, Dr Rupa
Hussain, Ian
James, Margot
Jardine, Christine
Javid, rh Sajid
Jayawardena, Mr Ranil
Jenkin, Sir Bernard
Jenkinson, Andrea
Jenrick, rh Robert
Johnson, rh Boris
Johnson, Dr Caroline

281 282
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGinley, Alison
McInnes, Liz
McKinnell, Catherine
McMahon, Jim
McMorrin, Anna
McPartland, Stephen
McVey, rh Ms Esther
Mears, Ian
Menzies, Mark
Metcalfe, Stephen
Miliband, rh Edward
Milling, Amanda
Mills, Nigel
Milton, rh Anne
Monaghan, Carol
Moon, Mrs Madeleine
Moore, Damien
Morgan, Wendy
Morgan, Ian
Murray, Mrs Sherryl
Murrison, rh Dr Andrew
Newlands, Gavin
Norris, Alex
Oforro, Dr Matthew
O'Hara, Brendan
Owusu, Chi
Osamor, Kate
Owen, Albert
Paisley, Ian
Parish, Neil
Patel, rh Priti
Paterson, rh Mr Owen
Pearce, Teresa
Penning, rh Sir Mike
Pennycook, Matthew
Perkins, Toby
Perry, rh Claire
Phillips, Jess
Phillipson, Bridget
Philp, Chris
Pidcock, Laura
Platt, Jo
Pollard, Luke
Pound, Stephen
Powell, Lucy
Pritchard, Mark
Purseglove, Tom
Quince, Will
Quershi, Yasmin
Raab, rh Dominic
Rashid, Faisal
Rayner, Angela
Redwood, rh John
Reed, Mr Steve
Rees, Christina
Rees-Mogg, rh Mr Jacob
Reeves, Ellie
Reeves, Rachel
Reynolds, Emma (Proxy vote cast by Mr Pat McFadden)
Reynolds, Jonathan
Rimmer, Ms Marie
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mr Geoffrey
Robinson, Mary
Rodda, Matt
Rosindell, Andrew
Rowley, Danielle
Rowley, Lee
Ruane, Chris
Russell-Moyle, Lloyd
Rutley, David
Ryan, rh Joan
Saville Roberts, rh Liz
Seely, Mr Bob
Shah, Naz
Shannon, Jim
Sharma, rh Akok
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheppard, Torfa
Sherriff, Paula
Siddiqi, Tulip
Simpson, David
Simpson, rh Mr Keith
Skidmore, Chris
Skinner, Mr Dennis
Slaughter, Andy
Smith, Angela
Smith, Cat
Smith, Eleanor
Smith, Henry
Smith, Owen
Smyth, Karin
Soames, rh Sir Nicholas
Sobel, Alex
Soupby, rh Anna
Spellar, rh John
Spelman, rh Dame Caroline
Spencer, rh Mark
Starmer, rh Keir
Stephens, Chris
Stephenson, Andrew
Stevens, Jo
Stewart, Bob
Stone, Jamie
Streeter, Sir Gary
Streeting, Wes
Stride, rh Mel
Stringer, Graham
Stuart, Graham
Sturdy, Julian
Swayne, rh Sir Desmond
Sweeney, Mr Paul
Swinson, Jo
Swire, rh Sir Hugo
Tami, rh Mark
Thelwiss, Alison
Thomas, Derek
Thomas, Gareth
Thomas-Symonds, Nick
Thompson, Ross
Thompson, rh Emily
Throup, Maggie
Timms, rh Stephen
Tolhurst, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelyan, Anne-Marie
Trickett, Jon
Truss, rh Elizabeth
Turley, Anna
Turner, Karl
Twigg, Stephen
Twitchin, Liz
Umunna, Chuka
Vara, Mr Shai
Vaz, rh Keith
Vaz, Valerie
Vickers, Martin
Walker, Mr Charles
Walker, Thelma
Wallace, rh Mr Ben
Warman, Matt
Watling, Giles
Watson, Tom
West, Catherine
Western, Matt
Whately, Helen
Wheeler, Mrs Heather
Whitehead, Dr Alan
Whitfield, Martin
Whitford, Dr Philippa
Whittaker, Craig
Whittingdale, rh Mr John
Wiggin, Bill
Williams, Hywel
Williams, Dr Paul
Williamson, rh Gavin
Wilson, Phil
Wilson, rh Sammy
Wishtart, Pete
Wollaston, rh Dr Sarah
Wood, Mike
Woodcock, John
Wragg, Mr William
Yasin, Mohammad
Zahawi, Nadhim
Zeichner, Daniel

Tellers for the Noes:
Jeff Smith and Nick Smith

Question accordingly negatived.

Amendment made: 6, in clause 1, page 2, line 14, at end, insert

"in order to debate and pass a Bill to implement the agreement between the United Kingdom and the European Union under Article 50(2) of the Treaty on European Union, including provisions reflecting the outcome of inter-party talks as announced by the Prime Minister on 21 May 2019, and in particular the need for the United Kingdom to secure changes to the political declaration to reflect the outcome of those inter-party talks."—(Stephen Kinnock.)
This amendment would set out as the purpose of seeking an extension under Article 50(3) TEU the passage of a Withdrawal Agreement Bill based on the outcome of the inter-party talks which concluded in May 2019 – see NCI for contents of the Bill and Amendment XX for text of the request letter to the European Council.

Clause 1, as amended, ordered to stand part of the Bill.

Clauses 2 to 5 ordered to stand part of the Bill.

Schedule agreed to.

The Speaker resumed the Chair.

Bill, as amended, reported.

Clause 1, as amended, ordered to stand part of the Bill.

Ayes 327, Noes 299.

Question put forthwith (Order, 3 September), That the Bill be now read the Third time.

The House divided: Ayes 327, Noes 299.

Division No. 442] [7.30 pm

AYES

Abbott, rh Ms Diane
Abrahams, Debbie
Ali, Rushanara
Allan, Heidi
Allin-Khan, Dr Rosena
Amesbury, Mike
Antoniacci, Tonia
Ashworth, Jonathan
Bailey, Mr Adrian
Barron, rh Sir Kevin
Bebb, Guto
Beckett, rh Margaret
Benn, rh Hilary
Benyon, rh Richard
Berger, Luciana
Betts, Mr Clive
Black, Mhairi
Blackford, rh Ian
Blackman, Kirsty
Blackman-Woods, Dr Roberta
Blomfield, Paul
Boles, Nick
Brabin, Tracy
Bradshaw, rh Mr Ben
Brake, rh Tom
Brennan, Kevin
Brine, Steve
Brock, Deidre
Brown, Alan
Brown, Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Richard
Burt, rh Alistair
Butler, Dawn
Byrne, rh Liam
Cable, rh Sir Vince
Cadbury, Ruth
Cameron, Dr Lisa
Campbell, rh Sir Alan
Carden, Dan
Carmichael, rh Mr Alistair
Champion, Sarah
Chapman, Douglas
Chapman, Jenny
Charalambous, Bambos
Cherry, Joanna
Clark, rh Greg
Clarke, rh Mr Kenneth

Coaker, Vernon
Coffey, Ann
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Cowan, Ronnie
Coyle, Neil
Crausby, Sir David
Crawley, Angela
Creagh, Mary
Creasy, Stella
Cruddas, Jon
Cryer, John
Cummins, Judith
Cunningham, Alex
Cunningham, Mr Jim
Daby, Janet
Dakin, Nic
davey, rh Sir Edward
David, Wayne
Davies, Geraint
Day, Martyn
De Cordova, Marsha
De Piero, Gloria
Debbonaire, Thangam
Dent Coad, Emma
Dhesi, Mr Tanmanjeet Singh
Docherty-Hughes, Martin
Dodd, Anneliese
Dodd, Jane
Doughty, Stephen
Dowd, Peter
Drew, Dr David
Dromey, Jack
Duffield, Rosie
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elliot, Julie
Ellman, Dame Louise
Elmore, Chris
Esterson, Bill
Evans, Chris
Farrelly, Paul
Farron, Tim
Fellows, Marion
Field, rh Frank
Filipczak, Jim
Fletcher, Colleen
Flint, rh Caroline

Forbes, Lisa
Fovargue, Yvonne
Foxcroft, Vicky
Frid, James
Furniss, Gill
Gaffney, Hugh
Gapes, Mike
Gardiner, Barry
Gauke, rh Mr David
George, Ruth
Gethin, Stephen
Gibson, Patricia
Gill, Preet Kaur
Gildon, Mary
Godsiff, Mr Roger
Goodman, Helen
Grady, Patrick
Grant, Peter
Gray, Neil
Green, Kate
Greening, rh Justine
Greenwood, Lilian
Greenwood, Margaret
Grieve, rh Mr Dominic
Griffith, Nia
Grogan, John
Gwynne, Andrew
Gyimah, Mr Sam
Haigh, Louise
Hamilton, Fabian
Hammond, rh Mr Philip
Hammond, Stephen
Hanson, rh David
Hardy, Emma
Harman, rh Ms Harriet
Harrington, Richard
Harris, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendrick, Sir Mark
Hendry, Drew
Heron, Lady
Hill, Mike
Hillier, Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hollem, Kate
Hosie, Stewart
Howarth, rh Sir George
Huq, Dr Rupa
Huussen, Imran
James, Margot
Jardine, Christine
Jarvis, Dan
Johnson, Diana
Jones, Darren
Jones, Gerald
Jones, Graham P.
Jones, Helen
Jones, rh Mr Kevan
Jones, Ruth
Jones, Sarah
Jones, Susan Elan
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Kilican, Ged
Kinnock, Stephen
Kyle, Peter

Laird, Lesley
Lake, Ben
Lamb, rh Norman
Lammy, rh Mr David
Lavery, Ian
Law, Chris
Lee, Karen
Lee, Dr Phillip
Leslie, Mr Chris
Letwin, rh Sir Oliver
Lewell-Buck, Mrs Emma
Lewis, Clive
Linden, David
Lloyd, Stephen
Lloyd, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Lynch, Holly
MacNeil, Angus Brendan
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Marsden, Gordon
Martin, Sandy
Maskell, Rachael
Matheson, Christian
Mc Nally, John
McCabe, Steve
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McHnes, Liz
McKinnell, Catherine
McMahon, Jim
McMorrin, Anna
Mearns, Ian
Miliband, rh Edward
Milton, rh Anne
Monaghan, Carol
Moon, Mrs Madeleine
Moran, Layla
Morden, Jessica
Morgan, Stephen
Morris, Grahame
Murray, Ian
Nandy, Lisa
Newlands, Gavin
Norris, Alex
O’Hara, Brendan
Onn, Melanie
Onwurah, Chi
Osamar, Kate
Owen, Albert
Peacock, Stephanie
Pearce, Teresa
Pennycook, Matthew
Perkins, Toby
Phillips, Jess
Phillipson, Bridget
Piddock, Laura
Platt, Jo
Pollard, Luke
Pound, Stephen
Powell, Lucy
Brady, Sir Graham  
Bowie, Andrew  
Bone, Mr Peter  
Rees, Christina  
Reeves, Ellie  
Reeves, Rachel  
Reynolds, Emma (Proxy vote cast by Mr Pat McFadden)  
Reynolds, Jonathan  
Rimmer, Ms Marie  
Robinson, Mr Geoffrey  
Rodda, Matt  
Rowley, Danielle  
Ruane, Chris  
Russell-Howey, Lloyd  
Ryan, rh Joan  
Sandbach, Antoinette  
Saville Roberts, rh Liz  
Shah, Naz  
Sharma, Mr Virendra  
Sheerman, Mr Barry  
Sheppard, Tommy  
Sheriff, Paula  
Shuker, Mr Gavin  
Siddiq, Tulip  
Shuker, Mr Gavin  
Sherriff, Paula  
Sheppard, Tommy  
Shepherd, Ms  
Shepherd, Mark  
Shepherd, Niall  
Seymour, rh Sir Nicholas  
Skelton, Alex  
Soubry, rh Anna  
Spellar, rh John  
Spelman, rh Dame Caroline  
Stammer, rh Keir

Stephens, Chris  
Stevens, Jo  
Stewart, rh Rory  
Stone, Jamie  
Streeting, Wes  
Stringer, Graham  
Sweeney, Mr Paul  
Swinson, Jo  
Tami, rh Mark  
Thewlis, Alison  
Thomas, Sara  
Thomas-Symonds, Nick  
Thornberry, rh Emily  
Timms, rh Stephen  
Trickett, Jon  
Turley, Anna  
Turner, Karl  
Tigg, Stephen  
Twist, Liz  
Umunna, Chuka  
Vaz, rh Keith  
Vaz, rh Edward  
Walker, Thelma  
Watson, Tom  
West, Charlie  
Western, Matt  
Whitehead, Dr Alan  
Whitfield, Martin  
Whitford, Dr Philippa  
Williams, Hywel  
Williams, Dr Paul  
Wilson, Phil  
Wishtart, Pete  
Wollaston, Dr Sarah  
Woodcock, John  
Yasin, Mohammad  
Zeichner, Daniel

Tellers for the Ayes:  
Jeff Smith and  
Nick Smith

Crabb, rh Stephen  
Crouch, Tracey  
Davies, David T. C.  
Davies, Glyn  
Davies, Mims  
Davies, Philip  
Davis, rh Mr David  
Dinenage, Caroline  
Djanogly, Mr Jonathan  
Docherty, Leo  
Dods, rh Nigel  
Donaldson, rh Sir Geoffrey M.  
Donelan, Michelle  
Durries, Ms Nadine  
Double, Steve  
Downen, rh Oliver  
Dowden, rh Oliver  
Dolley-Price, Jackie  
Drax, rh Richard  
Duddridge, James  
Duguid, David  
Duncan, rh Sir Alan  
Duncan Smith, rh Mr lain  
Dunne, rh Mr Philip  
Ellis, Michael  
Elwood, rh Mr Tobias  
Elphicke, Charlie  
Eustice, George  
Evans, rh Mr Nigel  
Evannett, rh Sir David  
Fabricant, Michael  
Fallon, rh Sir Michael  
Field, rh Mark  
Ford, Vicky  
Foster, Kevin  
Fox, rh Dr Liam  
Francois, rh Mr Mark  
Frazer, Lucy  
Freeman, George  
Freer, Mike  
Fysh, Mr Marcus  
Gale, rh Sir Roger  
Gamier, Mark  
Ghani, Ms Nusrat  
Gibb, rh Nick  
Gillan, rh Dame Cheryl  
Girvan, Paul  
Glen, John  
Goldsmith, Zac  
Goodwill, rh Mr Robert  
Gove, rh Michael  
Graham, Luke  
Graham, Richard  
Grant, Bill  
Grant, Mrs Helen  
Gray, James  
Grayling, rh Chris  
Green, Chris  
Green, rh Damian  
Griffiths, Andrew  
Hair, Kirstene  
Hafon, rh Robert  
Hall, Luke  
Hancock, rh Matt  
Hands, rh Greg  
Harper, rh Mr Mark  
Harries, Rebecca  
Harrison, Trudy  
Hart, Simon  
Hayes, rh Sir John  
Heald, rh Sir Oliver  
Heappey, James  
Heaton-Harris, Chris  
Heaton-Jones, Peter  
Henderson, Gordon  
Herbert, rh Nick  
Hinds, rh Damian  
Hoare, Simon  
Hoey, Kate  
Hollingbery, George  
Hollinrake, Kevin  
Hollotope, rh Sir Philip  
Holloway, Adam  
Howell, John  
Huddleston, Nigel  
Hughes, Eddie  
Hunt, rh Mr Jeremy  
Hurd, rh Mr Nick  
Jack, rh Mr Alister  
Javid, rh Sajid  
Jayawardena, Mr Ranil  
Jenkins, Sir Bernard  
Jenkins, Andrea  
Jenrick, rh Robert  
Johnson, rh Boris  
Johnson, Dr Caroline  
Johnson, Gareth  
Johnson, rh Joseph  
Jones, Andrew  
Jones, rh Mr David  
Jones, Mr Marcus  
Kawahcynski, Daniel  
Keegan, Gillian  
Kennedy, Seema  
Kerr, Stephen  
Knight, rh Sir Greg  
Knight, Julian  
Kwarteng, rh Kwasi  
Lamont, John  
Lancaster, rh Mark  
Latham, rh Steven  
Leadson, rh Andrea  
Legg, Stephen  
Leigh, rh Sir Edward  
Lewer, Andrew  
Lewis, rh Brandon  
Lewis, rh Mr John  
Lindsay, rh Stephen  
Little, rh Stephen  
Lockett, Julia  
Lopresti, Jack  
Lord, rh Alister  
Loughton, rh Stephen  
Mackinlay, Craig  
Maclean, rh Andrew  
Main, Mrs Anne  
Mak, Alan  
Malhotra, Kit  
Mann, Scott  
Masterton, Paul  
May, rh Mrs Theresa  
Maynard, Paul  
McLoughlin, rh Patrick  
McPartland, Stephen  
McVey, rh Mr Esther  
Menzies, Mark  
Merriman, Huw  
Metcalfe, Stephen  
Miller, rh Mrs Maria  
Milling, Amanda  
Mills, Nigel  
Mitchell, rh Mr Andrew
Moore, Damien
Mordaunt, rh Penny
Morgan, rh Nicky
Morris, Anne Marie
Morris, David
Morris, James
Morton, Wendy
Mundell, rh David
Murray, Mrs Sheryll
Murrison, rh Dr Andrew
Neill, Robert
Newton, Sarah
Norman, Jesse
O’Brien, Neil
Neill, Robert
Offord, Dr Matthew
Opperman, Guy
Paisley, Ian
Parish, Neil
Patel, rh Priti
Paterson, rh Mr Owen
Pawsey, Mark
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Penny, rh Claire
Philip, Chris
Pincher, rh Christopher
Poulter, Dr Dan
Pow, Rebecca
Prents, Victoria
Prisk, Mr Mark
Pritchard, Mark
Pursglove, Tom
Quin, Jeremy
Quince, Will
Raab, rh Dominic
Redwood, rh John
Rees-Mogg, rh Mr Jacob
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Rosindell, Andrew
Ross, Douglas
Rowley, Lee
Rudd, rh Amber
Rutley, David
Scully, Paul
Seely, Mr Bob
Selous, Andrew
Shannon, Jim
Shapps, rh Grant
Sharma, rh Alok
Shelbrooke, Alec
Simpson, David
Simpson, rh Mr Keith
Skidmore, Chris
Smith, Chloe (Proxy vote cast by Jo Churchill)
Smeth, Henry
Smith, rh Julian
Smith, Rh Royston
Spencer, rh Mark
Stephenson, Andrew
Stevenson, John
Stewart, Bob
Streeter, Sir Gary
Stride, rh Mel
Stuart, Graham
Sturdy, Julian
Sunak, rh Rishi
Swayne, rh Sir Desmond
Swire, rh Sir Hugo
Syms, Sir Robert
Thomas, Derek
Thomson, Ross
Throup, Maggie
Tohill, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelyan, Anne-Marie
Truss, rh Elizabeth
Tugendhat, Tom
Vara, rh Shailesh
Vickers, Martin
Villiers, rh Theresa
Walker, Mr Charles
Walker, Mr Robin
Wallace, rh Mr Ben
Warburton, David
Warman, Matt
Watling, Giles
Whately, Helen
Wheeler, Mrs Heather
Whittaker, Craig
Whittingdale, rh Mr John
Wiggin, Bill
Williamson, rh Gavin
Wilson, rh Sammy
Wood, Mike
Wragg, Mr William
Wright, rh Jeremy
Zahawi, Nadhim
Tellers for the Noes:
Stuart Andrew and
Iain Stewart

Question accordingly agreed to.
Bill read the Third time and passed.

Hilary Benn: On a point of order, Mr Speaker. The House has spoken this evening. I say to the Prime Minister that, if the other place passes the Bill, this House expects him to uphold the law and to fulfil the obligations that will be placed upon him by this Bill and prevent this country from leaving the European Union on 31 October without a deal.

May I thank the Clerks for their assistance, and the right hon. Member for West Dorset (Sir Oliver Letwin) and others for their great help? I also join my right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer) in most warmly applauding the bravery and the courage of many on the Government Benches who have stood by their convictions in the national interest.

Stephen Kinnock: On a point of order, Mr Speaker. Given that the House has now approved the Bill as amended, may I press the Government as rapidly as possible to publish the withdrawal agreement Bill, which really does require proper and robust discussion in this place?

Mr Speaker: The hon. Gentleman has made his own point in his own way, and it is on the record, and we are indebted to him.

Business without Debate

Deferred Divisions

Ordered.
That, at this day’s sitting, Standing Order No. 41A (Deferred divisions) shall not apply to the motion in the name of the Prime Minister relating to an early parliamentary general election.—(Jeremy Quin.)
7.51 pm

**The Prime Minister (Boris Johnson):** I beg to move, That there shall be an early parliamentary general election.

The House of Commons has passed a Bill devised by the Leader of the Opposition, who, I see, is not in his place. He is characteristically evasive, if not frit. It is a Bill that effectively ends the negotiations; a Bill that demands an extension at least until next year; and perhaps for many more years to come; and a Bill that insists that Britain acquiesces in the demands of Brussels and hands control to our partners. It is a Bill designed to overturn the biggest democratic vote in our history, the 2016 referendum. It is therefore a Bill without precedent in the history of this House, seeking as it does to force the Prime Minister, with a pre-drafted letter, to surrender in international negotiations. I refuse to do this. It is clear that there is therefore only one way forward for the country. The House has voted repeatedly to leave the EU, yet it has also voted repeatedly to delay actually leaving. It has voted for negotiations, and today, I am afraid, it has voted to stop—to scupper—any serious negotiations.

What this Bill means is that Parliament, or the right hon. Gentleman the Leader of the Opposition, who is still not in his place—[Interruption.] I really do not know where he is. He refuses to give battle, or at least to engage in argument tonight. Perhaps that is a sign of how he intends to pursue things in the weeks ahead. [Interruption.] I am glad that he has now favoured the House with his presence. His Bill, among its other functions, will take away the right of this country to decide how long it must remain in the EU and hand that power to the EU. That is what it does, and I am afraid that it is time for this country to decide whether that is right.

The country must now decide whether the Leader of the Opposition or I go to those negotiations in Brussels on 17 October to sort this out. Everybody knows that if the right hon. Gentleman were the Prime Minister, he would beg for an extension and accept whatever Brussels demanded. We would then have years more dither and delay, yet more arguments over Brexit and no resolution to the uncertainty that currently bedevils this country and our economy. Everyone knows, by contrast, that if I am Prime Minister, I will go to Brussels and I will try to get a deal. Believe me, I know that I can get a deal. If they will not do a deal—I think it would be eminently sensible for them to do so, and I believe that they will—then, under any circumstances, this country will leave the EU on 31 October.

It is completely impossible for Government to function if the House of Commons refuses to pass anything that the Government propose. In my view, and in the view of this Government, there must be an election on Tuesday 15 October—I invite the Leader of the Opposition to respond—to decide which of us which goes as Prime Minister to that crucial Council on Thursday 17 October. I think it is very sad that MPs have voted like this—[Interruption.] I do; I think it is a great dereliction of their democratic duty. But if I am still Prime Minister after Tuesday 15 October, we will leave on 31 October with, I hope, a much better deal.

The Leader of the Opposition now has a question to answer. He has demanded an election for two years while blocking Brexit. He said only two days ago that he would support an election. Parliament having passed a Bill that destroys the ability of Government to negotiate, is he now going to say that the public cannot be allowed an election to decide which of us sorts out this mess? I do not want an election, the public do not want an election and the country does not want an election, but this House has left no option other than letting the public decide who they want as Prime Minister. I commend this motion to the House.

7.57 pm

**Jeremy Corbyn** (Islington North) (Lab): This is the second time I have replied to a Conservative Prime Minister who has sought to dissolve Parliament and call an election because they did not have a deliverable Brexit policy. Although I am not condemning the right hon. Member for Maidenhead (Mrs May) by comparing her to her successor, she at least made detailed speeches setting out her Brexit policy—even if we fundamentally disagreed with them. This Prime Minister claims he has a strategy, but he cannot tell us what it is. The bigger problem for him is that he has not told the EU what it is either.

At Prime Minister’s Question Time today, as in the statement yesterday, the Prime Minister was unable even to say whether he has made any proposals whatsoever to the EU. Basically, the policy is cloaked in mystery because, like the emperor’s new clothes, there really is absolutely nothing there. The naked truth is that the reality is deeply unpalatable: a disastrous no-deal Brexit to take us into the arms of a trade deal with Donald Trump that would put America first and Britain a distant second.

The Prime Minister knows there is no mandate for no deal, no majority support for it in the country and no majority for it in this House. The Chancellor of the Duchy of Lancaster—the co-convenor of the Vote Leave campaign—said in March this year that “we didn’t vote to leave without a deal.”

Even the leaders of the leave campaign are absolutely clear that the referendum conferred no mandate for no deal. No deal is opposed by every business group, every industry body and every trade union—and by this House, as today’s vote and others have shown.

We want an election because we look forward to turfing this Government out.

**Sir Patrick McLoughlin** (Derbyshire Dales) (Con): Does the Leader of the Opposition want a general election? A yes or no will suffice.

**Jeremy Corbyn:** The right hon. Gentleman obviously did not hear what I just said. Before he gently interrupted me, I was about to point out that the offer of the election today is a bit like the offer of an apple to Snow White from the Wicked Queen, because what the Prime Minister is offering is not an apple or even an election, but the poison of a no deal. I repeat what I said last night. Let this Bill pass and gain Royal Assent, and then we will back an election—so we do not crash out of the European Union with a no-deal exit.
It is the anti-democratic instincts of this Government that cause us concern. Despite the expressed will of the House to support the Bill debated today, the Conservative peers—the Government’s colleagues in the Lords—have tabled 92 amendments for debate. I really doubt that this is motivated by a desire to improve the legislation; not a bit of it. Instead, it is motivated by a desire to filibuster the Bill—an undemocratic cabal in Downing Street, aligned with an undemocratic and unelected House to override the democratic will of this House expressed in the Bill to which we have just given a Third Reading. If the Government cannot win the argument, they try to shut down debate.

We had the Prime Minister deciding to prorogue Parliament in August, and today he wants to dissolve Parliament to shut down scrutiny. He cannot handle dissent and debate in his own party, and has extraordinarily expelled 21 of his own MPs who voted against him last night. The hypocrisy of this process is phenomenal, from a Prime Minister who twice voted against the former Prime Minister’s Brexit plans.

A general election is not a plaything for a Prime Minister to avoid his obligations, to dodge scrutiny or to renege on commitments. He has committed to renegotiate Brexit, but where is the plan and where are the proposals? If he has a Brexit plan, be it no deal or the new mystery proposal deal of which we have yet to see any information, he should put it before the public in a public vote—a referendum or a general election—and seek a mandate from them. Let the Prime Minister go to Brussels tomorrow and ask for an extension so that he can seek a mandate for his unknown Brexit plan and put it before the people.

The truth is that this motion from the Prime Minister is about playing a disingenuous game that is unworthy of his office. I look forward to the day when his Government and his party, with all the austerity and misery they have heaped on this country, are turfed out of office, and when we prevent this country from crashing out on 31 October, with all the damage—he knows, because he has already seen the documents—that it will do to people’s lives and job prospects in this country. It is a cynical move from a cynical Prime Minister.

It is wrong to say that those opposed to the Prime Minister are trying to reverse the referendum. A very large percentage of those who have been defeating him in the past two days are prepared to vote for Brexit. They voted for Brexit more often than he has. He caused delay in March and he caused delay in April when we wished to proceed on satisfactory, reasonable terms. We now have a Bill that is the beginning of a pathway to giving us more time for grown-up, sensible, diplomatic exchanges between each other.

The idea that those in the European Union are refusing us a deal because they think that they are going to trap us in it permanently is nonsense. They are desperate to get a deal—of course they are—but not so desperate that they are going to accept terms that will cause chaos in Northern Ireland, politically and economically, and will shatter the normal rules that hold together the single market and the customs union upon which they are based. The Prime Minister has thrown down dramatic conditions that he must know make any sensible negotiations pointless unless he changes his direction. He is now Prime Minister. He is now a responsible politician with huge responsibility. I urge him one last time to stop treating all this as a game and to use the time available to get a serious resolution of these impossible problems to look after the future good will of this country, to keep us in a proper—no doubt different—relationship with our partners on the continent, and, in particular, to keep our economic and trading relationships intact, because they are essential for the future of our children and grandchildren.

8.7 pm

Ian Blackford (Ross, Skye and Lochaber) (SNP): May I congratulate with all my heart the right hon. and learned Member for Rushcliffe (Mr Clarke), who has spoken with great sense, as he has done on many occasions when I have followed him? I will give you a piece of friendly advice. Prime Minister: sack your adviser Dominic Cummings and bring in the right hon. and learned Member for Rushcliffe, who might actually be able to give you some sensible advice.

We are having this debate tonight quite simply because the Prime Minister has been defeated. That is the reality. I say to the Prime Minister: as this House is supposed to be sovereign in your eyes, accept the will of this House, accept the Bill that Parliament has passed, accept your duty as Prime Minister, and go to the European Council on 17 October to negotiate the extension that you have now been told to deliver.

Yet again, this Government have been defeated by a majority in the House of Commons against a no-deal Brexit. The passage tonight of the Bill to block no deal is a victory not just for democracy but, yes, for common sense. I pay tribute to the Members of Parliament across these Benches who have worked tirelessly to build consensus for this legislation to pass and remove the cliff-edge catastrophe. The Prime Minister should not be talking about surrender—he should be congratulating Members of Parliament who have stood up for all our national interests. What a disgrace for a Prime Minister to accuse parliamentarians—decent parliamentarians—of surrender. It simply lacks dignity.

Now that Parliament has once again displayed its will, the Prime Minister must show respect for democracy and agree to abide by the will of Parliament and the Bill
blocking no deal. [Interruption.] If the Prime Minister wishes to intervene rather than shout at me, I will give him the courtesy that he did not afford me.

Mr Iain Duncan Smith (Chingford and Woodford Green) (Con): I have been listening to the right hon. Gentleman with great care, but the one thing he does not say in all this is that the reason he has voted for the Bill tonight is that he and his party are adamently opposed to ever delivering Brexit. Will he now admit that is his purpose and the purpose of the Bill?

Ian Blackford: My heavens! I think it is quite clear, if anyone reads the Bill, what it is about—it is about removing the cliff edge of 31 October. We in the SNP have worked with colleagues right around the House in a spirit of consensus, but yes, of course I wish to stop Brexit and Scotland being dragged out. We will work collectively with everybody here, but my colleagues and I have a responsibility to stop this Government dragging Scotland out of Europe against its will. My message to the Prime Minister and the right hon. Gentleman is this: will you respect democracy in Scotland, and will you respect the fact that Scotland has voted to remain in the European Union?

It is the SNP’s top priority to avoid no deal. We know the devastation that a no-deal Brexit would bring to people in Scotland and across these islands. That is why we have been working hard for the past two years to avoid no deal. SNP MPs have voted consistently against no deal. We supported the Letwin-Cooper process in March to avoid no deal, and we are now doing the same with the Benn Bill.

Christine Jardine (Edinburgh West) (LD): I welcome the right hon. Gentleman’s confirmation tonight that he will, along with my party and the Labour party, vote against the Government. If the Government continue to pursue this reckless no-deal policy, will he continue to work with us to block any attempt to take us off the cliff edge against the will of Parliament?

Ian Blackford: The simple answer is yes. I commit myself to working with all others, because we have a responsibility to our constituents to stop the disaster of no deal. Indeed, I have been working with leaders of other parties to ensure that the Benn Bill passes tonight. We have come together to ensure that protecting the lives of people across the United Kingdom and their livelihoods is the absolute priority of this Parliament, and it is important that we keep working together.

No one voted for a no-deal Brexit. It was not on the ballot paper, and the Prime Minister needs to wake up to that reality—perhaps, Prime Minister, you might start listening to the debate, rather than chatting to the Chancellor, if you don’t mind. It is important that no tricks are deployed to avert the course of democracy over the coming days. [Interruption.] Government Members can try to shout us down. They tried last night, and it will not work. The unelected House of Lords should not under any circumstances seek to damage or kill the protections in this legislation, and the Prime Minister should quit game-playing stunts. The SNP will not fall for them.

The Scottish National party is ready for an election. We stand ready to bring down the Tory Government and give Scotland a chance to stop Brexit and decide its own future. We signal our intent to work with all across this House to stop a no-deal Brexit. It is in all our interests to do so. We will do our duty to protect all of us from a no-deal Brexit, but at the same time, this House should respect the sovereignty of the Scottish people and our right to be able to determine our own future.

Pete Wishart (Perth and North Perthshire) (SNP): I do not know whether my right hon. Friend noted last night the lack of enthusiasm from Scottish Conservatives for an early general election. That might have something to do with the fact that they are now at 20% in the polls and due to be decimated. If they vote for this tonight, would they not be turkeys voting for Christmas? If Ruth Davidson cannot stomach the Prime Minister, why should Scotland?

Ian Blackford: My hon. Friend is quite right. I look forward to SNP challengers standing in the Scottish Tory seats. We will take the fight to those constituents over the coming weeks and make sure that those constituents have the opportunity to return those seats to the Scottish National party.

Much of this debate has been about democracy. It is about the abuse of power by a Government seeking to shut down Parliament. This House must respect the Scottish Parliament, and in particular the mandate the Scottish Government have for a referendum on independence. It should be Scotland’s right to choose its own future, not the right of this Prime Minister or any other in Westminster to tell Scotland that our votes do not matter and that we cannot determine whether Scotland votes in an independence referendum.

An election is coming, and I invite Scotland to send a message to Westminster: it is Scotland’s right to choose. The Times poll today shows that the SNP is set to win a majority of Westminster seats in any election. Make no mistake: we relish an election because we want to stop Brexit for good, stop the Tories and stop this Prime Minister; and, most importantly, we want to give the people a say—their choice to decide their own future. However, we will not be a party to the Prime Minister’s games and allow the Prime Minister to use an election to force a no-deal Brexit through the back door.

Simply put, the SNP cannot support this motion tonight because we do not trust the Prime Minister, and who could blame us? With his tall tales, his contempt for democracy and his Government’s broken promises to the people of Scotland, we cannot trust that he will allow this Bill to pass and remove the cliff edge before an election. I urge other opposition parties tonight not to give the Prime Minister the opportunity to bring in a no deal through the back door. We cannot allow a Government who have lost their majority, who do not command the House and who have treated this Parliament and this country with contempt to remain in office for one more day longer than is necessary.

The Prime Minister is going to shut this Parliament down so that he can spend four weeks running down the clock. We could instead use that time to run him out of office. Once a no deal has been blocked, MPs on the Opposition Benches should come together to bring
down this Government—not on the Prime Minister’s terms, but on the right terms. Time is of the essence over the next few days in order to remove the cliff edge, and to remove this shambolic, irresponsible, incompetent Tory Government from office.

8.17 pm

Craig Mackinlay (South Thanet) (Con): I think that I have an apology to make, and that is to Brenda from Bristol. On a personal basis, I think I have only just got over the 2015 election. However, we need to ask ourselves: what can this Parliament now achieve? Can it deliver the bold new agenda that a new Prime Minister wishes to put in place for this country? Would this Parliament even approve a bold and ambitious Queen’s Speech to put into statute in the future? Would it approve a Queen’s Speech to put 20,000 new police on the streets and to strengthen our criminal justice system? The answer must be no, or at least rather doubtful. There could be an issue of confidence if a Queen’s Speech is voted down, so possibly this place is only putting off the fateful day.

What we have seen this afternoon is more of the same from a moribund Parliament, while the public simply shake their head in dismay at what is going on in this place. It is bizarre, is it not? There are those in this House who will not countenance leaving the European Union without a deal.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): It is very clear that the Prime Minister wants a cut-and-run general election. Surely, if he loses the vote that he has called tonight, as he has lost many other votes, the Conservative party will win it?

Craig Mackinlay: I certainly hope that, after that intervention, the hon. Gentleman will support this motion, so that the people can make their decision as well.

Mr Nigel Evans (Ribble Valley) (Con): Has my hon. Friend heard so many Opposition Members crying before the disaster, and lashed to the tiller and lashed for the disaster, and he and run before the disaster that is coming. He will be resign: go—go! But no, we know he wants to cut and run for an early general election, as they have done for the past two years? The Prime Minister is now giving out for an early general election, as they have done for the previous occasions that we voted to say that there should not be a no-deal exit? Is he seriously saying that our Prime Minister is not properly elected. They can put that right by voting tonight for a general election, and I support that wholeheartedly.

8.23 pm

Jo Swinson (East Dunbartonshire) (LD): I want to say thank you to the MPs in different parts of the House who worked so hard on the Bill that we all passed tonight. It is that cross-party working—putting party interest to one side and putting the national interest first—that the country expects of us. In particular, those colleagues on the Conservative Benches who have stuck to their principles and done what they think is right should be commended for that. The way that they have been treated has been shameful.

I am intrigued that as a result of the House of Commons saying clearly that we will not countenance crashing out of the EU with no deal, the Prime Minister’s response is that this somehow messes up his plan. It is as if it is news to him that the House of Commons does not want a no-deal exit. Was he not paying attention on the previous occasions that we voted to say that there should not be a no-deal exit? Is he seriously saying that the extent of his plan was to try to bully the EU and that he could get a good deal only by threatening that we would leave without a deal? Because if that is the extent of his plan, it is not very well thought through.

Maria Caulfield (Lewes) (Con): Will the hon. Lady confirm that if there was a general election, the Liberal Democrats would put in their manifesto a pledge to revoke article 50?

Jo Swinson: It should be no surprise to the hon. Lady that the Liberal Democrats want to stop Brexit. We have been crystal clear on stopping Brexit. For all our different views in different parts of the House about that, I do not think that anyone can accuse us of not being straightforward about where we stand.

On the negotiation, the Prime Minister

Mr Nigel Evans: Will the hon. Lady give way?
Jo Swinson: I have already given way.

On the terms of the negotiation, the Prime Minister says that he now cannot do this negotiation because we are taking no deal off the table, but we know that there are no serious negotiations anyway. The word “disingenuous” was used by the Father of the House, and I think that that is accurate. The Prime Minister has wanted the job he has for so long it has been almost painful to watch. He has been prepared to say anything and do anything to get that job. He said—

Mr Nigel Evans: Will the hon. Lady give way?

Jo Swinson: I have already given way.

The Prime Minister has said that we will get a great deal. Well, now he has the job. That is the job: go and get a great deal. But he knows that he was just saying whatever came into his head to get the job. He knows he cannot get a great deal because there is no such thing as a great Brexit deal, and he is scared of being found out.

Mr Nigel Evans: Will the hon. Lady give way?

Jo Swinson: I have already given way to somebody on the Government Benches. I am going to say what I have to say.

The way I think that this is best resolved is by putting this issue to the people in a people’s vote to decide on a Brexit way forward. I do not believe there is a majority in this country for any specific type of Brexit deal. I am not even convinced there is a majority in the Conservative party for any type of Brexit deal.

We could have a general election. I say to the Prime Minister that such an election should be held in a responsible, calm and orderly way, and not with the threat of crashing out with no deal either during the campaign or in the immediate aftermath. If he wants an election, extend article 50 for the purposes of having a general election and bring it on. If he is not prepared to do that, do not be surprised when people are not fooled by his tactics and vote against him.

8.27 pm

Sir Desmond Swayne (New Forest West) (Con): There is one purpose in denying this motion. That is to ensure that the British people have no say whatever over what takes place at the European Council on 17 October, isn’t it?

8.28 pm

Anna Soubry (Broxtowe) (IGC): It is very important in this debate that we are all very mindful of the language we use. It has been concerning that right hon. and hon. Government Members, including our Prime Minister, have chosen to use the words “frit” and “frightened” of those of us who believe that the last thing this country needs is a general election. Given everything that has happened in the past few years, there are a number of people in this place who could not be accused of being frightened. In fact, it has taken a lot of courage for some people.

If Government Members are not familiar with courage, they might want to talk to some of those hon. Members they have just booted out of their own party—decent, long-serving and hugely loyal members of the Conservative party who last night and again today chose to put their constituents and their country first. The price that they have paid is to see the end of their parliamentary career, and this House is right to commend each and every one of them for the considerable courage that it took.

I am in no doubt whatsoever that it is not just the people of Broxtowe, but the people of this country who are thoroughly fed up to the back teeth with Brexit, and that is why I have the very firm view that the matter of Brexit must be brought to a conclusion. There are people in this place who will know, from the many cross-party conversations that we have had—I am proud that we have worked together across parties, putting aside our normal differences, again, in the country’s interest—that my view is that any extension should not go beyond certainly January and maybe February next year, because of the profound need that we must bring this matter to a conclusion. That is one of the reasons why I do not believe that a general election is the answer at all, because it will not solve the Brexit crisis.

Julia Lopez (Hornchurch and Upminster) (Con): The second part of the Bill that the right hon. Lady just approved handed power to the EU to dictate whatever extension it wanted—[Interruption.] That is what this says.

Anna Soubry: I am so sorry to tell the hon. Lady, but she has obviously been reading something completely different from the rest of us because it most absolutely does not. The Bill has been carefully drafted, and properly so, to make sure that it is in the interests of our country that we take no deal off the table, because that is the best thing for this country. [Interruption.] I am quite happy to take an intervention, rather than have her just shouting at me. The Bill is all about not stopping Brexit, as many of us would like to, but stopping no deal for all the reasons that have been explained.

Wera Hobhouse (Bath) (LD): Does the right hon. Lady agree that a no-deal Brexit is no way out of this Brexit conundrum? Years and years of difficulties will follow and it is dishonest and not right to say that a no-deal Brexit will solve the Brexit issue.

Anna Soubry: The hon. Lady is right—she is right not only about no deal, but that the former Prime Minister’s withdrawal agreement would also not have ended the debate about Brexit, because it was a blindfolded Brexit that did not determine our future trading relationship with the European Union.

My views on this are well known: I believe that the only way out of the crisis is to have a people’s vote. Put the deal from the former Prime Minister—well, it was not a deal, but at least it was something—to the British people, with remain on the ballot paper, and let us get this matter over. I believe that the British people have also changed their minds. I think that they are now seeing Brexit for what it is and that, given the opportunity, they would vote for the best deal, which is the current deal that we have with the European Union. That is another good reason why this matter must now go back to the British people by way of a people’s vote.

8.33 pm

Mr Iain Duncan Smith (Chingford and Woodford Green) (Con): I rise only briefly because I know we want to get through this.
The reality is that this is about a general election. We have heard speeches from a number of Opposition Members that are all about nothing to do with the general election, but are about recycling the debate that we had earlier.

The truth is that there is but a simple question in front of the Opposition parties. Only two days ago, they were crying out for an election. The shadow Chancellor said, “Bring it on. We’re ready for it.” The Leader of the Opposition, when he was not having his afternoon nap and was awake enough to be able to meet the media, said that he wanted to have an election. The Scottish nationalists were adamant that they were going to vote for an election.

Angus Brendan MacNeil: Will the right hon. Gentleman give way?

Mr Duncan Smith: No, no, wait a minute. The hon. Gentleman has made a fool of himself already. He should stay put; I am doing him a favour. [Interruption.] I am really doing him a favour—he may not understand it.

If they do not vote for an election tonight—if they refuse to vote to have that election—then they will be running away from their democratic responsibility. I say to Members such as the right hon. Member for Broxtowe (Anna Soubry), one time my right hon. Friend—

Angus Brendan MacNeil rose—

Mr Duncan Smith: No, honestly, the hon. Gentleman really does not want to do himself any disfavours.

The right hon. Lady talks about a people’s vote. The problem with a people’s vote, if she wants to put it to a referendum, as the new leader of the Liberal party does, is that she would never accept the result—

Anna Soubry rose—

Mr Duncan Smith: Wait a minute. If the result was to leave, they would not accept it.

Anna Soubry rose—

Mr Duncan Smith: Wait a minute. Let me finish, because this is important. Here is the fault line: without a different Parliament, a new referendum will change absolutely nothing if the people vote to leave again, because we would come back to this Parliament and they would stop, delay and try to defeat that motion.

The decision tonight is therefore the only decision that can be made in all reality. If we want to decide whether the British people were right, or wrong, to vote leave, we should put it to them in a general election and let them make that decision. [Interruption.] I see the hon. Gentleman opposite shaking his head. Only days ago, he and his colleague on the Front Bench—

Anna Soubry: On a point of order, Mr Speaker. I am so sorry, Mr Speaker, but the right hon. Gentleman said something about me that is simply not accurate. I asked whether I could intervene, but he did not allow me to do so. I accept that that is his absolute right, but I think that the record should show that I have always said that if this matter goes back to the British people and they vote for the former Prime Minister’s deal, or some new magical unicorn deal, as far as I am concerned, that is the end of it.

Mr Duncan Smith: I am going to conclude, Mr Speaker.

If the right hon. Lady wants a people’s vote, I say to her that the people’s vote is in front of us tonight in this debate. It is called a general election. I have never known an Opposition not want to take over. This is a bizarre affair. They are running away from trying to defeat a Government. Let us have that election, let us make that decision, and if the right hon. Gentleman who leads the Labour party right now genuinely believes in democracy, let him put up or shut up.

8.37 pm

Jess Phillips (Birmingham, Yardley) (Lab): I very much wish to talk about a general election—the right hon. Member for Chingford and Woodford Green (Mr Duncan Smith) has criticised others for not doing so—and to speak plainly. Tonight I will absolutely vote against a general election. I would vote against pretty much anything the current Prime Minister put in front of me.

I warn you, Mr Speaker, that I am not cracking on the parliamentary protocols and everything, but I fear I may say some things that are unparliamentary. If I do, please feel free to alert me. I have absolutely no faith in anything the current Prime Minister says—literally none. I would not trust him—I am allowed to say that? Well, there is literally no distance I could trust him. [Interruption.] Conservative Members say, “So stand in an election.” I have no fear—none whatsoever—that I would hold my seat in an election, but the Prime Minister is playing some bully-boy game from some bully-boy public school that I probably would never understand any more than I understand parliamentary procedures.

Daniel Kawczynski (Shrewsbury and Atcham) (Con): Student politics!

Jess Phillips: Sorry, would the hon. Gentleman like to make an intervention? Crack on!

Daniel Kawczynski: Student politics!

Mr Speaker: Order. The hon. Lady says she does not understand parliamentary procedure, but on the whole she does not shriek from a sedentary position. The hon. Gentleman has been in the House for 14 years. If he wishes to contribute, he can seek to catch my eye. He should not chunter from a sedentary position in evident disregard for the procedures of the House.

Jess Phillips: The reality is that what we have here is a game, and we are not being told what the rules are. The Prime Minister could bring a deal to the House. He could tell us what his plans are for Northern Ireland, and he could tell us what his plans are for trade. Yesterday, I watched Conservative colleagues begging him to tell them what he wanted—[Interruption.] Yeah, ta-ra a bit, bab. I saw colleagues, begging him, saying “Give us a deal to vote for.”

The Prime Minister has stood up and said, “I don’t want an election.” This is some game that three men in No. 10 Downing Street have come up with: they are trying to game the system so that they will win.
My democratic responsibility is to try to do my absolute best for the people in my constituency. At the moment things are not all that clear and we are all a little bit confused, but I am absolutely not going to use those people as a chitty in a game to enable the Prime Minister to achieve the ambition that he has only ever had for himself, and never for the country. I am not going to use my constituents as collateral damage.

Angus Brendan MacNeil: One of the things that people watching the debate should be aware of, and what we all know in here, is that the Government want a cut-and-run election. The election that they do not want is one that would take place on 14 or 21 November; that is the election in which we would take them out.

Jess Phillips: I absolutely agree. Personally, I will not vote for any election that would fall before 31 October.

Tulip Siddiq (Hampstead and Kilburn) (Lab): I, too, will not vote for a general election tonight. I do not want no deal, because it will harm not only my constituents but the 22,000 EU nationals who are living in my constituency. The Home Secretary has said that freedom of movement will end at midnight on 31 October.

Jess Phillips: I could not agree more. There are thousands of EU migrants in my constituency, and lots of them have absolutely no idea what their situation will be. I have to represent those people as much as I represent the people who would be allowed to vote in a general election or a referendum.

Maria Caulfield: Is not the truth that the hon. Lady and many of her colleagues do not want a general election because they are as scared as we are of the Leader of the Opposition becoming Prime Minister?

Jess Phillips: Let us make no bones about the suggestion that I am not able to be completely critical when I think that things are wrong, both in my party and in the governing party. It is just a shame that quite a lot of the people sitting in front of me know that what has happened over the last two days is wrong, but are too cowardly to say in the House, in public, what they are all saying in the Tea Room. They know what has happened here. It is as if we were kicking out my right hon. and learned Friend the Member for Camberwell and Peckham (Ms Harman). That is what it feels like. I say to those people: the way your party has behaved is an abomination. You have all crowed and given sympathy to me about the problems that we have in the Labour party, but you have just sat by silently while your colleagues have been marched out.

Yasmin Qureshi (Bolton South East) (Lab): I agree with my hon. Friend about the way in which the Conservative party has treated loyal Members of Parliament. Whatever else might be said, I think it is unheard of in parliamentary history for the whip to be suspended from an MP who has voted against his party. That is a bully-boy tactic.

Jess Phillips: I entirely agree. I am going to speak for Brenda in Bristol, although there are plenty of Brendas in Birmingham. I do not think that we should have a general election, and I will not vote for one. I also think that we should not have a conference recess and we should not prorogue Parliament. We are currently involved in a national crisis. This is not a game. This is not some toy that we can play with.

Mr Bob Seely (Isle of Wight) (Con): Will the hon. Lady give way?

Jess Phillips: I am not going to give way any more. I apologise, but I have given way plenty of times already.

If we were to go out into the street and ask them, the British public would say that they think we should be in here doing our job. They think that we are away from here too often anyway. I am appalled by the Prorogation—and from now on let us call it the shutting down of Parliament, because I literally hate the word “Prorogation” and the people outside probably do not understand what we are talking about half the time. The shutting down of Parliament has essentially killed a Bill that I have worked on for two and a half years; it is something that people in this House have deeply held feelings on, and I am meant to believe that the Prime Minister is really doing this because he has a vision for the people in this country. He has a vision that comes to him every night, and it is his own face. I will vote against an election until the end of October—until this is sorted—because the British public want me here working for them, and that is what I will do.

8.45 pm

Mr Nigel Evans (Ribble Valley) (Con): I have no doubt that the constituents of the hon. Member for Birmingham, Yardley (Jess Phillips) want her working here and representing them. She talked about this being a national crisis and it is a national crisis, but it is a crisis of trust: it is a crisis of trust in politicians, it is a crisis of trust in democracy, because it was this House that decided to give the British public the referendum in 2016. I know the expectation was that the British public would not vote to leave the European Union, but when they listened to all the arguments they decided that they wished to leave.

Following that, we had a general election. The Labour party and the Conservative party both stood on a similar platform on Brexit and that was that we were going to deliver the Brexit that people voted for. I remember the ballot paper. It said, “Do you want to remain in or leave the European Union?” It was a basic binary question. The fact is that 17.4 million people in this country decided that they wished to leave the European Union; the margin was about 1.4 million. And that was the expectation because of the pamphlet that David Cameron ensured got sent to all the households in the United Kingdom, which said on the back, “We will deliver what the British people have voted for.”

That was in 2016. Today we are in September 2019. We should have left on 29 March, but we did not. Then we should have left on 12 April, but we did not. Then the then Prime Minister said, “I cannot contemplate a date beyond 30 June for us leaving,” and we didn’t. Now it is 31 October and we have just given a Third Reading to a Bill that will extend that by another three months—unless of course the European Union decides it wants the period to be greater than three months, because that is something that we will then have to accept.
Clive Efford (Eltham) (Lab): The hon. Gentleman can have his beliefs, but he cannot have his own facts. The Bill that we have passed tonight does absolutely nothing unless the Prime Minister fails to come back from the European Council with a deal. If he comes back with a deal, we then vote on it on 19 October. If the House votes for that deal, we leave the European Union with that deal. If that deal does not pass this House, this House has to vote on no deal and, if the House does not agree with no deal, that is when we go for the extension. Those are the facts about what we have done. It does nothing to the negotiations of the Prime Minister. That is a complete fallacy. What is happening here is that this Government are being run by Nigel Farage—that is what is going on here.

Mr Evans: What this House did today clearly was to weaken the negotiating position of the Prime Minister. We all know that Michel Barnier and the European Union listen very carefully to this Parliament; in fact some MPs in this Parliament have a direct line to Michel Barnier and Juncker and Tusk. They are in fairly well daily contact with them sometimes—[Interruption]. There is one over there. And we know what they are saying: they are saying, “Don’t give in to the British Prime Minister because we can resist Brexit.” And that is what is going to happen.

We know that the British Prime Minister is already in discussions with people such as Angela Merkel and various others within the European Union to ensure that the problems that existed in the old deal are removed, but the Bill that was passed tonight gives the European Union no incentive whatever to come to the negotiating table and to have a proper negotiation.

The Liberal Democrats are at least honest, as are the Scottish nationalists, in saying that they do not wish to leave the European Union. However, given that we have had the referendum and the people have voted to leave, I just wonder which part of “Liberal Democrat” is actually “democrat”, because they clearly are not interested in what the British people voted for in 2016. They ask for a second vote, but what we are offering tonight is a general election, and that can be a second vote. The people will look at the policies of the Labour party under its current leader and at the policies of my party under its current leader, and they will decide whether the Prime Minister or the Leader of the Opposition should go to Brussels for that negotiation on 17 October.

Part of the problem, as we all know, is that during the 2016 referendum three quarters of the Members in this Chamber voted to remain in the European Union. They do not want to leave the European Union, and they will do anything that they possibly can to frustrate our leaving.

Sir Peter Bottomley (Worthing West) (Con): I think it would be more accurate, and kinder, to put a full stop and a pause after saying who voted which way in the referendum, before going on to suggest that those who voted one way have been voting the same way during the debate on leaving the European Union. I have voted three times to leave the European Union and I wish the same thing could be said about some of the zealots on my side.

Mr Evans: The fact is that we now have a Prime Minister who believes in the mission and who wants to negotiate honestly with the European Union and be able to deliver the Brexit that people really voted for. They voted to leave the customs union and the single market; to not pay vast sums of money to the European Union as we currently do; to control our own immigration; to not be justiciable by the European courts; and certainly not to have a backstop that keeps us in the European Union without our permission and unable to leave. As I said, three quarters of Members of this Parliament voted to remain in the European Union, and the vast majority of those Members still do not wish us to leave.

The fact is, however, that the British people have voted to leave the European Union and, if this Parliament decides that we are not going to leave the European Union, the British people ought to have the opportunity to change their Parliament. They can do that tonight.

Caroline Lucas (Brighton, Pavilion) (Green): This attempt to dissolve Parliament is a desperate and utterly cynical move, and I am delighted that it has been made clear tonight by all the Opposition parties that we are not falling for it. The Prime Minister can own his own horrendous mess. He is trying to smuggle out this no-deal Brexit during an election campaign, and that is what makes it so vital that no election happens before there is an extension of article 50—before it is agreed and, crucially, before it is implemented as well.

I notice that the Prime Minister has scuttled off. He cannot even be bothered to listen to the debate on his own motion on something as important as a general election. There are numerous reasons why many of us want to get rid of this cruel and callous Government. Believe me, I am one of those who absolutely wants to do that, not least because this is a Government who are not only doing nowhere near enough to tackle the climate crisis but actively exacerbating it with fracking, fossil fuel subsidies and so on. This is also a Government who have the arrogance to claim that a no-deal Brexit will just be “bumps in the road”. How dare they? They might just be bumps in the road to those on the Front Bench who have the luxury to be insulated from the impacts of a disastrous no-deal Brexit, but for most of our constituents a no-deal Brexit spells real disaster, not bumps in the road. The mere fact that the Government could use that phrase suggests just out how out of touch they are with their own constituents.

A general election on the Prime Minister’s terms right now is a trap. It will not resolve the Brexit crisis. Elections are rarely fought on one issue alone, and first past the post is notoriously bad at reflecting the true views of the public in the seats that are won. If we are to break the Brexit deadlock in Parliament, the people must lead the way. The Prime Minister regularly asserts his commitment to the will of the people, so why is he not prepared to listen to what people want now, specifically on Brexit, and go back to them in a second referendum—a people’s vote? That is how we resolve Brexit, not by proroguing, dissolving, dodging and obfuscating.

I have one more important point about how the people of our country have been let down by successive Governments. The status quo is intolerable for a huge number of people. Brexit laid bare the extent to which our governance structures are derelict. The social contract is broken. The power game is rigged. The 17.4 million people who gave the establishment such a well-deserved kicking in 2016 were right and reasonable to be furious—we
need a powerful commitment now not even to try to go back to the way things were before 2016—but that means tackling democratic failure as well as economic failure. It means redistributing power as well as wealth.

If the Government were genuine about being on the side of the people, they would be honest enough to own the complete chaos that they have managed to create. They would put country before party, back a citizens’ convention to revitalise our democracy and explore proposals such as a codified written constitution and a fairer voting system, so that people’s views are properly heard. Let us at last have a democracy that puts people at the heart of it. The Government would also finally provide a categorical assurance that they will respect this House and the democracy that we do have, and not provide a categorical assurance that they will respect the complete chaos that they have managed to create.

They would put country before party, back a citizens’ convention to revitalise our democracy and explore proposals such as a codified written constitution and a fairer voting system, so that people’s views are properly heard. Let us at last have a democracy that puts people at the heart of it. The Government would also finally provide a categorical assurance that they will respect this House and the democracy that we do have, and not seek to avoid it in any way or try to avoid implementing the Bill that we have just voted on tonight.

8.56 pm

Sir Bernard Jenkin (Harwich and North Essex) (Con): I think every Member in this House respects the passion and bravery of the hon. Member for Brighton, Pavilion (Caroline Lucas), but will she at least recognise the irony that she is calling for the revitalisation of democracy at the same time as speaking against renewing the representative mandate of this House? I would invite the House to consider—I interrupt. I am going to be very brief. The irony also extends to those crying for a people’s vote who will vote against the people having a vote about the future of this House.

The British public have watched this House of Commons decline into almost a zombie Parliament—one that is incapable of deciding anything and is still dominated by remain thinking and remain attitudes even though the British people clearly voted leave in the referendum. Yesterday, I spoke about the problem of us having created conflicting representative and direct mandates. The legitimacy of this House was unquestionably as a House of representatives, but we qualified that as we introduced the concept of referendums into our constitution. The representative mandate is unalterably qualified by the fact that we had a referendum and said that we would implement the result.

However, this House has failed to implement that result. We therefore must ask ourselves: how is that going to be resolved? It will not be resolved by continuing to put off decisions, yet the Bill, which so many of the remain-supporting Members of this House are so pleased with, does no more than invite the European Union to put off its decisions. What is going to be gained by putting off decisions again? What kind of respect will this House gain by putting off decisions at the same time as avoiding a general election, which would make us accountable to our electors?

Mrs Anne Main (St Albans) (Con): Does my hon. Friend share my puzzlement? Opposition Members are looking at a Government who have lost their majority, cannot get their business through and are offering the chance of a general election. An election will be about more than just Brexit. There are other things that matter to my constituents and they will still want to renew the mandate and give a Government a mandate to deliver on those things. A Government without the ability to deliver need to have a general election. I would have thought that any Opposition Member would have accepted that.

Sir Bernard Jenkin: I agree with much of what my hon. Friend says, but I return to the question: how is it going to be resolved? Supposing the Opposition are successful, the Bill goes through and the Prime Minister is obliged to go and seek an extension and to accept an extension to, say, 31 January, or whatever date the European Union decides to offer—

Graham P. Jones (Hyndburn) (Lab): Will the hon. Gentleman give way?

Sir Bernard Jenkin: I am not going to give way.

The voters’ faith in the established political parties is not being improved by what is going on; it is being further undermined. The last thing I want is for the whole of British politics to be realigned around the question of Brexit, but that is what will happen the longer we carry on putting off this decision.

Like so many of my voters and so many colleagues in this House, I long to move on to the questions beyond Brexit, but that requires us to respect the decision that has been taken. It requires respect for the fact that there is a Government in office with a responsibility to conduct the negotiations as they see fit, or it requires those who do not have confidence in the Government to table a motion of no confidence to resolve that question.

That brings me back to the Fixed-term Parliaments Act 2011, from which the motion we are debating this evening arises. It has turned out to be a recipe for this paralysis, which would never have arisen but for the Fixed-term Parliaments Act.

Mr Kevan Jones (North Durham) (Lab): You voted for it.

Sir Bernard Jenkin: I beg your pardon. The right hon. Gentleman says that accusingly, but I certainly did not vote for it. I remember walking through the No Lobby on Second Reading with remarkably few people, and I said to them, “Don’t worry. This House will rue the day that it passed this piece of legislation.” We should now be rueing the day, because that legislation has put this House in a position where it can endlessly wound a Government but avoid killing them.

If the Leader of the Opposition has so much contempt for how this Government are conducting their affairs, and this Government no longer have a majority, why does he not table a motion of no confidence? It is because there is fear in this House about facing the consequences of a general election because of how this House has conducted the whole Brexit affair for the past three years.
I asked how this will be resolved, and I can tell the House that putting it off again and again will not make the political outcome of the eventual general election any easier for a great many colleagues. The Prime Minister, in his inimitable style, is showing leadership and courage at last. He is trying to resolve this issue.

“Leave” and “remain” were the words on the ballot paper. There was no reference to deal or no deal, but the Prime Minister of the day made it quite clear that we would leave the European Union, and this House has conspired again and again to delay that happening.

People in the constituencies of Opposition Members, particularly in remain-voting constituencies, should ask themselves what mandate they have for putting off this decision again and again. It is democracy in our country that is paying the price, and it is the rise of far more extremist parties that will be the result if this House carries on putting off the decision.

9.4 pm

Thelma Walker (Colne Valley) (Lab): When I was elected as Member of Parliament for Colne Valley, one of the things I had to get used to was being addressed as “honourable Lady” and addressing male colleagues as “honourable Gentleman”; it seemed strange and arcane. Yet recently, I have been considering what it means to be honourable, and I have realised that it is indeed appropriate to consider what makes a person truly honourable. It is a pity the Prime Minister is not in his place. Would he be able to confirm that the people of this country consider the Government’s recent behaviour to be honourable? It is clear that many people outside Westminster think not.

Furthermore, I have been reflecting on my years as a teacher and headteacher, and considering how hard I worked, as do all teaching professionals, to instil the right values and ethos throughout a school—things such as respect, honesty and integrity.

Several hon. Members rose—

Thelma Walker: I will make some progress.

I used to explain to younger children that integrity was doing the right thing even when someone is not watching. Well, we are watching the Prime Minister, and my fear is, if an attempt is being made to get away with no deal with no mandate and to gag Parliament while we are watching, what other horrors are going on behind closed doors? Will the Prime Minister tell me whether he believes his Cabinet has the integrity required to run our country, especially when some are lying flat out along the Front Bench?

I remember being invited to a meeting some time back with a Government Minister to discuss a local constituency matter. He said, “The Chamber is just theatre, and the real work goes on in meetings like this.” That stayed with me, as I know that this place is not theatre to me. When I speak it is from the heart, and I speak for my people in Colne Valley and those who are suffering under this Government’s cruel and callous austerity. Yes, I want a general election, so that we have a Government who act with both honour and integrity and respect the business in this Chamber. However, I want that election on the Opposition’s terms and when there is no possible chance of a no-deal Brexit. The history books will show that this current Government acted with neither honour nor integrity, and made us the laughing stock of the world. Our country deserves far better.

9.7 pm

Mr John Baron (Basildon and Billericay) (Con): I stand briefly to raise one simple point, and it is an inconvenient truth for many in this Chamber: the overwhelming majority of Members here tonight voted to trigger article 50. What it said, very simply, was that we would leave the EU by 29 March, with or without a deal. Yet we have now seen two extensions to that deadline, and to many outside this place that is evidence enough that there are too many remain MPs who will clasp on to any passing straw in order to delay and frustrate the EU referendum result. That is very wrong indeed. Not only does it make for a lack of trust, but it reinforces a scepticism in our politics that is not healthy at all.

Several hon. Members rose—

Mr Baron: I will give way in a moment, but I wish to finish this point. We have seen people clasp straws in the wind such as, “The people need another vote” and, “We need to support this motion.” The Opposition’s motion was ridiculous; anybody who has negotiated will understand that if one signals to those on the other side of the table that one is not prepared to walk away, it makes for a worse deal. That is a fact, but not to the many Members who will clasp at any straw to try to frustrate Brexit.

I will give one other example of how Brexit is being frustrated in this place. There is a near hysteria about no deal, despite the fact that the UK trades with the majority of the world’s GDP—with many countries outside the EU—on no-deal World Trade Organisation terms. Five of the EU’s top 10 trading partners trade on the basis of no-deal WTO terms. Since “Project Fear” in 2016 failed, we have had record low unemployment, record manufacturing output and record investment—in fact, last year we had more inward investment than France and Germany—all in the full knowledge that we could leave on no-deal WTO terms. Despite all that, Members in this place—too many remain MPs—have clapped at straws to frustrate Brexit and disregard the EU referendum result. That must now end. People have lost their patience with this place. The time has come to put forward actions instead of words.

David Hanson (Delyn) (Lab): I voted to trigger article 50, but the then Prime Minister called a general election, and I set down red lines to my constituents about what kind of deal I would vote for. The then Prime Minister in effect lost that election by losing 40-odd seats. My mandate comes from the 2017 election.

Mr Baron: That is not a fair point, for the simple reason that in that general election both the Labour manifesto and the Conservative manifesto promised to deliver Brexit. All we have seen since is utter delay and confusion, caused largely by remain MPs who will not honour the referendum result.

Graham P. Jones: The hon. Gentleman keeps saying that this is a remain Parliament with remain MPs—he keeps throwing that around—but the House of Commons Library confirmed that in excess of 575 MPs have voted
for Brexit and voted for leave. How can he say that they are remain MPs when they vote to leave the European Union?

Mr Baron: For the simple reason that the House has consistently voted not to honour the triggering of article 50. We keep kicking it into the long grass. When the hon. Gentleman and I voted to trigger article 50, the Bill was simple and short: it said that we would leave by 29 March, with or without a deal.

Graham P. Jones rose—

Mr Baron: No, the hon. Gentleman has had his chance. It said that we would leave with or without a deal. Too many Members have continued to kick the can down the road—not once, not twice, but now three times, courtesy of the Bill passed earlier. It is absolutely ridiculous, and people are utterly fed up with it. A lot of remain MPs must look at themselves in the mirror and own up to the fact that all they want to do is stop Brexit. The people out there have had enough.

9.14 pm

Sandy Martin (Ipswich) (Lab): I am absolutely desperate to have a general election. I want to see a Government who will halt the privatisation of the national health service, who will properly fund our public services, who will stop the wealth of this country being squirreled away in tax havens in the Caribbean and who will care about the majority of people in this country and not just about the very wealthy, but that is not why the Prime Minister is calling for a general election. The Prime Minister is not calling for a general election so that we can have a Labour Government. The Prime Minister is calling for a general election so that, when and if we were to vote for it, he would be in sole control of what happened in this country, and there would be no Parliament here to hold him to account when we leave with a no-deal Brexit.

In my constituency of Ipswich, more than 50% of the people who voted in the referendum voted to leave. It was not much more than 50%, but it was more than 50%. I would not vote for a straight vote to revoke article 50, because that would be wrong. After there has been a referendum and people have voted to leave the European Union—albeit by a narrow margin—it would be entirely wrong for this House simply to go against those wishes.

Mr Robert Goodwill (Scarborough and Whitby) (Con) rose—

Sandy Martin: I am sorry, I will not give way.

I want to see this Parliament agree on a viable deal that will not destroy the economy of this country. When we have a second vote—a people’s vote, a second referendum or whatever you want to call it—which I think we should have if we are to bring the country back together, I want there to be a viable choice. I do not believe that a no-deal Brexit is a viable choice. A no-deal Brexit is a suicide note. If anybody on the Government Benches thinks that, as passengers in a car speeding towards a cliff edge, we will take the option of jumping out just before we reach that cliff edge, they have another think coming. Yes, we will have a general election. This Government will not survive for very much longer, because they do not have an overall majority, but we will not have that general election while there is the danger of a no-deal Brexit.

9.17 pm

Mr Bob Seely (Isle of Wight) (Con): I have to say that I find this a surreal debate in a zombie Parliament. I have tried pinching myself to make sure that I am awake. I asked my right hon. Friend the Member for Harlow (Robert Halfon) whether this was a dream, and he assured me that it was not. I heard one of my colleagues saying, “Now, Bob, please make it go away.” All I can say is that people who organise a coup generally do not put that coup to the people in the form of a vote. We want a people’s vote; it is called a general election. The Government are trying to get their agenda through, but, because of the nature of this Parliament, they are not succeeding. Therefore, we need an election to ask the people what they are for, rather than simply having their representatives endlessly voting on what they are against.

I want an election because I want a Government who deliver Brexit and then, frankly, get on and govern. The Scottish islands have the special islands needs allowance. I want something similar for my Isle of Wight. I was talking about it to the Prime Minister in the Tea Room today, and he is keen to give it to us. I want the Government to cover the NHS—an extra £10 million in revenue—local government, environment, food and rural affairs, and housing. We cannot get that. For six months, we have not had a domestic agenda because of our monomaniacal obsession with Brexit.

I do not know what the Opposition parties want. Three times they have been offered a Brexit deal, and three times they have refused it. Tonight, they are being offered a general election, and tonight they are refusing it. They cling to a zombie Parliament for fear of what will happen when they go to the people. We need a new Parliament, because we need a Government with a mandate and a Parliament that votes for something positive. From now on, a collection of Opposition MPs should, frankly, be known as a shambles. We offer leadership; what they offer, God knows.

9.19 pm

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): What the Prime Minister has put to us is clearly a poisoned chalice. He is like the schoolroom clown, who thinks that he can offer us something while dancing around and blabbering from the Dispatch Box. But we know who he is. He is a man who has been twice sacked and who is not out of order. I know how to interpret them. I do not—

Mr Speaker: Order. The hon. Gentleman is referring to parts of a Member’s career. I do not think he is making any allegation, and I sincerely hope that he is not—[Interruption.] If you will let me finish, I hope he is not making any allegation about the conduct of a Member in this Chamber.

Lloyd Russell-Moyle indicated dissent.

Mr Speaker: He is not, and therefore he is not out of order—[Interruption.] I know the rules, and I know how to interpret them. I do not
require any guidance from anybody on that matter. I very much enjoyed the right hon. Gentleman's speech, and it was very clear about that. I say to him that there is much to be said for moderation in the use of parliamentary language. As somebody who likes the hon. Gentleman, I urge him to be a little more courteous.

Lloyd Russell-Moyle: I will correct myself and say that the Prime Minister was allegedly sacked for lying twice, and the public—

9.21 pm
One and a half hours having elapsed since the commencement of proceedings on the motion, the Speaker put the Question (Standing Order No. 16(1)).

The House divided: Ayes 298, Noes 56.

Division No. 443] [9.21 pm

| AYES |
|------|------|
| Adams, Nigel | Grant, Bill |
| Afolami, Bi | Grant, Mrs Helen |
| Atifje, Adam | Gray, James |
| Aldous, Peter | Grayling, rh Chris |
| Allan, Lucy | Green, Chris |
| Bercow, Sir David | Green, rh Damian |
| Arger, Edward | Griffiths, Andrew |
| Atkins, Victoria | Hair, Kirstene |
| Bacon, Mr Richard | Halton, rh Robert |
| Badenoch, Mrs Kemi | Hall, Luke |
| Baker, Mr Steve | Hancock, rh Matt |
| Baldwin, Harriett | Hands, rh Greg |
| Barclay, rh Stephen | Harper, rh Mr Mark |
| Barra, Mr John | Harris, Rebecca |
| Bellingham, Sir Henry | Harrison, Trudy |
| Beresford, Sir Paul | Hart, Simon |
| Berry, rh Jake | Hayes, rh Sir John |
| Blackman, Bob | Heald, rh Sir Oliver |
| Blunt, Crispin | Heappey, James |
| Bone, Mr Peter | Heath-Harris, Chris |
| Bottomley, Sir Peter | Heath-Jones, Peter |
| Bowie, Andrew | Henderson, Gordon |
| Bradley, Ben | Hepburn, Mr Stephen |
| Bradley, rh Karen | Herbert, rh Nick |
| Brady, Sir Graham | Hinds, rh Damian |
| Braverman, Suella | Hoare, Simon |
| Breerot, Jack | Hoey, Kate |
| Bridgen, Andrew | Hollingbery, George |
| Broke, Mr James | Holinrake, Kevin |
| Bruce, Fiona | Hollobone, Mr Philip |
| Buckland, rh Robert | Holloway, Adam |
| Burghart, Alex | Howell, John |
| Burns, Conor | Huddleston, Nigel |
| Cairns, rh Alun | Hughes, Eddie |
| Campbell, Mr Gregory | Hunt, Mr Jeremy |
| Campbell, Mr Ronnie | Hur, rh Mr Nick |
| Cartidge, James | Jack, rh Mr Alister |
| Cash, Sir William | Javid, rh Sajid |
| Caulfield, Maria | Jayawardena, Mr Ranil |
| Chalk, Alex | Jenkin, rh Sir Bernard |
| Chishti, Rehman | Jenkyns, Andrea |
| Chope, Sir Christopher | Jerinck, rh Robert |
| Churchill, Jo | Johnson, rh Boris |
| Clark, Colin | Johnson, Dr Caroline |
| Clarke, Mr Simon | Johnson, Mr Cecil John |
| Cleverly, rh James | Johnson, Kevin |
| Clifton-Brown, Sir Geoffrey | Jones, Andrew |
| Coffey, Dr Thérèse | Jones, rh Mr David |
| Collins, Damian | Jones, Mr Marcus |
| Costa, Alberto | Kawczynski, Daniel |
| Courts, Robert | Keegan, Gillian |
| Cox, rh Mr Geoffrey | Kennedy, Seema |
| | Kerr, Stephen |
| | Knight, rh Sir Greg |
| | Knight, Julian |
| | Kwarteng, rh Kwasi |
| | Lamont, John |
| | Lawton, Mrs Pauline |
| | Leadsom, rh Andrea |
| | Lefroy, Jeremy |
| | Leigh, rh Sir Edward |
| | Lewer, Andrew |
| | Lewis, rh Brandon |
| | Lewis, rh Dr Julian |
| | Liddell-Grainger, Mr Ian |
| | Liddington, rh Mr David |
| | Little Pengelly, Emma |
| | Lopez, Julia |
| | Lopresti, Jack |
| | Lord, Mr Jonathan |
| | Loughton, Tim |
| | Mackinlay, Craig |
| | Maclean, Rachel |
| | Main, Mrs Anne |
| | Mak, Alan |
| | Malthouse, Kit |
| | Mann, Scott |
| | Masterton, Paul |
| | May, rh Mrs Theresa |
| | Maynard, Paul |
| | Mcloughlin, rh Sir Patrick |
| | McPartland, Stephen |
| | McVey, rh Ms Esther |
| | Menzies, Mark |
| | Mercer, Johnny |
| | Merriman, Huw |
| | Metcalfe, Stephen |
| | Miller, rh Mrs Maria |
| | Milling, Amanda |
| | Mills, Nigel |
| | Mitchell, rh Mr Andrew |
| | Moore, Damien |
| | Mordaunt, rh Penny |
| | Morgan, rh Nicky |
| | Morris, Anne Marie |
| | Morris, David |
| | Morris, James |
| | Morton, Wendy |
| | Mundell, rh David |
| | Murray, Mrs Sheryl |
| | Murrison, rh Dr Andrew |
| | Neil, Robert |
| | Newton, Sarah |
| | Norman, Jesse |
| | O’Brien, Neil |
| | Offord, Dr Matthew |
| | Opperman, Guy |
| | Paisley, Ian |
| | Parish, Neil |
| | Patel, rh Priti |
| | Paterson, rh Mr Owen |
| | Pawsey, Mark |
| | Penning, rh Sir Mike |
| | Penrose, John |
| | Percy, Andrew |
| | Perry, rh Claire |
| | Philip, Chris |
| | Pincher, rh Christopher |
| | Poultier, Dr Dan |
| | Pow, Rebecca |
| | Prentis, Victoria |
| | Prisk, rh Mr Mark |
| | Pritchard, Mark |
| | Pursglove, Tom |
| | Quin, Jeremy |
| | Quince, Will |
| | Raab, rh Dominic |
| | Redwood, rh John |
| | Rees-Mogg, rh Mr Jacob |
| | Robertson, Mr Laurence |
| | Robinson, Gavin |
| | Robinson, Mary |
| | Rosindell, Andrew |
| | Ross, Douglas |
| | Rowley, Lee |
| | Rudd, rh Amber |
| | Rutley, David |
| | Scully, Paul |
| | Seely, rh Mr Bob |
| | Selous, Andrew |
| | Shannon, Jim |
| | Shapps, rh Grant |
| | Sharma, rh Alok |
Mr Speaker: The Ayes have it, but the House will be aware that the motion has not obtained the majority required under the Fixed-term Parliaments Act 2011.

The Prime Minister: On a point of order, Mr Speaker. I note that the Leader of the Opposition is once again not in his place, in what I think is a slightly symbolic way. Forty-eight hours ago, he was leading the chants of “Stop the coup and let the people vote,” and now he is saying, “Stop the election and stop the people from voting.” There is only one solution: he has become, to my knowledge, the first Leader of the Opposition in the democratic history of our country to refuse the invitation to an election. I can only speculate—[Interruption.] I can only speculate as to the reasons behind his hesitation. The obvious conclusion is, I am afraid, that he does not think he will win. I urge his colleagues to reflect on the unsustainability of this position overnight and in the course of the next few days.

Sir Bernard Jenkin: On a point of order, Mr Speaker. Is there some way of tabling a motion “That this House has no confidence in Her Majesty’s Opposition”?

Mr Speaker: I note—

The Prime Minister rose—

Mr Speaker: No, I am dealing with one point at a time. One has to proceed in an orderly manner in these matters, I say to the Prime Minister. I am dealing with one point of order, and when I have dealt with it, I shall happily attend to another. It is evident from the smile on the face of the hon. Member for Harwich and North Essex (Sir Bernard Jenkin) that he is very pleased with the point he has made.

The Prime Minister: Further to that point of order, Mr Speaker. I was just going to elaborate by saying that this is the first time in history that the Opposition have voted to show confidence in Her Majesty’s Government.

Mr Speaker: Thank you.

ANIMAL WELFARE (SENTENCING) BILL
Bill to be considered tomorrow.

Business without Debate

SELECTION

Ordered,

That Christopher Pincher, Mark Spencer and Craig Whittaker be discharged from the Selection Committee and Rebecca Harris, Amanda Milling and Iain Stewart be nominated.—(Jeremy Quin.)

PETITIONS

Funding for Hollingwood Primary School

9.39 pm

Judith Cummins (Bradford South) (Lab): I rise to present this petition on behalf of the community of Hollingwood Primary School and the 343 parents, carers, staff and pupils who have signed it. They are seriously concerned about the impact that funding cuts are having on their school.

I would like to state, for the record, what an excellent school Hollingwood is. I know from visiting the school that the headteacher and his staff are continuing to
provide a quality education for all their pupils. However, they are doing so, like many schools, in increasingly difficult circumstances.

As the petition states, the school has seen a decline in funding per pupil of £297, and an overall reduction of £249,153 since 2019. This is having an impact on the ability of the school to provide a well-rounded education for all pupils. Several parents have written to me to say how much they value the extra support the school offers, and their fear that this may not continue given the funding reductions.

Many are concerned about the school’s Busy Bees nurture programme, which supports the wellbeing of vulnerable children. The school’s nurture practitioner has written to me to express her concern, and to tell me the value of the support that they provide. She recounted one young person returning to the school and recalling:

“I have my family at home, but Busy Bees was my family at school.”

It is this sense of belonging and security that schemes such as nurture provide, and which we cannot afford to lose.

The petitioners therefore request that the House of Commons urges the Government to increase per pupil funding and reverse the cuts made to school budgets.

Following is the full text of the petition:

[The petition of Parents, carers, staff and pupils of Hollingwood Primary School,
Declares that Hollingwood Primary School has seen a decline in funding per pupil of £297 and £249,143 overall in the sum allocated to the school between 2015 and 2019; further that the school is facing significant budget pressures as a result and is having to make changes to save money that impact directly on its ability to provide a well-rounded education for all pupils.

The petitioners therefore request that the House of Commons urges the Government to increase per pupil funding and reverse the cuts made to school budgets.
And the petitioners remain, etc.]

Dispute in Kashmir

9.41 pm

Alison Thewliss (Glasgow Central) (SNP): First, I thank the many who managed to put this petition together and gather the signatures, particularly Abdul Majid, a stalwart campaigner in Glasgow, Dr Irfan Jahangir and Dr Javed Gill of the Scottish Human Rights Forum and their team of volunteers. They have put together a huge number of signatures, and I understand that more are still coming in to my office.

My constituents are deeply concerned for the welfare of their friends and relatives in Kashmir at the moment. They are concerned about the curfew and about the vulnerability of their friends and relatives in Kashmir at the moment.

Many are concerned about the school’s Busy Bees nurture programme, which supports the wellbeing of vulnerable children. The school’s nurture practitioner has written to me to express her concern, and to tell me the value of the support that they provide. She recounted one young person returning to the school and recalling:

“I have my family at home, but Busy Bees was my family at school.”

It is this sense of belonging and security that schemes such as nurture provide, and which we cannot afford to lose.

The petitioners therefore request that the House of Commons urges the Government to increase per pupil funding and reverse the cuts made to school budgets.

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The petitioners therefore request that the House of Commons urges the Government to increase per pupil funding and reverse the cuts made to school budgets.
And the petitioners remain, etc.]

Dispute in Kashmir

9.44 pm

Sir Michael Fallon (Sevenoaks) (Con): I rise to present a petition on behalf of my constituent, Mrs Sonia Ash, which expresses concern about the current standards in marking GCSE English exams taken by students with dyslexia. This petition has been signed by over 10,200 people.

The petition states:

The petition of residents of Sevenoaks,
Declares concern over the current standards in marking GCSE English exams taken by students with dyslexia. This petition has been signed by over 10,200 people.

And the petitioners remain, etc.

Funding for St John’s CE Primary School

9.46 pm

Judith Cummins (Bradford South) (Lab): I rise to present this petition on behalf of the community of St John’s CE Primary School, and the 366 parents and carers who have signed it. This petition highlights the
serious concerns that they have about the impact that school funding cuts are having on their school. St John’s has seen a decline in funding per pupil of £306 and has lost £248,890 in total since 2015.

Every single school in my constituency has faced cuts such as these due to Government disregard for our children’s future. These cuts mean fewer teachers, fewer support staff and schools cutting back on additional activities. They hit the most vulnerable children hardest and it is a disgrace.

Just this week, we have seen the Government’s new funding announcement, and it is overwhelmingly targeted at schools in the south of England, bypassing schools with the most need in areas such as mine. I will always fight for proper funding for our schools, so that every child in Bradford South gets the start in life they deserve. I know that the hard-working teachers at St John’s and all other schools simply want to provide well-rounded education to their pupils. It is time that we gave them the resources to do that.

The petition states:

The Petition of parents, carers, staff and pupils of St John’s CE Primary School,

Declares that St John’s CE Primary School has seen a decline in funding per pupil of £306 and £248,890 overall in the sum allocated to the school between 2015 and 2019; further that the school is facing significant budget pressures as a result and is having to make changes to save money that impact directly on its ability to provide a well-rounded education for all pupils.

The petitioners therefore request that the House of Commons urges the Government to increase per pupil funding and reverse the cuts made to school budgets.

And the petitioners remain, etc.

Department of Health and Social Care: Treasury Funding

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

9.48 pm

Robert Halfon (Harlow) (Con): It is a huge pleasure to see you, Madam Deputy Speaker, in the Chair this evening, not just because you are my constituency neighbour as the Member for Epping Forest, but because you have worked so hard alongside me to get a vital new hospital health campus in Harlow at the Princess Alexandra Hospital. I am hugely grateful to you for being here today, I am grateful to the Speaker for granting this debate, my fifth, on capital funding for the Health Department, particularly for new hospital projects. I strongly welcome the extra £34 billion that is going into the NHS over the next few years. The Government are rightly making the NHS a priority in their spending plan. In doing so, they are helping to create certainty for our hospitals, future-proofing them for the challenges ahead. However, this day-to-day funding does not account for bigger-scale capital funding projects, such as new hospitals. The Health Service Journal suggests that in the past two years NHS providers have requested about £8.7 billion of capital funding in more than 360 formal bids.

The Prime Minister’s announcement of an £850 million cash boost for 20 new hospital upgrades is a step in the right direction, but we risk a healthcare crisis in this country if we do not act quickly. Many of our hospitals in England were built in the 1960s and 1970s and, while our model of care has modernised, the infrastructure has fallen behind. Many of our NHS hospitals are no longer fit for the 21st century, sadly none more so than the Princess Alexandra Hospital NHS Trust in Harlow.

You will no doubt understand the frustration of our constituents, Madam Deputy Speaker, and those of our neighbours, particularly those who work at the Princess Alexandra, that our Harlow hospital was not included in the hospital upgrade programme announced by the Prime Minister. As well as the numerous letters and conversations with colleagues, I have raised on no fewer than 30 occasions during questions in the Chamber the need for a new hospital health campus to serve west Essex. I mentioned that this is my fifth debate. I have also tabled 11 Commons motions. I am pleased to see a number of right hon. and hon. Members here who have also championed the case for increased hospital funding.

Six local MPs, including you, Madam Deputy Speaker, helped significantly in writing to the Health Secretary in May last year, pledging their support for a new hospital and acknowledging its importance to “the vitality of community and also to the economy of the entire region.”

Our passion and determination for a new health campus is founded in the desperate situation that we find ourselves in.

Jim Shannon (Strangford) (DUP): Will the right hon. Gentleman give way?

Robert Halfon: Of course. It is impossible not to give way to the hon. Gentleman—my hon. Friend, I should say.
Jim Shannon: I did seek the right hon. Gentleman’s permission earlier today, before the Adjournment debate, to make an intervention. Does he not agree that it is tremendous to see the Government today, through the Chancellor’s statement, listening to need and allocating additional funding for other things, such as policing, Northern Ireland and education, as well as some £1 billion. I understand, for health and social care? However, we do need a standard increase in the block budget under the Barnett formula for Northern Ireland. I suggest that that needs to be ring-fenced to provide frontline services that are also underfunded and on which there has to be a focus. I fully support his request to the Government, because across the whole of the United Kingdom of Great Britain and Northern Ireland there are pressures on health and social care. It is important that everybody in the United Kingdom of Great Britain and Northern Ireland sees the benefits.

Robert Halfon: I thank my hon. Friend. He has attended every debate I have secured on the Princess Alexandra Hospital in Harlow. That shows that there is not just support across Essex and Hertfordshire, but from as far afield as his constituency of Strangford and across Northern Ireland. His question, in essence, is about important funding for devolution and fair funding across the board. I completely agree with him and I thank him again for coming, on this fifth occasion, to support my campaign for a new hospital in Harlow.

We need a new hospital for four substantive reasons. First, and there are no two ways about it, the hospital estate is falling down. It is crumbling around staff, patients and visitors, so much so that it is inhibiting the work of our hardworking NHS staff who brought the hospital out of special measures in 2018. The Health Secretary himself, having visited the hospital at the start of this year, stated in this Chamber that: “the basement of Harlow hospital is in a worse state of disrepair than the basement of this building.”—[Official Report, 1 July 2019; Vol. 662, c. 941.]

That is saying something, Madam Deputy Speaker.

Given that the Palace of Westminster has been promised a £3 billion restoration, I ask the Minister: when will the Treasury prioritise the crumbling basement of our NHS hospital in Harlow? Whenever I visit Princess Alexandra Hospital—as a patient, visitor, or in my capacity as an MP—I am genuinely astounded by the quality of care and exceptional service that is delivered, as was the Health Secretary on his visit. Following a comprehensive tour, he said:

“I’m incredibly impressed with how much the staff are managing to do in the current facilities.”

My inbox, however, is filled with the anxieties of constituents about the pressure on A&E and the condition of the estate. The doctors, nurses and specialists are working in extremely tight spaces, in an immensely pressurised environment. Staff simply cannot be expected to make service improvements, nor to meet NHS waiting time guidelines. I ask the Minister: how can we expect our NHS staff to deliver the high standards that we demand when they do not have the physical space, bed capacity or modern equipment to carry out their jobs?

In no other working environment would we expect as much in the 21st century. The remarkable hospital staff—everyone from the cleaners, porters, ancillary staff, nurses, doctors and consultants to the management team, led by a very special chief executive, Lance McCarthy—have progressed in leaps and bounds. I am particularly grateful to the chief executive for his decision to keep domestic services in-house, protecting the jobs and livelihoods of many Harlow residents.

In July, I was delighted to welcome Kathy Gibbs into Westminster for the NHS parliamentary awards. She was a finalist for the lifetime achievement award after dedicating her entire career to Princess Alexandra Hospital in Harlow. The neonatal unit has received a number of accolades for its dedicated care and has recently been shortlisted as a finalist to receive the Bliss neonatal excellence team award. Should the Minister wish to see at first hand the brilliant work that is done in the busy maternity ward, I encourage him to catch up with the latest series of W Channel’s documentary following TV personality Emma Willis as she joined our Harlow hospital team to train as a maternity care assistant.

All across the hospital, there is a collective effort to raise standards. The entire catering team at the hospital’s restaurant were celebrating recently, having again been awarded a five-star food hygiene rating from environmental health officers. Despite the challenges that they face, Princess Alexandra NHS staff are making progress beyond expectations. In the light of their hard work and proven capabilities, does the Minister agree that our NHS staff are some of the most deserving of a new hospital and place of work that is fit for purpose? They have shown us what they can do in an outdated, difficult working environment—just imagine what they could achieve if they were given the tools to succeed.

Our population is growing at an extraordinary rate, placing enormous strain on local healthcare resources. Our hospital, and town, was built in the 1950s to serve a population of approximately 90,000. Since then, Harlow has seen considerable change, going from strength to strength. We have a thriving enterprise hub—Kao Park—which is home to a state-of-the-art data centre and international businesses such as Pearson and Raytheon, offering unparalleled employment opportunities to thousands of residents. Thousands of new housing developments are under construction to accommodate our fast-growing population and help first-time buyers get on the ladder of opportunity.

Yet, with this extraordinary population growth, there is unbearable pressure on staff at the Princess Alexandra. Our hospital is struggling to cope with healthcare demands from around 350,000 people, exacerbated by the closure of nearby A&E units at Chase Farm Hospital and the Queen Elizabeth II Hospital. We have one of the busiest A&E units in the country and this trajectory of growth is only set to continue. Soon, Harlow will become home to Public Health England, and we have the chance to become the public health science capital of the world, offering employment to hundreds of people and bringing in many new residents. The near completion of junction 7A on the M11 will improve accessibility to our town, encouraging investment and prospects for business expansion. Given this faster-than-average population growth, does my hon. Friend the Minister agree that we cannot expect our NHS staff to bear the brunt of such demand without giving them the proper resource—a new health campus—to do so?

It is not only about numbers. The third challenge that Harlow faces has been caused by out-of-area placements into large-scale, commercial-to-residential conversions.
Permitted development rights legislation has been a disaster for our town. Many of the families placed in temporary accommodation in Harlow by London councils have additional healthcare needs and come to our hospital for medical support, yet neither our local council nor the Princess Alexandra Hospital are given any extra funding to provide this. We face unique pressures on our health and social care resources in Harlow. Does the Minister not agree that a healthcare campus would help to alleviate these pressures as well as offering space for further expansion?

Fourthly, as a champion of skills and the ladder of opportunity, which I know the Minister in his previous role cared deeply about, we need this health campus to create a hub for learning, skills, training, research and development in Essex. Already, the Princess Alexandra Hospital is winning awards for its high-quality training, mentoring and career progression. Fair Train, a national organisation championing work-based learning, awarded our Harlow hospital the gold rating—the top rating—for its workplace opportunities.

That said, the hospital faces immense challenges with recruiting and maintaining qualified professionals, in part due to the appeal of London hospitals and private practices just 40 minutes away. The new health campus would bring with it exciting opportunities for scientific research collaborations with Public Health England and local enterprises. Apprenticeships and unrivalled training courses with Harlow College would help to upskill our workforce and give Essex residents new opportunities to further their life chances.

The new healthcare campus in Harlow could lead the way in health science education and training. Does the Minister recognise the wider benefits that the new healthcare campus would have in upskilling people of all ages in Essex and Hertfordshire, creating employment and research opportunities and boosting our economic prospects? Will he help to make Harlow the health science capital of the world by granting the capital funding to make that a reality?

As the steady stream of investment into our Harlow hospital shows, the Government are aware of the unique pressures that the Princess Alexandra Hospital faces. At the start of this year, I was privileged to open the Charnley ward, a desperately needed £3.3 million temporary accommodation in Harlow by London councils have additional healthcare needs and come to our hospital for medical support, yet neither our local council nor the Princess Alexandra Hospital are given any extra funding to provide this. We face unique pressures on our health and social care resources in Harlow. Does the Minister not agree that a healthcare campus would help to alleviate these pressures as well as offering space for further expansion?

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As the steady stream of investment into our Harlow hospital shows, the Government are aware of the unique pressures that the Princess Alexandra Hospital faces. At the start of this year, I was privileged to open the Charnley ward, a desperately needed £3.3 million development constructed in just four months. Last December, we received £9.5 million to provide additional bed capacity, and in the autumn there was a £2 million investment to make preparations for the busy winter period ahead. Does the Minister not agree, however, that it is the Conservative way to consider what is best value for money for the taxpayer and that, while short-term cash investment provides much-needed relief, it does not go to the heart of the problem?

Mr Jonathan Lord (Woking) (Con): My right hon. Friend is making a brilliant case for a new health campus in Harlow. Will he allow the Minister in response to dilate a bit on the need for money to follow where population growth has taken place, as it has in Surrey and Woking? He makes a very good case for that in terms of his constituency, but of course there are wider effects as well, particularly in terms of capital investment, as he rightly says.

Robert Halfon: My hon. Friend is a brilliant constituency MP. I talk to him a lot about these matters, and he has just hit the nail on the head. Population growth is crucial. The money should follow population growth, and I accept that this is a problem not only in Harlow but in his constituency, in Strangford and across the country.

The existence of these quick, cheap add-on structures can actually add to the problems. They were described by the former Health Minister, my right hon. Friend the Member for Ludlow (Mr Dunne), as “sub-optimal clinical adjacencies”. The convoluted layout of our hospital is making the job of our NHS hospital staff more and more challenging day by day. It is slowing down their work and costing the taxpayer more. The Princess Alexandra Hospital in Harlow faces costs of £153,000 per week just to maintain its current position.

The cost of eradicating the maintenance backlog nationally—in other words, carrying out repairs to meet a certain standard—has climbed year on year to about £6 billion, and the day-to-day running costs of NHS estates have risen to £8.8 billion. Outdated, deteriorating infrastructure is costing the taxpayer more and more each year. I welcome the Prime Minister’s commitment of an additional £1 billion to improve and maintain existing buildings, but we must recognise that Elastoplast solutions only generate a need for greater spending down the line. We need a capital injection that will cure the problem—a vaccine—and not a simple patch-up job.

Time and again, I have been informed that we have a real chance of securing the capital funding. Previous Health Ministers have visited the Princess Alexandra, and it has been visited by the current and previous Health Secretaries on a number of occasions. We have been told that we have a good case for the £400 million of capital funding required to build our new health campus and that the Government will “look very seriously at the proposals”.

That was confirmed by a former health Minister, the hon. Member for Wimbledon (Stephen Hammond), during his visit to the hospital in May. However, nearly a year on, we still have not seen the major investment for which we have been collectively calling.

Does the Minister not recognise that the financially strategic way forward for both the taxpayer and the Government would be to grant the Princess Alexandra the capital funding that would enable it to commence its plans for a brand-new health campus? The trust’s board has worked incredibly hard to start planning for “a preferred way forward” that would provide the best value for money for the taxpayer. The final hurdle is the £400 million of capital funding, which would save money in the long run.

This scheme would have extraordinary benefits for our town and release land for more than 400 homes. We cannot sit by and let the building continue to deteriorate, pouring taxpayers’ money needlessly down the drain. We need drastic action. We need a new health campus for Harlow that is fit for the 21st century and will last for many years to come. We need it for Harlow, and we need it for the wider population of Essex and Hertfordshire.

10.7 pm

The Minister for Health (Chris Skidmore): I congratulate my right hon. Friend the Member for Harlow (Robert Halfon) on securing this important debate. It is
the first debate to which I have been able to respond in my new role. I know that my right hon. Friend campaigns tirelessly on matters of healthcare in Essex and, in particular, on the issue of funding for the Princess Alexandra Hospital NHS Trust. I also know that he met my predecessor to discuss issues, including the hospital’s workforce and the services provided by the trust. This is the fifth debate that he has initiated on this issue, which may be a record in the House of Commons. We in the Department, and my officials who are sitting in the Box tonight, are fully aware of the concerns that he has raised. Let me explain why we continue to take them seriously and want to continue to work with him.

Both my right hon. Friend the Secretary of State for Health and Social Care and my predecessor, my hon. Friend the Member for Wimbledon (Stephen Hammond), have visited the trust over the past few months and seen at first hand the excellent work that is being done by NHS staff despite the challenges faced by the estate, which my right hon. Friend has described. I should be delighted if he welcomed a visit from me so I could see the estate and thank the staff for their efforts. I have described in my eloquent speech the commitment that the staff have given to the hospital, across the board, and I should be delighted to see that at first hand.

As my right hon. Friend knows, the Government have already made significant funding available for health capital investment, recognising that the NHS faces the challenges posed by poor infrastructure and ageing estates. Between 2016-17 and 2018-19, we increased capital funding by £1.3 billion, an increase of about 30%. As my right hon. Friend said, we have also announced a £1 billion funding boost for the NHS, along with 20 new hospital upgrades to help staff to deliver the best possible health services in their buildings. I have had the pleasure of touring some of these potential new upgrades, including in Luton and Dunstable, which is relatively near my right hon. Friend’s patch, with a £99 million project, and Heartlands hospital in Birmingham, Barking, Stoke, Staffordshire and Croydon, to recognise that we do need to see upgrades—not just these 20 upgrades, but future additional upgrades.

My right hon. Friend the Secretary of State for Health and Social Care is committed to ensuring we make future investments in capital for the NHS. He recently set out that we will establish a new health infrastructure plan. This will be brought forward to deliver strategic major hospital rebuilding programmes, providing the necessary health infrastructure across the country. The shape of this will be confirmed in due course. I am not able to give specific details, but it will be similar to the road investment strategy process at the Department for Transport, with further long-term capital funding that we are discussing with our Treasury colleagues.

Delivering capital investment is a complex process and it takes time. I fully understand that my right hon. Friend has been very patient about the Princess Alexandra hospital, but this does need to be done thoroughly and professionally, alongside delivering the everyday healthcare services. There is a necessary process of assurance to ensure that services are transformed for the benefit of patients. This process is led by the trust, and includes a number of business case checkpoints and involves procurement, design, delivery and capability. Funding is provided when the full business case has been approved.

The 20 hospital upgrades announced in August were for hospitals that had just missed out on the sustainable transformation programme bid in December 2018, so were able to be progressed having followed the process. I take the point raised on population growth. That is important in assessing future bids; they must be based on future patient demand, just as clinical commissioning group allocations are currently adjusted to population to take account of growth and movement. I take the point that the areas outside London in the home counties have increased population and population movement, and we are therefore constantly in a state of catch-up in local healthcare services.

I know that my right hon. Friend has also raised proposals to build a new hospital in Harlow with the Chancellor of the Exchequer. I know that because I saw a picture on his Twitter feed, and I am sure he will have listened closely to proposals to fund a new health campus in Harlow.

On 5 August the Government announced a £1.8 billion increase to NHS capital spending, on top of the additional £3.9 billion announced in the 2017 spring and autumn budgets. Some £1 billion of this increase will ensure existing upgrade programmes can proceed by tackling the most urgent projects, and £850 million of the funding will allow 20 new hospital upgrades. I am sure my right hon. Friend will welcome that Luton and Dunstable near his constituency will benefit from this. However, I know he will be understandably disappointed that the new health campus in Harlow scheme was not included on that list. However, the scheme has the support of the Secretary of State for Health and other Ministers, and I understand that the scheme is well developed. NHS Improvement and NHS England will continue to work with the trust to develop its options to tackle the challenges it faces and secure the best outcomes for patients.

In the wider Essex area, there have been several successful bids in the sustainability and transformation partnership tranche 4, which includes £4.2 million awarded to Luton and Dunstable renal dialysis unit relocation, £7.1 million awarded to the Hertfordshire and west Essex vascular surgery network, £11 million to the West Hertfordshire Hospitals NHS Trust emergency care transformation and in Suffolk and north-east Essex £18 million awarded to the East of England Ambulance Service NHS Trust for infrastructure and capacity transformation.

I am sure that my right hon. Friend will agree that this affirms the Government’s commitment to ensuring the region receives its share of NHS funding. We expect there to be further opportunities to access capital in future years, with the decision on what this looks like to be decided in due course. I am sure the Chancellor of the Exchequer and the Chief Secretary to the Treasury will continue to listen to my right hon. Friend’s appeals on this issue, and I will be happy to make representations on his behalf.

Earlier today, the Chancellor reaffirmed the Government’s commitment to a £33.9 billion cash-terms increase in the NHS budget by 2023-24. This includes a £6.2 billion increase in NHS funding next year. This historic NHS settlement provides the largest cash increase in public services since the second world war. There is not time to go into the specific details of how this will be spent, but I would urge everyone, as part of their
bedtime reading, to turn to page 9 of the Blue Book of spending round 2019 to see how some of that money is being spent. I am delighted that it will also include a £250 million funding boost for Health Education England next year, which is equivalent to 3.4% real-terms growth.¹ This will allow staff at the Princess Alexandra Hospital, particularly nurses, midwives and allied health professionals, to access a personal training budget of £1,000 for every member of staff of those professions. Staff at the hospital will be able to benefit from some of the announcements that have been made today.

As a former Universities Minister, I pay tribute to my right hon. Friend’s work as Chairman of the Education Committee and to his statement about the importance of research in relation to the campus and the health hub. We recognise that, when it comes to training, there needs to be an holistic approach to funding. Yes, capital is important, but we must ensure that the individuals working in those new buildings feel that they have a place within their local NHS and that they want to stay there and continue to work there. That is why some of the announcements today on education and training are absolutely vital, and I am sure my right hon. Friend shares that commitment. Looking at some of the money that has been announced today, we also see that £250 million is to be invested in ground-breaking new AI technologies to help to solve some of healthcare’s toughest challenges.

When we look at the Princess Alexandra Hospital NHS Trust, we must also look at the Harlow science hub campus programme, which is incredibly exciting. I remember it being announced in the 2016 Budget, when I was the former Chancellor’s Parliamentary Private Secretary. There was enormous excitement, and I would like to commend my right hon. Friend for his tireless campaigning relating to the public health campus, which would not have happened if it was not for him making the case in the first place and going to the former Chancellor and securing the funding. It will be the largest centre of its kind in Europe, providing a new national centre for applied and public health science, as well as the headquarters of Public Health England. I know that this is still on schedule with the demolition work already under way, as is the preparation for the construction work, which starts early next year.

I know that Public Health England and the chief executive of the Princess Alexandra Hospital NHS Trust have been in discussions over the last 12 months about what opportunities can arise as a result of the move to Harlow, and I hope to hear more about this soon. Indeed, I will be delighted to come up to Harlow as part of the visit to the hospital trust and to look at how we can explore developing the wider benefits that the scheme may have.

Robert Halfon: I thank my hon. Friend very much for what he has said and for his commitment to visit the Princess Alexandra Hospital. Just to be clear, will he confirm that there will be a capital fund from the Treasury for significant capital funding programmes for significant hospital upgrades and that the Princess Alexandra Hospital is very much on that list?

Chris Skidmore: This was announced today as part of the spending round document. Paragraph 2.4 states:

The Department for Health and Social Care will receive a new multi-year capital settlement at the next capital review. This will look to deliver a smarter, more strategic long-term approach to the country’s health infrastructure, with investment focused on local areas where the need is greatest. The plan will include capital to build new hospitals⁷.

I want to reassure my right hon. Friend that when it comes to the Princess Alexandra Hospital, it is under serious consideration in relation to ensuring that that refurbishment will be able to take place for the future.

Question put and agreed to.

10.18 pm

House adjourned.

The Department of Health and Social Care has assessed and contacted 448 suppliers of medicines in England, Scotland, Wales and Northern Ireland, and has regular and detailed conversations with the industry.

Mohammad Yasin: This week, the Nuffield Trust joined 11 union leaders to warn that no deal would disrupt the supply of life-saving medicine and exacerbate the largest staffing crisis in our NHS’s history. What level of mortality rate is acceptable to the Secretary of State as the price to pay for this devastating no-deal Brexit?

Stephen Barclay: The hon. Gentleman does not reflect the reality of the significant preparation that the industry has done over the last three years, and I pay tribute to it for that. For example, one of the leading insulin manufacturers, Novo Nordisk, has 18 weeks’ worth of supplies, while the Government had asked for six weeks’ worth. The industry has gone above and beyond in its preparations, and a huge amount of work has been done.

Vicky Foxcroft: I was recently contacted by a constituent with a rare condition. She has stopped producing cortisol and needs to take a synthetic form of it to survive. If she stops taking her medication, she will be dead within 10 days. What does the Secretary of State have to say to my constituent, who is afraid that the Government are gambling with her life?

Stephen Barclay: I would say that we should not be scaring people unnecessarily. The Government have put in place a framework to ensure supply. We have also put in place an express freight service, which will give even more capacity on a 24-hour basis and between two to four days for larger pallets. There is additional capacity, and a huge amount of work has been done on storage, but this is an issue of mutual interest for the UK and the Commission, and we are working on it jointly.

Diana Johnson: Anyone who is facing cancer treatment wants to know that they can get the medicine and the medical devices they need as quickly as possible and with certainty. Dr Buscombe from the British Nuclear Medicine Society says that the system for delivering radioactive isotopes in the event of a no-deal Brexit is “fragile”. What does the Secretary of State say to patients who are concerned to hear that?

Stephen Barclay: I was a Health Minister, and as part of business as usual there are always issues of supply, usually with around up to 50 lines. We have had it in the last few weeks with HRT, which is totally unconnected to Brexit. These are issues that the Department is well used to preparing for. It is in the interest of both sides to get this right. Two thirds of Ireland’s medicine comes through the land bridge in Great Britain. This is something that both sides are working to deliver because it is of interest to both of us.

Mr Philip Hollobone: I welcome the Government’s preparations to prevent medicine shortages in the event of no deal and the fact that the Secretary of State highlighted the impact this will have on the Republic of Ireland. As he rightly says, two thirds of medicines to the Republic come through and over UK motorways, so it is in the EU’s interests as well to prevent no deal.

Stephen Barclay: My hon. Friend is right. This is about preparing. It is not about scaring people unnecessarily. Around 220 lorries impact Ireland. This is of mutual interest, and we want to get it right with them. That is why we are working with member states on this. It is not just about stock and not just about flow; it is also about flow the other way. A significant number of UK medicines from firms like AstraZeneca go to Europe, so this is in the interests of the EU27 and the UK, which is why considerable work has been done on it.

Exports: No Deal

2. Richard Burden: What recent assessment the Government have made of the effect on the transportation of goods of the UK leaving the EU without a deal.

The Secretary of State for Exiting the European Union (Stephen Barclay): The Government have prioritised flow of goods at the border and put in place a range of easements to support that fluidity.
Richard Burden: I do not get any sense from the Secretary of State that he intends to implement the decisions of this House in ruling out no deal. What would his response be to Rod McKenzie of the Road Haulage Association, who only this week said this of his experience of Ministers in relation to what he describes as the “clear and present” threat of no deal:

“What we need is action, and we need action now. And there’s this gap between what they say they’re going to do, and what they have so far failed to deliver”?

When will we see delivery from this Government? When will the Government even meet unions representing drivers to discuss their real fears about the impact of a no-deal Brexit on drivers’ hours and safety?

Stephen Barclay: Again, the hon. Gentleman is ignoring the evidence. The Government are acting. He should look at, for example, the auto-enrolment of EORI—economic operator registration and identification—numbers. Some 87,955 VAT-registered businesses that trade only with the EU have, as part of auto-enrolment, had those numbers sent out. My right hon. Friend the Chancellor of the Duchy of Lancaster was having a ministerial meeting with his counterpart and discussing these very issues. There are material issues to address, but it does not progress debate in this House if people ignore the reality of the work that the Government are doing.

Greg Clark (Tunbridge Wells) (Ind): My right hon. Friend said last week that the “car industry’s ‘just in time’ supply chains rely on fluid cross-Channel trade routes”,

and that we “need to start talks now on how we make sure this flow continues if we leave without a deal.”

Some of us have been making this point for some time. Can my right hon. Friend say: who are these proposed talks with, have they started, when does he expect them to finish and will he publish an update on how far they have got?

Stephen Barclay: This is the first opportunity I have had since my right hon. Friend left the Government to pay tribute to the work that he did as a senior Minister, in particular, if I may say so, in relation to the British steel industry. I know he was an assiduous champion of its interests at the Cabinet table.

What I was highlighting in that thread was the talks the Chancellor of the Duchy of Lancaster was having that Friday in Calais. The fact is that issues about the documentation required and the flow are of mutual interest. It was pertaining to the issues touched on in the communiqué issued by the Commission yesterday. It is in the interests of both sides, including those of leaders in northern France, that we get the flow of these goods right.

Hilary Benn (Leeds Central) (Lab): About 3 million wooden pallets are used every month to transport goods, including food, between the UK and the EU. After a no-deal Brexit, those wooden pallets will no longer be able to be used unless they have been heat treated or fumigated. Can the Secretary of State give the House an assurance, because this is absolutely about the supply of food, that there are sufficient pallets available to the companies that keep our food supplies moving?

Stephen Barclay: We have a ministerial meeting, chaired by the Chancellor of the Duchy of Lancaster, which is tasked each day with looking at specific issues. My focus—as Chair of the Exiting the European Union Committee, the right hon. Gentleman will be aware of this—is on the negotiations, as opposed to every item such as pallets, so I will pick that up with the Chancellor of the Duchy of Lancaster. However, considerable work has gone on. As I say, this issue applies to the EU—to its exports and the flow of goods through Calais—and it is these very issues that the Chancellor of the Duchy of Lancaster was discussing with his counterparts in Calais last Friday.

Jeremy Lefroy (Stafford) (Con): The Secretary of State quite rightly referred to the EORI numbers, but as I understand it, businesses will also have to get a similar number from the country in the EU27 with which they trade once we are outside the EU. Are businesses aware of that, or are they just aware of getting the UK one?

Stephen Barclay: My hon. Friend is right that there are a number of things businesses need to do. That is exactly the purpose behind the public information campaign that we have launched to improve readiness. Contrary to the perception often implied in this House, a huge amount of work has been done in government over the last three years and a large amount of work has also been done in large companies, including large pharmaceutical companies. The area of more concern has been within the SME community to which he refers, and that is what the public information campaign is targeting.

Tom Brake (Carshalton and Wallington) (LD): Would not the best way of measuring the effect of transportation of goods on the UK leaving the EU without a deal be to publish the Operation Yellowhammer documents, rather than sanitising or shredding them, and allowing Members of Parliament to interview the civil servants responsible for writing them?

Stephen Barclay: A huge amount of information has already been published, not least in the form of the technical notices that the Government have issued. However, I fear—this may be a rare area of agreement between the right hon. Gentleman and me—that there is no level of documentation we could publish that would fully satisfy him.

Visa-free Travel

3. Craig Whittaker (Calder Valley) (Con): What plans does the Government have to negotiate visa-free travel between the UK and the EU for short visits after the UK leaves the EU.

13. Mrs Pauline Latham (Mid Derbyshire) (Con): What plans does the Government have to negotiate visa-free travel between the UK and the EU for short visits after the UK leaves the EU.

The Parliamentary Under-Secretary of State for Exiting the European Union (James Duddridge): The European Union has confirmed that it will grant UK nationals visa-free travel for short stays, subject to reciprocity.
The Government have also said that we do not intend to require visas for tourists or short-term business visitors from the European Union.

Craig Whittaker: On longer-term working visas, 19% of people in the Calder Valley work in manufacturing, a sector that is now suffering from skill shortages and benefiting from very high employment. Can my right hon. Friend put the minds of businesses at rest, and explain how we can fill these skill shortfalls in the short term after Brexit that are currently filled through freedom of movement?

James Duddridge: I thank my hon. Friend for that question, and I can certainly reassure him. As the Home Secretary set out, as we leave the EU we will transition to a new points-based immigration system that is built around the skills and talents that people have, not where they are from. In the short term, Swiss citizens and those from the European economic area who move to the UK after a no-deal Brexit on 31 October will still be able to start to study, as now.

Mrs Latham: How will we ensure that the UK continues to attract the brightest and best when we leave the EU?

James Duddridge: My hon. Friend makes an important point—it is essential that we attract the brightest and best, not just from the EU but from around the world. That is what the Government are doing by repositioning ourselves with real growth areas around the world, alongside the EU.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Is the ministerial team aware that my constituency of Huddersfield, where I come from, is, like that of the hon. Member for Calder Valley (Craig Whittaker), the centre and heart of manufacturing in this country? We must be mobile and be able to visit places. People in the manufacturing centre of Huddersfield, and the university, are absolutely appalled by what might happen if there is a no-deal Brexit. We need access to our markets and to travel, and we believe it will be the end of the world if we crash out without a deal.

James Duddridge: If he has studied my past, the hon. Gentleman may know that I lived in his constituency. I studied and have friends in his constituency, and I know it very well.

Alison Thewliss (Glasgow Central) (SNP): Last week, I spoke to Universities Scotland, which is deeply concerned about the status of Erasmus students who are currently funded through freedom of movement. Will the Secretary of State guarantee that they will be allowed back in, in the event of a no-deal Brexit?

James Duddridge: Yes.

Mr Speaker: We are grateful.

No Deal

4. Stephen Hammond (Wimbledon) (Ind): What recent assessment he has made of the likelihood of the UK leaving the EU without a deal.

The Secretary of State for Exiting the European Union (Stephen Barclay): The Government are committed to leaving the European Union on 31 October, whatever the circumstances. We would prefer to leave with a deal, but to achieve that the EU must be willing to reopen the previous withdrawal agreement.

Stephen Hammond: I thank my right hon. Friend for that answer. I believe the best way to avoid no deal is to secure a deal. He will know that I voted three times for the withdrawal agreement, and I will support this Government as they seek to secure a deal. Given that the comments reported overnight from Monsieur Barnier appear to be in conflict with the aspirations of our Prime Minister, will the Secretary of State say when the Prime Minister intends to deliver his proposals for the revised deal, so that that deal can be secured before 31 October?

Stephen Barclay: I pay tribute to my hon. Friend. Despite some misgivings and the way that he campaigned during the referendum, he has consistently voted for a deal, and he was consistently willing to compromise where many others were not. On the substance of the talks, the Prime Minister’s Europe adviser was in Brussels yesterday, and the Prime Minister is due to meet the Taoiseach on Monday. I am in regular contact with my counterparts, and I have visited a number of capitals in recent weeks. A significant amount of work has gone on, but we will not fall into the trap that befell the previous Government, where the Commission has an absolutist, all-weather, all-insurance position and then asks for deals on the basis of creative flexibility, and against that test then dismiss it as magical thinking. We need to have detailed discussions, but they must be done in the right way, which is what we are doing.

Matthew Pennycook (Greenwich and Woolwich) (Lab): The Secretary of State has said once again that the new Administration want to secure a deal, rather than leave without one, yet we know that no new concrete proposals have been presented to the EU. It has been reported that in the technical talks that took place yesterday between the UK’s chief negotiator and EU Commission officials, the UK team made it clear that the Government want to jettison the level playing field provisions contained in the withdrawal agreement. Will the Secretary of State confirm that removing those provisions is now the Government’s preference?

Stephen Barclay: As the hon. Gentleman says, the Government want to leave with a deal. We also know that Labour Members do not want a deal, they are not prepared to leave with no deal, and therefore they are not prepared to leave at all. The Government’s proposals made it clear in the letter to President Tusk that, notwithstanding concerns about the wider withdrawal agreement held by many of my colleagues on the Government Benches, the issues have been narrowed down to that of the backstop. That is distinct from the Northern Ireland protocol as a whole, and is that the constructive approach that the Prime Minister has taken. He has also answered the charge that was often levelled from the Labour Benches about what sort of deal we seek in the political declaration. The charge of a blind Brexit was often levelled at me, and the Prime Minister has answered that question. He is seeking a best-in-class free trade agreement, and he has been crystal clear on that.
Matthew Pennycook: There was no answer there on the level playing field provisions. I am not sure why the Secretary of State is so reluctant to confirm that regulatory divergence from the EU, rather than alignment with it, is what the Government want to achieve. After all, as he mentioned, in the Prime Minister’s letter to Donald Tusk on 19 August that was for him “the point” of our exit. We have gone from Canada plus plus plus to Canada minus minus with barely a mention and no debate in this House. Let me ask the Secretary of State this simple question: will the Government now come clean with the British public about the fact that far from maintaining workers’ rights, Ministers want the freedom to chip away at them and environmental protections and consumer standards?

Stephen Barclay: No. What is staggering about the hon. Gentleman’s question is his—

Anna Turley (Redcar) (Lab/Co-op): Answer!

Stephen Barclay: If the hon. Lady will give me a moment, I was just coming on to do precisely that. The point at issue is whether the UK is, as a sovereign state, able to determine its own laws and regulations, or whether it is in dynamic alignment, taking rules and regulations from the Commission over which we would have no vote. Opposition Members may huff and puff. What it suggests is that they want this Parliament to continue to take rules from the Commission, but in future have no say over those rules. We do want a situation where we have two sovereign states, not on the basis of deregulation but of sovereignty.

Sir Desmond Swayne (New Forest West) (Con): Am I right in trusting that we have a cunning plan to leave on 31 October?

Stephen Barclay: My right hon. Friend tempts me, with his knowledge of the relevant box sets, into dangerous territory. The Prime Minister does have clarity on what he is seeking in the negotiations. The framework was set out in the letter to President Tusk, where we narrowed down the negotiating objectives to the backstop in the withdrawal agreement and to a best-in-class free trade agreement in the political declaration. That is the plan. It is very clear.

Mr Speaker: Order. In calling the hon. Member for Brecon and Radnorshire (Jane Dodds), I should like again to congratulate her warmly on her splendid maiden speech yesterday afternoon.

Jane Dodds (Brecon and Radnorshire) (LD): Thank you, Mr Speaker. Diolch yn fawr iawn. What would the Secretary of State say to the National Farmers Union, which says that a no-deal Brexit would be catastrophic for farmers? The Farmers Union of Wales says it would have disastrous consequences for farmers. What would he say sitting opposite family farmers in places like Brecon and Radnorshire and across Wales who really fear for the livelihoods and their futures?

Stephen Barclay: May I join you, Mr Speaker, in welcoming the hon. Lady and paying tribute to her maiden speech yesterday? I thought she spoke with great distinction. The specific issues pertaining to the sheep industry were addressed, at much greater length than perhaps the Mr Speaker can allow me now, in the Adjournment debate by the Minister of State, Department for Environment, Food and Rural Affairs, my hon. Friend the Member for Camborne and Redruth (George Eustice), so I would first refer the hon. Lady to the comments and the issues the Minister of State—

Jenny Chapman (Darlington) (Lab): So, no answer!

Stephen Barclay: I can go into it. I watched the Adjournment debate. The Minister talked about the misunderstanding by an Opposition Member of the impact of depreciation on experts. We can talk about the measures put in place in terms of headage and the support for the industry. We can talk about the level of exports. We can get into the detail with the hon. Lady; it is just that the Chair will, I am sure, want me to be fairly succinct, and the Adjournment debate covered the issue at greater length.

Ethanol Imports: Tariff Schedule

5. Anna Turley (Redcar) (Lab/Co-op): What plans the Government have to publish a tariff schedule for ethanol imports in the event that the UK leaves the EU without a deal.

The Secretary of State for Exiting the European Union (Stephen Barclay): If the UK leaves the EU without a deal, the UK would implement a temporary tariff regime. This would apply for up to 12 months while a full consultation takes place and a review of a permanent approach is undertaken.

Anna Turley: I appreciate the Secretary of State’s response and the letter I received from the Department for International Trade this morning, but in the meetings we had with the Department, we were told that biofuels would not be covered by the protection tariffs. Ensus in my constituency tells me that the fear of a no-deal Brexit is already harming business. We know that a no-deal Brexit without tariff protection will kill British biofuels, end jobs and leave us relying on imports. Will the Secretary of State commit to working with his colleagues to maintain tariff protection on ethanol before it is too late?

Stephen Barclay: The hon. Lady raises a legitimate issue in a constructive way, and I am very happy to work with her because she is championing a genuine issue on behalf of her constituents. There is always a balance in setting tariffs between protecting consumers and the issues for producers. It is about how we calibrate those two sometimes competing issues. She will understand that within the market—within the industry—there is domestic pressure, regardless of Brexit, but I am very happy to work with her because she is championing a genuine issue in a constructive way, and I am very happy to work with her on that issue.

Stephen Crabb (Preseli Pembrokeshire) (Con): The Secretary of State will be aware from Yellowhammer that the proposed tariff regime under no deal creates very specific risks for the UK oil-refining sector. Given that the Valero refinery in Pembroke is the largest and most important private sector employer in west Wales,
will the Minister tell me what the plan is for protecting the UK refining sector if we end up leaving the EU without a deal?

Stephen Barclay: My right hon. Friend will know that concerns have been raised by the industry in respect of that. Pertaining to the answer that I gave a moment ago, existing questions within that market are also a factor. I am very happy to have further discussions with him, as I am with the hon. Member for Redcar (Anna Turley), because a number of issues come into play for that industry.

Nick Thomas-Symonds (Torfaen) (Lab): There is a group of medicines that simply cannot be stockpiled and which rely on an uninterrupted supply of imports. Will the Secretary of State give a 100% guarantee that none of my constituents will suffer a shortage of that type of medicine as a result of a no-deal Brexit?

Stephen Barclay: As I said, we have not only put in place an additional procurement framework in terms of capacity, but we have procured an express freight service to deliver small consignments on a 24-hour basis, and a two-to-four day pallet-delivery service. These issues are being addressed by the Department and a huge amount of work is going on exactly on that issue.

Business Preparedness

6. Andrew Lewer (Northampton South) (Con): What recent discussions he has had with business groups to help ensure that they are prepared to leave the EU on 31 October 2019.

The Parliamentary Under-Secretary of State for Exiting the European Union (James Duddridge): Since joining the Department on 27 July, I have personally met more than 20 business organisations. Since July 2016, Department for Exiting the European Union Ministers have collectively undertaken over 700 meetings with businesses and business organisations from every sector in the economy.

Andrew Lewer: Northamptonshire is one of the most important logistics hubs in the UK, so what steps are the Department taking to make sure that those firms and businesses are up and ready to deal with a possible no-deal Brexit?

James Duddridge: That is a very sensible question. The Department has engaged extensively with logistics companies and representative bodies from across the sector to ensure that they are prepared for 31 October. I encourage my hon. Friend and businesses to consult the public information campaign on gov.uk to get a practical, step-by-step guide on what is required for business. That is a powerful thing to do—it is the right thing to do—in preparing to leave properly on 31 October.

Thangam Debbonaire (Bristol West) (Lab): What information can the Minister give us about what preparation has been done—what proactive contact his Department has made—with businesses that may not trade directly with Europe but whose supply chains or customers do so, and who therefore may not have availed themselves of the Government web pages?

James Duddridge: I would certainly encourage those businesses to avail themselves of that opportunity. The Department has sent out 1,300 bits of information and that is captured on the gov.uk website. I have engaged with businesses—I am the small and medium-sized enterprises champion for the Department—and the one thing that I have noticed is that larger businesses tend to be more prepared than smaller businesses, and particularly the type of which the hon. Lady speaks. The Government website is a rich source of information, so I encourage Members to return to their constituency and—alongside campaigning—promote the Government website.

Mr Gregory Campbell (East Londonderry) (DUP): There is a massive difference between some of the realistic concerns of businesses about no deal and some of the madcap scare stories that are going around. What is the Minister doing to ensure that there is an understanding of realistic concerns and to dismiss some of the other wild stories?

James Duddridge: There will always be knockabout politics, but I would prefer to engage in the detail. I was in Northern Ireland last Thursday talking to businesses on the border and then in Belfast discussing alternative arrangements with a wide range of businesses, engaging them in the very real detail and not the high-level scare stories. There are concerns, and they are being dealt with, but they should not be confused with the bigger scare stories.

Discussions with EU Counterparts

7. Mr Philip Dunne (Ludlow) (Con): What discussions he has had with his EU counterparts over the summer recess on the UK’s departure from the EU.

The Secretary of State for Exiting the European Union (Stephen Barclay): Over the summer recess, I had extensive discussions with my European counterparts—I suspect that my right hon. Friend and I saw a little less of the summer than some—including in the past fortnight in Paris, Copenhagen, Helsinki and a couple of other places. There has been extensive engagement, and that engagement continues.

Mr Dunne: I am very encouraged to hear my right hon. Friend begin to list some of his summer itinerary. I think that helps to build confidence in the fact that the Government are engaged in serious discussions with the European Commission and other counterparts. To that effect, would he be prepared to publish information on whom he has met and the discussions he has had when not in meetings, with whom and when?

Mr Speaker: Order. I would just say that I am sure that the unknown place to which the Secretary of State has referred has not forgotten that he visited it and its inhabitants.

Stephen Barclay: I fear that I might get into trouble with the said unknown place, but I hope that a bit of latitude will be granted. My right hon. Friend raises a material point, because it goes to the crux of last night’s debate and the sincerity of the negotiations. The Prime Minister has also had extensive contact through the G7 and his visits to Berlin and Paris, among other places,
and there has been the extensive work, to which I pay huge tribute, of the Prime Minister’s Europe adviser, who was in Brussels last week, this week and who has also travelled extensively. Significant work has been going on, and I am very happy to look at what further detail we can set out.

Jenny Chapman (Darlington) (Lab): If all that is true, why did Dominic Cummings call the negotiations a “sham”?

Stephen Barclay: First, as the hon. Lady well knows, the Government do not comment on leaks. Secondly, the issue is really about looking at the substance. Look at the letter to President Tusk that narrowed down the issues. It would have been much easier for the Prime Minister to set out a long list of demands but, because of the seriousness of the negotiations, those have been narrowed down, as set out in that letter. One of the European Union’s charges against the previous Government was that they had not been specific enough about what sort of future relationship they sought in the political declaration. The letter answered that very clearly: a best-in-class FTA, and one that covers not only the economic side, but security and other aspects. There is substance there. The problem with the other side is that they do not want to leave at all, and therefore they will not take yes for an answer.

Policing and Security

8. Mr Adrian Bailey (West Bromwich West) (Lab/Co-op): What recent discussions he has had with the Home Secretary on the effect on policing and security of the UK leaving the EU without a deal.

Mr Bailey: Under a no-deal Brexit, UK police would lose access to 40 enforcement tools, including the European arrest warrant and access to European information databases, which are vital for identifying international terrorists and criminals who could be targeting this country. Can the Minister explain how that is assisting us to take back control of our borders?

James Duddridge: One thing that will certainly assist is the 20,000 extra police officers—[Interruption.] I do want to get down to the specifics, but the hon. Gentleman will forgive me for making a political point, given that we are now into an election—at least, we think that we are into an election. On the specific details, Interpol notices function very similarly to Schengen information system alerts. The hon. Gentleman reasonably talks about the European arrest warrant. In the event that we leave without a deal, the UK will operate the Council of Europe convention on extradition with EU member states. We have worked intensively with operational partners, both here and across the EU, to ensure that there is a smooth transition between the two.

Jack Dromey: Operation Yellowhammer found that a no-deal Brexit could lead to “a rise in public disorder and community tensions”. Do the Government not recognise that the toxic and irresponsible use of language, such as “collaborators”, “treachery” and “surrender”, deepens the divisions in our country and puts the public at risk, including Members of this House? Have they not learnt the tragic lessons of history?

James Duddridge: Let me gently say to the hon. Gentleman that one thing that will lead to unrest and unhappiness is the ignoring of the public and the referendum result. However, we continue to work with the police and the Army in the normal way.

Legal Services Sector

9. Robert Neill (Bromley and Chislehurst) (Con): What steps his Department is taking with the Department for International Trade to promote the UK legal services sector overseas.

The Parliamentary Under-Secretary of State for Exiting the European Union (James Duddridge): Let me start by thanking my hon. Friend, who does not seem to be in the Chamber—[HON. MEMBERS: “He is in the Chamber.”] I apologise. That was in no way an insult to my hon. Friend’s height or presence. I congratulate him on his work in the Justice Committee.

The Government are committed to maintaining, over time, the growth in the United Kingdom’s £4.4 billion trade surplus in legal services, and that includes setting the right framework in future trade negotiations.

Robert Neill: There is always more than one way to be overlooked.

Does the Minister accept that, at present, the United Kingdom has the second largest market in legal services in the world and the largest in the European Union? That is because of the unparalleled access that British lawyers currently have to EU legal markets under the appropriate directives. Does the Minister recognise that if we are to avoid the 10% hit that the Law Society estimates would be taken by this country’s income from its legal services in the event of a no-deal Brexit, we must not only preserve maximum access to those markets, but develop a comprehensive strategy across all Departments to market British legal services as a world centre of excellence elsewhere?

James Duddridge: I fully agree with my hon. Friend. Given that 6.5% of global legal services pass through the United Kingdom and three out of 15 top firms are based internationally in the UK, it is essential for us to work on a cross-departmental basis. The Legal Services are GREAT campaign is a good example of this ambitious programme. Since its launch in Singapore in October 2017, it has operated in more than 30 countries, with trade missions to Kazakhstan, China, Chile and Nigeria. Those missions are very effective, and they will continue.
Freedom of Movement

10. **Ellie Reeves** (Lewisham West and Penge) (Lab): What recent discussions he has had with Cabinet colleagues on the effect on the rights of (a) EU and (b) UK citizens of immediately ending freedom of movement in the event that UK leaves the EU on 31 October 2019. [912283]

**James Duddridge**: The settled status scheme is working very well: more than 1 million of the 3 million people have applied, nobody has been rejected, and people may apply all the way up to 31 December 2020.

**Contingency Planning**

11. **Gavin Newlands** (Paisley and Renfrewshire North) (SNP): What progress his Department has made on contingency planning for the UK leaving the EU without a deal. [912284]

**The Secretary of State for Exiting the European Union (Stephen Barclay)**: The Government are delivering more than 300 specific no-deal projects across a range of sectors and delivery is well advanced. There is still more work to do and we are turbo-charging our preparation under the leadership of the Chancellor of the Duchy of Lancaster.

**Stephen Barclay**: It is a little dismissive for the hon. Gentleman to say that all this is nonsense. That was the first SNP question, so saying that we have already heard the nonsense seems a tad premature. The reality is that the Government are preparing extensively for no deal. We have a big information campaign that has launched, over 300 projects are under way, and we are working actively and constructively with the devolved Administrations, including the Scottish Government.

23. [912297] **Mr Peter Bone** (Wellingborough) (Con): If the Bill that passed through this House yesterday becomes an Act of Parliament, it would govern what we do in this country, but of course we cannot guarantee a no deal, because the European Union might not agree to an extension. So will the Secretary of State confirm that the Government will continue to prepare for no deal despite any Act of Parliament, because what happens is not within our control?

**Stephen Barclay**: My hon. Friend is a keen observer of these matters, and he is absolutely correct: the decision on an extension is not a—[Interuption.] The hon. Member for Wallasey (Ms Eagle) says “So what”; I am merely stating the legal position. I am sorry that she finds the legal position somewhat distasteful, but that is the legal position. The legal position on an extension is that it requires the support of every member state including the United Kingdom, so my hon. Friend is correct. [Interuption.] The hon. Lady keeps chuntering, but my hon. Friend is correct: we would need to continue to prepare for no deal, because it is within the scope of any member state to block an extension. That is the legal position.

21. [912289] **Patrick Grady** (Glasgow North) (SNP): The Scottish Parliament tonight will vote overwhelmingly, I am sure, to oppose this Government’s intention to crash
out with no deal and to condemn their decision to prorogue Parliament for five solid weeks. Nobody in Scotland voted for no deal, and Scotland voted overwhelmingly to remain in the European Union, so will the Government pay attention to the views of Scotland, or do they simply not care?

Stephen Barclay: Not just this Government will pay attention; I am sure the people of Scotland will pay attention to a vote against democracy. It is not the first time that those on the SNP Benches have ignored the votes of the British people, whether in the referendum in 2014 that they want to overturn or in the referendum of the United Kingdom in 2016. They seem to have a problem with listening to the democratic will of the people.

Martin Vickers (Cleethorpes) (Con): In my discussions with Associated British Ports, which manages the port of Immingham and the other Humber ports, there is a clear indication that they are well prepared in their contingency plans to handle any problems that may occur. Can the Secretary of State confirm that our ports are indeed well prepared for no deal and also that they can take much heart from the advantages, such as free-port status, that will be available post Brexit?

Stephen Barclay: My hon. Friend is absolutely right. Before the reshuffle, I met the ABP and others looking at these issues, and their preparations are well advanced. He will also know that the Government have allocated additional funding for those ports, and he will be aware that, although in this place a huge amount of the debate tends to focus on Dover because of the vehicle flow through it, in terms of the containers and value of goods, the other ports are actually more significant.

Peter Grant (Glenrothes) (SNP): The Yellowhammer report that the Government are determined to hide from us warns of delays of up to two and a half days at ports, freight target capacity being reduced by between 40% and 60% and, in terms, medical supplies being vulnerable to severe extended delays. The Government tried to pretend that that was an old report, but that was not true. It is a reasonable worst case scenario: not the most likely, but likely enough to need to be planned for. When will the Government accept that all the trade organisations, professional bodies and people who understand the industry who are saying that no deal will be a disaster are right, and that it is this Government who are wrong?

Stephen Barclay: There is an oddity within the hon. Gentleman’s question. He accuses us of hiding the Yellowhammer documentation, yet it is shared with the Scottish Government as part of our internal working to prepare for no deal. We are not hiding it; in government we prepare documents and on that basis we put in place funding and other measures to tackle them. In fact, the Public Accounts Committee, among others, would be the first to criticise us if that detailed preparation was not taking place.

Peter Grant: Will the Government give absolutely unreserved and unrestricted permission to the Governments of Scotland and Wales to publish that report in full today: yes or no?

Stephen Barclay: It is always the case that in government we prepare documents to ensure that we have preparations in place. The point is to determine what is likely to be the impact on the EU27, for example, and what we can put in place to address concerns such as those on the flow of goods. I referred earlier to the fact that two thirds of Ireland’s medicines come through Britain. I could also have mentioned the fact that 40% of Irish exports go through Dover. This is an issue that concerns the Commission and the United Kingdom. That is why we are preparing these documents, and we are working openly with the Scottish Government and others on that. That is what the Government should be doing.

EU Settlement Scheme

14. Alan Brown (Kilmarnock and Loudoun) (SNP): What recent discussions he has had with the Home Secretary on the level of uptake for the EU settlement scheme.

The Parliamentary Under-Secretary of State for Exiting the European Union (James Duddridge): I spoke to the Home Secretary this week on the issues of the EU settlement scheme. The scheme is operating well: 1 million people have passed through the scheme out of the 3 million, and there have been no rejected applications. The Prime Minister has made a big, bold offer to EU citizens, who remain our friends and neighbours and who are welcome here in the United Kingdom.

Alan Brown: The Minister says that the system is working well, but I can tell him that the reality is that it is not. My wife Cyndi is an EU citizen, and due to the Government rhetoric, she reluctantly decided to apply for settled status. I can tell the Minister that the system crashed, and that the officials operating it said that they could not handle the volume of traffic. Is it because this process is a shambles that the Government have had to do a U-turn on the threat to end freedom of movement on 31 October, or is it the threat of court action that has caused the U-turn?

James Duddridge: We have improved the system on an ongoing basis, and we are keen to do so. The default position is that we want people to get that settled status. The hon. Gentleman makes specific points about a specific case, and I am sure that the Home Office would be happy to look at that and to understand how it can improve the system further.

Topical Questions

T1. Louise Haigh (Sheffield, Heeley) (Lab): If he will make a statement on his departmental responsibilities.

The Secretary of State for Exiting the European Union (Stephen Barclay): Since I last updated the House, I have had the pleasure of welcoming the Under-Secretary of State for Exiting the European Union, my hon. Friend the Member for Rochford and Southend East (James Duddridge) to his ministerial place. I should like to take this opportunity to thank my right hon. Friends the Members for Spelthorne (Kwasi Kwarteng) and for Braintree (James Cleverly), who have now both joined me in the Cabinet. We have a new Prime Minister, who is committed to leaving on 31 October, and within the
ministerial portfolios, I welcome the Chancellor of the Duchy of Lancaster, my right hon. Friend the Member for Surrey Heath (Michael Gove), who has taken on responsibility for domestic operational planning in the context of no deal. This enables me and my Department to focus on negotiations with the EU, in which we will seek to achieve a best-in-class free trade agreement. Throughout the summer, I have visited a number of European capitals and had regular conversations with my key interlocutors, including the Deputy Prime Minister of Ireland and the French Europe Minister, with whom I had recent productive meetings in Paris.

Louise Haigh: If I was still a serving police officer and I arrested a European national who, unbeknown to me, was wanted for a string of serious violent sexual offences, at the moment I would simply have to access a database on booking him into custody to find that out. Will the Secretary of State confirm that the provision of medicines to leave the EU, with or without a deal, will my right hon. Friend answer, which did not confirm full commitment, has procured.

Stephen Barclay: Under the current position, that would depend upon to which member state the situation pertained. We already have in place a bilateral arrangement with Ireland to reflect the common travel area, but the arrangements vary between member states. However, the premise of the hon. Lady’s question is right, because the UK puts more data into the European arrest warrant system than any other member state, and we think that the UK’s contribution is of value to the European Union and that it is not in its interest to put its citizens at risk by not reciprocating. We stand ready to work with member states, but it is the European Commission and my counterpart Michel Barnier who have ruled out concerns.

As was covered earlier in the question, particularly on the basis that the north-south co-operation, while the two terms are often used interchangeably in

Keir Starmer: I asked a careful question, and I got a careful answer, which did not confirm full commitment, so let me press on. It has been reported this week that EU member states were told by the European Commission that the UK Government were proposing to reduce the ambitions of the 2017 joint report relating to Northern Ireland—not the Good Friday agreement, but the 2017 joint report. In particular, it has been reported that the UK is rowing back from “as frictionless as possible” solutions to avoiding a hard border to what has been described as “aspirational” measures—that is quite specific. The pledge now is only to have trade across the Irish border that is “as frictionless as possible”—again, a difference. These are important issues, and I know that there has been a bit of knockabout this morning, but this is of huge importance across Ireland. Will the Secretary of State take this opportunity to reject those reports and make it clear that there will be no rowing back from the solemn commitments made two years ago in the 2017 joint report?

Stephen Barclay: First, as I said in my previous answer, there has been no rowing back from the Belfast/Good Friday agreement, which is an area of common accord between us. Secondly, the reason I pointed towards north-south co-operation is that, as the right hon. and learned Gentleman will also know, the Prime Minister drew a distinction in the letter to President Tusk between the backstop and the Northern Ireland protocol. The right hon. and learned Gentleman will also know that, while the two terms are often used interchangeably in the Chamber, there is a distinction between them, particularly on the basis that the north-south co-operation, the common travel area and the benefits of the single electricity market are distinct from the points in terms of alignment.

As for right hon. and learned Gentleman’s further question around the legally operative text, I addressed that point to some extent in my remarks in the Chamber yesterday in that there is a distinction between the European Commission saying that all aspects need to be set out in a legally operative text by 31 October and looking at, for example, what role the joint committee will have during the implementation period, because the implementation period means that things need to be in place by the end of December 2020 or, if extended by mutual agreement, for one or two further years. It is therefore within that that there is a distinction to be drawn.

Stephen Barclay: As was covered earlier in the question session, a huge amount of work has been done by the Department of Health and Social Care, including on additional procurement capacity and express delivery. That builds on extensive work by the industry, including the additional stock and additional flow capacity that it has procured.

Keir Starmer: I want to ask specifically about the important issue of Northern Ireland. Will the Secretary of State confirm that the Government remain fully committed to all the existing elements of the December 2017 joint report between the UK and the EU negotiators? Yes or no?

Stephen Barclay: Our commitments were set out in the letter to President Tusk. It contains our commitment to the Belfast/Good Friday agreement, which includes putting no infrastructure at the border to impede north-south flow.

Keir Starmer: I asked a careful question, and I got a careful answer, which did not confirm full commitment, so let me press on. It has been reported this week that EU member states were told by the European Commission that the UK Government were proposing to reduce the
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Rachael Maskell (York Central) (Lab/Co-op): Further to the question of my right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer), we are now halfway through the time period set by the German Chancellor to produce alternatives to the backstop. In the light of the Government’s decision to prorogue Parliament, perhaps from next Monday, will the Secretary of State ensure that their proposals come to this House so that they can be scrutinised by this House, including the Select Committee on Exiting the European Union?

Stephen Barclay: I think the Chair of the Select Committee would concede that, of the holders of my role—I know there has been more than one—I have probably been the most frequent in appearing before his Committee and others. Actually, that is not the case when compared with my right hon. Friend the Member for Halletprice and Howden (Mr Davis), but it is when compared with my right hon. Friend the Member for Esher and Walton (Dominic Raab), who is now Foreign Secretary.

On the substance of the question, there has been a huge amount of work. My right hon. Friend the Member for Ludlow (Mr Dunne) asked about the different working groups, for example, and I chair the technical working group The Parliamentary Under-Secretary of State for Exiting the European Union chairs the business group, and he was in Northern Ireland with that group over the summer.

Again, it goes to the question asked by my right hon. Friend the Member for Ludlow. Work has been going on throughout the summer on alternative arrangements, but if it is simply published against an all-weather, all-insurance test, it will be dismissed, as it was under the last Government, as magical thinking. That is what the last Government experienced. We need to get into the detail, and that work is going on, but it needs to be discussed in the appropriate way.

T5. [912303] Stephen Hammond (Wimbledon) (Ind): Will my right hon. Friend confirm whether, since 25 July, the Department has had any discussions with the financial sector about the implications of any revised policy, which would be a policy of regulatory divergence?

Stephen Barclay: My hon. Friend raises a specific issue and, as a former Economic Secretary to the Treasury, I know the markets take a keen interest in such discussions. If I may, I will ask the Chancellor or the Economic Secretary to come back to him on this specific issue.

T6. [912304] Dr Rosena Allin-Khan (Tooting) (Lab): Thousands of Tooting residents have signed my local petition against this Government’s dangerous Brexit plans. Like me, Tooting wants to remain. The Brexit Secretary voted against legislation to block a disastrous no deal. Tooting is absolutely furious. Why is he trying to drive this country blindly off the Brexit cliff?

Stephen Barclay: I think the hon. Lady would agree that there is more than one voice in Tooting. I am sure there will be a range of voices, as indeed there is, but I do not resile from the fact that I am sure she speaks for a majority in her constituency in making that point.

My approach is that when this Parliament says it will give the British people their say, when the Government of the day write to the British people saying they will honour the result and when this House then votes by a significant margin to trigger article 50 to deliver on that result, it undermines our democracy if Members of this House, on the one hand, vote against a deal and then, on the other hand, say they will not countenance no deal. I think that is a threat to our democracy, and I think it is a threat to our international reputation as a country that defends democracy around the world.

The Parliamentary Under-Secretary of State for Exiting the European Union (James Duddridge): I thank my hon. Friend for that important question. The Department for Environment, Food and Rural Affairs has confirmed that it will support farmers in the same cash terms as they have been supported under the current scheme. We are working with farmers to look at new markets and, across the Government, we continue to work with businesses, both large and small. We are particularly encouraging small businesses to engage with the Government in their preparation for the eventuality of no deal.

Martin Docherty-Hughes (West Dunbartonshire) (SNP): I congratulate the Secretary of State on his grand tour of Europe in recent weeks during the recess, notably to Finland, a nation of 5 million people and an enthusiastic member of the European Union. Given that the UK was only the seventh largest importer to Finland in 2018, how will leaving the single market and the customs union improve that dismal position?

Stephen Barclay: On the one hand, colleagues question whether we are engaging and on the other hand, the hon. Gentleman appears to suggest that we are engaging too much. He needs to make up his mind.

On how we promote further trade, first, there are opportunities beyond Europe that we are keen to seize, and we have a Secretary of State for International Trade. [Interruption.] On Finland, about which the hon. Gentleman is chuntering, I chaired a breakfast meeting with business leaders when I was in Helsinki and we looked at, for example, links on key areas such as timber where there is an appetite to strengthen bilateral trade further. There was a huge appetite among the business leaders I spoke to there to do more trade with the United Kingdom, including with Scotland as part of that United Kingdom.
HS2

10.31 am

Mr David Lidington (Aylesbury) (Con) (Urgent Question): To ask the Secretary of State for Transport if he will make a statement on the Government’s review of HS2.

The Secretary of State for Transport (Grant Shapps): This is my first time at the Dispatch Box as Secretary of State for Transport and I welcome the opportunity to update the House on HS2.

There is no future in obscuring the cost-benefits or timetable of HS2, so on 21 August I announced an independent cross-party review, led by Douglas Oakervee, of whether and how HS2 should or should not proceed. The review will consider the project’s affordability, deliverability, benefits, scope and phasing, including its relationship with Northern Powerhouse Rail. The chair will be supported by a deputy chair, Lord Berkeley, and a panel of experts from business, academia and transport to ensure that its assessment programme is independent, thorough and objective. Some of the individuals on the panel have been passionate advocates and others have been vocal critics of the project, but they will provide input to and be consulted on the report’s conclusions.

The review is under way and will report to me on time this autumn. I will discuss its findings with the Prime Minister and the Chancellor, and its recommendations will help to inform our decisions on the next step or otherwise for this project.

Colleagues will be aware that on our first day back, 3 September, I placed in the House advice that I received over the summer from the recently appointed chairman of HS2 Ltd, Allan Cook, on the cost and deliverability of the current scheme. He has said that he does not believe that the current scheme can be delivered within the budget of £55.7 billion, set at 2015 prices. He estimates that it requires a total budget, including contingency, in the range of £72 billion to £78 billion, again set at 2015 prices. The chairman does not believe that the current schedule of 2026 will be met for the initial services of phase 1. He does not think that that is realistic.

In line with lessons from other large major transport infrastructure projects, the chairman’s advice proposes a range of start dates rather than a specific one. He recommends 2028-31 for phase 1, starting with initial services between London Old Oak Common and Birmingham Curzon Street, followed by services to and from London Euston later. He expects phase 2b—the full high-speed line to Manchester and Leeds—to be open between 2035 and 2040.

The chairman is also of the view that the benefits of the current scheme are substantially undervalued. All those matters will now be considered by Douglas Oakervee within the scope of Oakervee review.

When I announced the independent review into HS2, I said that I want Doug Oakervee and his panel to assess independently the findings and other available existing evidence. The review will provide recommendations on whether and how we proceed.

I wish to make one further, wider point. Everyone in the House knows that we must invest in modern infrastructure to ensure the future prosperity of our nation. However, it is right that we subject every single project to the most rigorous scrutiny possible. If we are truly to maximise every opportunity, this must always be done with an open mind and a clean sheet of paper.

Mr Lidington: I congratulate my right hon. Friend the Secretary of State on his new responsibilities and welcome the review that the Government have set up.

I have three questions for my right hon. Friend. First, in view of this week’s revelation that HS2 is overrunning both its budget and its schedule—something that many of us have been predicting for a long time but that has been systematically denied for years by HS2 Ltd and by his Department—what assurance can my right hon. Friend give about the transparency of both the review that has been commissioned and the Government’s formal response to it?

Secondly, my right hon. Friend will know that enabling works for HS2 are still being carried out along phase 1 of the route. Ancient woodlands are being felled. Productive farmland is being occupied and used by HS2 Ltd. Public money is being spent on these works even though, as my right hon. Friend says, the review may lead to a recommendation to cancel or significantly change the project altogether. Will the Secretary of State now accept that those works are prejudicial to the outcome of the review that he has established and order that they cease?

Thirdly, I have a queue of constituents whose land has been taken by HS2 Ltd for preparatory works, but who have still to receive the payments that were formally agreed with HS2 Ltd. The Government have rightly committed to crack down on late payment. Does my right hon. Friend agree that HS2 Ltd should be setting an example in this regard, not acting as a laggard? As he, as Secretary of State, is the sole shareholder in HS2 Ltd, will he now take responsibility for insisting that HS2 Ltd puts this injustice right immediately?

Grant Shapps: First, on the budget and the schedule, it is exactly as I said in my opening statement: I completely agree with my right hon. Friend. Friend that there is no future in trying to obscure costs or in being unclear. It is the case that in a massive, developing infrastructure project—Europe’s biggest—costs just are not known. They are speculated about and then start to firm up, in this case, literally as we start to dig into the ground. I can see how over a period of time things move. None the less, I take the view that as soon as I have the information, I will inform the House—as soon as I got that Cook report and the House returned, I stuck it straight into the Library. I assure my right hon. Friend that I will continue to do exactly that going forward.

Secondly, it might be helpful to colleagues to know that I have asked for Douglas Oakervee to meet Members of Parliament. He will be in Committee Room 2A on Monday 9 September, between 3.30 pm and 5 pm. That is an opportunity for any colleagues to go and see him. Colleagues can make their own arrangements with him separately, and I will inform the House of that.

Thirdly, on the enabling works, we are in a position where I have to make a go/no-go decision in December. I know that this will not a delight my right hon. Friend, but it seemed to me that if we did not continue to make preparatory works, I would not even be in the position to make a go/no-go decision. I am sorry to disappoint my right hon. Friend, but that is the current position. We can then take a decision.
[Grant Shapps]

I share my right hon. Friend’s concern and anxiety about compulsory purchase order payments. When people’s lives, livelihoods and homes are potentially going to be ripped apart by a project that is supposedly for the wider good, it is right that the state compensates them promptly and efficiently. I would be most grateful to see more details of the cases he mentioned. I have already had one across my desk, which I have sorted out, and I would like to see others. There is no excuse for a CPO for which people are not paid.

Andy McDonald (Middlesbrough) (Lab): I, too, congratulate the Secretary of State on his appointment and welcome him to his place. He comes into post at a time of crisis for the country, but at an absolutely critical moment for HS2.

I gently remind the Secretary of State that we did ask for regular reports and recommended a peer review when phase 2a was before the House some weeks ago. I am sorry that he was not able to vote for that—or, indeed, that the Prime Minister was not able to express a view at all.

The Secretary of State mentioned that the review that is under way is a cross-party one, but I gently point out that there has been no consultation whatever with me. If it is to be genuinely cross-party, perhaps he might want to take up that invitation.

We have consistently been told by the Secretary of State’s predecessor and the then ministerial team that the 2015 figure of £55.7 billion for the entire project was the full cost of HS2 and that there was no reason to change it. It is hard to conclude anything other than that it has been plain and obvious for some considerable time that this was not accurate. Will the Transport Secretary tell us when his predecessor was told that the figure of £55.7 billion was not accurate or sustainable and when he was first told that the timetable for delivery could not be adhered to?

Is this not yet more evidence that this Government have totally failed to exercise any control over the project—not just over costs, but with regard to redundancy payments and key appointments that transpired to be unsustainable? In addition, when the contracts for phase 1 were being granted, despite hedge fund managers making a packet out of the inevitable demise of Carillion, this Tory Government crashed on regardless, awarding the doomed organisation a valuable HS2 contract.

It is beyond doubt that the Government have been totally incompetent and reckless, but, worse than that, there hangs over this Government the unpleasant smell that Parliament may have been misled—however unwittingly—given that it is stark staringly obvious that when the Minister responsible for HS2 stood at the Dispatch Box a matter of weeks ago to tell the House that there was only one figure and one figure alone for HS2 that assertion was completely and totally inaccurate. If there is going to be delay, what assurances can the Secretary of State give to the 9,000 people currently employed by HS2?

This Government continue to be characterised by a lack of transparency. I welcome the Secretary of State’s remarks that he intends to put that right, but it still remains, as does a lack of candour. Once we can be assured that there is no prospect of the Government reneging on the legislation to avoid a no-deal Brexit, Labour relishes the prospect of a general election to turf them out.

Grant Shapps: On regular reports, I will come back to the House as many times as it is prepared to hear about this matter, and I will continue to update Members in every possible way. It might be helpful if I were to make the introduction—if the hon. Gentleman has not already had it—to Doug Oakervee; perhaps I could organise for the hon. Gentleman to meet him separately. Of course, there are cross-party members on the review panel and it is genuinely full of sceptics. I think people were surprised when we launched a review of this project that had such a broad, cross-party view.

The hon. Gentleman is absolutely right that prices have changed over time. I seem to recall that this was originally a project by the previous Labour Government and that when it was conceived the whole thing was going to cost about £13 billion. One of the issues that we have, which is a wider issue than just HS2, is that these things start off being fixed at a price of a particular period of time—the figure of £55.7 billion was about 2015 prices—and that does not actually allow for inflation. We therefore end up quoting prices that are just out of date. On that basis, every project will always be said to have overrun on cost, although of course the benefits probably improve as well. We have to find better ways of doing all this.

I can reassure the hon. Gentleman that the first time I received advice on this matter was Allan Cook’s final report on 1 August, and that is the report that I published. Finally, I undertake to ensure that we return to the House with every update that we have, and I encourage the hon. Gentleman to be involved in the Oakervee review.

Several hon. Members rose—

Mr Speaker: As colleagues will be aware, there is pressure on time today, because there are several further pieces of business to follow, but equally and understandably there is intense interest in this monumental mess and I know that the Secretary of State is very keen, to his credit, to answer questions, so I shall do my best, as always, to accommodate the understandable interest of colleagues.

Dame Cheryl Gillan (Chesham and Amersham) (Con): Mr Speaker, I was just about to say that there are Members affected by this project who do not have a voice, and I was going to include you, but clearly that is not the case. Of course, there is also my right hon. Friend the Member for South Northamptonshire (Andrea Leadsom), who has always joined me in the fight against HS2.

In welcoming the Secretary of State to his position, may I also welcome my constituency neighbour, my right hon. Friend the Member for Aylesbury (Mr Lidington)? It is so good to hear his voice raised in this Chamber against this dreadful project, and I endorse everything he said. It applies to my constituency as well.

The Secretary of State also needs to look at the national rail travel survey, on which one of the raisons d’être for this project is based, but which has not been updated since 2010. In answers to me, the Department
does not appear to know how much it would cost to update it. That, coupled with the fact that we are still not allowed to see the passenger forecasting documentation, means that transparency is far from the watchword of HS2. Pages right the way through the chairman’s stocktake have been redacted. Transparency is not the order of the day.

The Secretary of State should grasp with both hands this opportunity to review the project entirely and review the nationwide transport and communication policy. I urge him to take a deep breath and carry out a comprehensive assessment across car, bus, train and air, as well as new technologies such as 5G and broadband, because it is essential that we look at the technological advances before we let this project go any further.

As the carriages being built for Crossrail pile up in Worksop because we cannot get that project right, let us draw a deep breath, cancel this project, start again and get a decent comprehensive transport policy.

Grant Shapps: I know that Douglas Oakervee will have been listening to my right hon. Friend’s words with great interest and will no doubt take into account the national rail survey information. She will of course meet him as well. I will just reflect on her final point—because of course Douglas Oakervee is looking at all this—about all forms of travel across the country. I entirely agree with her. Having ordered it two years ago, I recently got an electric car. It finally arrived a couple of weeks ago. It is clear that transport is changing in this country and that we have to take a more holistic view of it. Rail is one part, but there is much else to consider.

Alan Brown (Kilmarnock and Loudoun) (SNP): I, too, welcome the Secretary of State to his new position. He must be so thankful to have inherited another failing Grayling legacy.

We know that the increased costs and delays have been covered up since 2016 and denied at the Dispatch Box, so, while I welcome the review, should there not be an inquiry into this hiding of key information from the House? While I welcome the review, I find it strange that about a third of the document that sets out its terms has been redacted. Can he explain why?

What changes will be made to the cost-benefit criteria, and why? While the Secretary of State said that many of the benefits of the scheme were previously underestimated, I would remind him that the business case rested on the assumption that time business people spent travelling by train should be treated as downtime, meaning that shorter train journeys were treated as increasing productive time, when clearly that is not the case now that we have wi-fi on the go. Will he confirm that that aspect of the business case will not be over-egged?

The current proposals also mean that journeys north of Crewe to Scotland will be slower than the existing Virgin service. Will the review look at that and perhaps a different type of rolling stock? If it does, what will that mean for the existing rolling stock and ongoing procurement? What further reviews and cost-benefit analyses will be done of track design that could mean slower high-speed trains but reduced costs? What is the contractual status of the recent contract awards to First Trenitalia, given that the Government might now be doing a full stock decision? What would that mean for that contract? What is the committed spend, to date, in the Barnett allocations to Scotland, and what will happen going forward? We were promised at the Dispatch Box that on day one of the high-speed trains operating they would go all the way to Scotland, and that is now not the case. Will the Secretary of State answer those questions and, if not, please put his responses in writing?

Grant Shapps: I hope the hon. Gentleman will forgive me if I write to him on some of that, rather than detain the House on all of it. He is absolutely right about the Allan Cook report. I should have mentioned that in response to my right hon. Friend the Member for Chesham and Amersham (Dame Cheryl Gillan). I am unhappy about having any of that report redacted. I have read the rest of it. It is not hugely exciting. I pushed back on that with the Department, and apparently it is just that the lawyers are saying that it is commercially confidential stuff that I cannot force to be released. I totally agree with the hon. Gentleman that it would be much better if we could read every single page, but that is the law. [Interruption.] I do not disagree—it is just that lawyers will not allow it to happen.

On downtime when travelling, the hon. Gentleman is absolutely right. Lots of people work very productively when travelling. It is my favourite time to work uninterrupted. I can assure him that Doug Oakervee will look at that. Allan Cook referred to some of the build benefits where there could be new industry, homes and so on in an area where a line runs.

The last point I will comment on—I will write to the hon. Gentleman about the rest—is the implications for the west coast partnership. That is very important. Under the contract, I think in 2026—that it would be in line with if HS2 went ahead—the company would become a shadow operator, so it is built into that contract if the thing goes ahead.

Several hon. Members rose—

Mr Speaker: Order. There is a further urgent question after this and there are then three ministerial statements before we get to the Backbench business. Therefore, there is a premium upon brevity from Back Benchers and Front Benchers alike. For the avoidance of doubt, what I am looking for from colleagues is not dilution and not preamble but single-sentence questions, which will be brilliantly exemplified, I feel sure, by the right hon. Member for Derbyshire Dales (Sir Patrick McLoughlin).

Sir Patrick McLoughlin (Derbyshire Dales) (Con): Thank you for that challenge, Mr Speaker. May I first welcome my right hon. Friend to his position?

The easiest thing for the Government to do is to cancel this project. That would be easy to do, but it would be the wrong thing to do, for this reason: I would find it ironical that, as we leave the European Union, I can get a high-speed train to Paris or to Brussels but not to Birmingham, Manchester, Leeds or Sheffield. My right hon. Friend talks about the overspend, but we seem to be able to accommodate at the drop of a hat the overspend on the Crossrail project, which is overrunning. That is a London project that is incredibly important for London, but we do not take a similar view of a project that has been long thought out and is absolutely essential for the major cities outside London.
Grant Shapps: I am not short of advice on what to do on HS2, but few pieces of advice come from somebody as distinguished as a former Transport Secretary. I have heard what he has had to say, as I know Doug Oakervee will have done, and I look forward to taking it into account.

Lilian Greenwood (Nottingham South) (Lab): I welcome the Secretary of State to his place.

The Secretary of State must understand the huge disappointment in the east midlands that HS2 phase 2b—which will, as the right hon. Member for Derbyshire Dales (Sir Patrick McLoughlin) said, transform connectivity between Birmingham and the economies of the midlands, Yorkshire, the north-east and Scotland—is now facing a delay of up to seven years, or even cancellation. That is particularly the case when the Chancellor failed to even mention the midlands rail hub in his spending review and when the Secretary of State’s predecessor not only repeatedly assured us that HS2 would happen but cancelled the electrification of the midland main line. I know that the Oakervee review is due to report, but the disappointment will turn to deep anger if the Secretary of State does not ensure that the midlands receives the investment in its transport that it needs.

Grant Shapps: I thank the hon. Lady; it is a pleasure to have a question from the Chair of the Transport Committee. The one thing I can assure her of is that there will be £48 billion of other unrelated rail investment over the next few years, so both the midlands and the northern powerhouse rail side of things will certainly have huge—massive—investment.

Several hon. Members rose—

Mr Speaker: Reiterating my plea for brevity, I hopefully call Sir William Cash.

Sir William Cash (Stone) (Con): Thank you, Mr Speaker. First, I welcome the Secretary of State to his new position. Secondly, I entirely endorse the views of my right hon. Friend the Member for Aylesbury (Mr Lidington) said, may I press the Secretary State on the point he made about enabling works? As he knows, there is more than one kind of enabling work currently under way. Some of the enabling work is the destruction of ancient woodland sites. There are seven of them in my constituency, along with a very old and much valued pear tree in the village of Cubbington. Given that he has announced an all-options review, including the possibility that this project will be cancelled or significantly revised, surely it is possible and sensible to categorise those types of enabling work that will do irreversible damage and postpone them until the review has concluded. He has already announced a substantial delay in this project. Surely a delay of a few weeks more would be sensible, to ensure that we do not do irreversible damage.

Grant Shapps: As I said before, to have a proper go/no-go decision, we need to continue to allow enabling works. However, I can ask the Under-Secretary of State for Transport, my hon. Friend the Member for Blackpool North and Cleveleys (Paul Maynard), who is handling these major projects, to meet my right hon. and learned Friend to discuss that specific concern.

Mr Dennis Skinner (Bolsover) (Lab): Unlike Derbyshire Dales, HS2 goes through many villages in the Bolsover and north-east Derbyshire area. The result is that there are a lot of people in those villages—more than 100—affected by HS2. I want to know as soon as possible just exactly what is going to happen to this £100 billion project. It goes through Derbyshire on two separate lines. Not only does it go past Sheffield; it also stops at a Sheffield station, so there is a slow track and a fast track in Derbyshire. The idea that HS2 is based upon getting to London 30 minutes sooner is a joke and, for that reason, the Secretary of State should start over again.

Grant Shapps: I know that the hon. Gentleman’s constituency is affected in a big way. I refer to what I said before. This project affects a lot of people’s lives, with demolitions and the rest of it in his patch. He asked me to do this as soon as possible. I have Douglas Oakervee on an unbelievable timetable, supported by a fantastic group of people, to get this done and reported back this autumn. The hon. Gentleman will not have to wait before the end of the year.

Maggie Throup (Erewash) (Con): Long Eaton, Sandiacre and Stanton Gate are grossly affected by the eastern arm of HS2, but as the Chair of the Transport Committee...
has already indicated, it brings advantages as well—jobs and growth as well as the pain. I will say two things. One is that any delay causes further stress and uncertainty not just for residents, but for businesses. They will be blighted for ever more, even if my right hon. Friend takes the easier way out and cancels the eastern arm. My plea to him is: do not cancel that eastern arm. I will not allow the east midlands and Erewash to be the poor relations yet again.

Grant Shapps: I think every exchange indicates that, while everyone is able to welcome a review, when we get to the announcement of that review on the other side the House will not be quite so united, but I absolutely hear my hon. Friend’s comments.

Liam Byrne (Birmingham, Hodge Hill) (Lab): Inflation aside, this multi-billion increase in cost betrays nothing other than sheer incompetence in the management of this project. In the west midlands, 100,000 jobs are now in jeopardy; hundreds of millions of pounds of new rates are now in jeopardy; and the future prospects of the younger generation are now in jeopardy. I want to know from the Secretary of State what compensation has been sought by the Mayor of the West Midlands, because my understanding is that he has asked for precisely nothing?

Grant Shapps: We have a range of different people on the Doug Oakervee board, including Andy Street, and we are making sure that all the representations go into it. As I say, I do not want to rush to prejudge this. We do know certain things. We know from the Allan Cook report about the range of £72 billion to £78 billion. I do not have confidence in the data I have been provided with to know yet whether the benefits have outstripped or under-stripped these various different costs. I just start with a blank sheet of paper. I just want the data: give me the facts and then we will be in a much better position to decide, including for people throughout the west midlands.

Victoria Prentis (Banbury) (Con): I am sure I was as pleased as you were, Mr Speaker, to hear about the review undertaken by the new Secretary of State. Can he reassure me that, as part of the new cost-benefit analysis, the review will take into account that many people work very hard while on trains, as I am about to do as I return to my constituency on a high-speed train run by Chiltern Rail?

Grant Shapps: Absolutely. Travelling on a train can be a fantastic way to chomp through constituency work or anything else that people are doing on business or for pleasure. It is one of the most civilised ways to work—when we have our trains running on time, which is another related priority.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): Will the Government widen this review not just to their complete lack of grip on the HS2 project, but to the continued failure of the Department to remember that there are towns as well as cities in this country? It is continually locking billions of pounds into ever-delayed, ever-escalating projects for cities, while towns such as Castleford and Pontefract have inadequate trains—overcrowded, old Pacer trains, with no disabled access to our trains—and, once again, we are just expected to accept a trickle-down of benefits many decades into the future. It is not good enough. When will we actually get a fair deal for our towns?

Grant Shapps: As the representative of two towns—one, Welwyn Garden, calls itself a city, but it is actually a town—I absolutely agree with the idea that towns have a significant part to play in the economic and social life of our country. One good piece of news: those Pacers are finally going by the end of this year.

Dr Julian Lewis (New Forest East) (Con): At what level of exorbitant expenditure will the Government finally decide to pull the plug?

Grant Shapps: As I say, it is not just a question of the expenditure. As I mentioned before, it is also what the benefits are. May I ask my right hon. Friend just to be patient enough so that the data is covered on both sides of that, and we can come to a rational and sensible decision?

Several hon. Members rose—

Mr Speaker: Colleagues should now follow the right hon. Member for New Forest East (Dr Lewis) with single-sentence questions. If they do not—let us be absolutely clear—they are stopping other colleagues taking part. It is as simple as that.

Wera Hobhouse (Bath) (LD): Will the Secretary of State commit to look at any new major transport infrastructure projects in line with the 2050 net zero carbon target that this House has set itself?

Grant Shapps: Absolutely.

Dr Rupa Huq (Ealing Central and Acton) (Lab): What is the status of the review if we go to the polls this autumn? My constituents see this as a pre-election bribe for the Government’s voters in the shires.

Grant Shapps: This project is too serious to be thinking in those terms, and I certainly was not when I asked Douglas Oakervee to carry out this review. As I have now said twice, this is about people's lives and livelihoods and the ability of this country’s economy to function. Regardless of what happens when we finally get that election call, I hope there will be cross-party consensus to continue this important work on a cross-party basis and get the job done.

Huw Merriman (Bexhill and Battle) (Con): Will the Secretary of State look at the cost envelope by taking into account enhancements that benefit those on the route, inflation and incompetence?

1.[Official Report, 9 September 2019, Vol. 664, c. 5MC.]
Grant Shapps: As the terms of reference, which I encourage right hon. and hon. Members to read, make clear, this review is wide ranging and takes all such matters into account.

Mr Clive Betts (Sheffield South East) (Lab): Given the delays to the southern section of the route, will the Secretary of State ask the review to consider the possibility of starting the northern sections before the southern section is finished, so that there is a degree of working overlap?

Grant Shapps: That is one of the things that Douglas Oakervee is looking at. Interestingly, Allan Cook’s report, which is in the Library, suggests doing phases 1 and 2a together.

Craig Whittaker (Calder Valley) (Con): I agree with my right hon. Friend that spiralling costs must be challenged and held to account, but this project is vital for the northern routes, which are already overstretched. Will he assure me that this review is not just a smokescreen to cancel the project, which many of our current Executive do not like?

Grant Shapps: My hon. Friend’s question reminds me of a clip that I made on the day of announcing this full, thorough and open review. When the camera was switched off they said, “What do you really think?” What I really think is that we should have a full, thorough and open review.

Paul Blomfield (Sheffield Central) (Lab): Business leaders in Sheffield are deeply concerned about this review. Does the Secretary of State recognise that, whatever else he is considering, cancellation would damage the northern economy?

Grant Shapps: I assure the hon. Gentleman that, whatever happens, the northern economy and northern powerhouse rail is set to steam ahead.

Jeremy Lefroy (Stafford) (Con): Will the review take into account the potential negative effects of the business case on the existing and vital west coast main line?

Grant Shapps: Yes it will, and I ask my hon. Friend to meet Douglas Oakervee to make those points, because every element of this is being taken into account.

John Cryer (Leyton and Wanstead) (Lab): Are there not many abandoned former railway lines across the country for which, for the first time in a long time, there is now extensive demand? Those could be reopened for a fraction of the cost of HS2.

Grant Shapps: With huge respect to him, I curse Beeching every day in this job and I entirely agree with the hon. Gentleman.

Mark Pawsey (Rugby) (Con): What will be the effect of a delay or cancellation of HS2 on the west coast main line, which is of concern to my constituents in Rugby?

Grant Shapps: I do not think there is any direct ramification. We have just re-let the west coast partnership contract, so the answer to my hon. Friend is, none.

Jeff Smith (Manchester, Withington) (Lab): HS2 is vital for the economy of Manchester and the north. As the chairman’s stocktake says:

“HS2 is not a standalone railway but rather an integral part of ambitious regional growth plans,”

and it is already attracting investment. Will the Secretary of State assure us that those wider benefits will fully be taken into account in this review?

Grant Shapps: I can. I have met the Mayor of Manchester and Mayors across the north, and I am due to meet them again shortly. Those things absolutely will be taken into account.

Mr Philip Hollobone (Kettering) (Con): I voted against HS2 every time. Would the money be better spent on improvements to our existing conventional rail network?

Grant Shapps: The answer is that I do not know, but I like to think that £48 billion on improving and upgrading our existing networks is a good down payment.

Ronnie Cowan (Inverclyde) (SNP): The Under-Secretary of State for Transport assured me that the full stretch of HS2 will go up to Scotland. Is that the case, and when?

Grant Shapps: As the hon. Gentleman will know, we are currently struggling with stages 1, 2a and 2b, but the overall plan was always to go further.

Mr Owen Paterson (North Shropshire) (Con): Will the Secretary of State commit to investing in the costs of places with collateral damage, such as villages such as Woore in my constituency that will suffer grievously during the construction process? Will he also commit to look at the value of spending £100 billion, which this project is cantering towards, on full-fibre broadband for every household?

Grant Shapps: We must have full-fibre broadband in every household, and that is a commitment of this Government regardless. My right hon. Friend describes devastation to villages, and I agree that we must find a better way of doing this. We must look after people properly when great national projects drive through their homes.

David Hanson (Delyn) (Lab): Significant UK and Welsh Government money, linked to HS2 at Crewe, is going into growth deals in north Wales. What opportunities are there for the Welsh Government to formally feed into the review?

Grant Shapps: There are enormous opportunities. If not on Monday, at the time I mentioned at the Dispatch Box earlier, then separately I am very happy to hook up the right hon. Gentleman, and any of his colleagues, with Doug Oakervee.

Mr Bob Seely (Isle of Wight) (Con): HS2 will be the most expensive railway ever built by mankind. Does the Secretary of State agree that there is a very significant
opportunity cost and therefore to get bang for our buck we should be investing in significant regional infrastructure projects?

Grant Shapps: That is very effective lobbying. My hon. Friend has already secured a great achievement with regards to the railway on his own Island. He proves that we can do both things simultaneously if we need to.

Diana Johnson (Kingston upon Hull North) (Lab): The key rail investment in the north has to be a high-speed link between Liverpool in the west and Hull in the east. Is it not right that any additional resources should be put into that, rather than HS2?

Grant Shapps: I would extend that further to Sheffield, Hull, Newcastle and other cities in the north. We can do both things and we will do both things: both upgrading the national rail infrastructure and—the Prime Minister mentioned this in his first speech, which he made in Manchester, so I think it would be a bit churlish not to recognise it—linking northern cities.

Dr David Drew (Stroud) (Lab/Co-op): The problem with HS2 is that the benefits are not shared around the country. The west, in particular, gains nothing. Will the Secretary of State look at how we could put the money into electrification and rebuilding the Severn tunnel?

Grant Shapps: I do not know in what form this will or will not take place, but I do know that the jobs, skills and supply chain affect the entire nation. There is almost not a constituency in the country that would not benefit in some way. As with any big national infrastructure project, we need to ensure that the benefits of that work and supply chain are spread across the nation.

Laura Smith (Crewe and Nantwich) (Lab): Given that the entire review will be completed in a matter of weeks, can the Secretary of State really have confidence that it will have thoroughly considered the impacts that scrapping or changing phases 2a and 2b would have on Crewe and Nantwich, as a significant centre of economic activity for the wider region?

Grant Shapps: Yes, I think I can reassure the hon. Lady that, although the review is reporting very quickly—within weeks, as she says—the experience on the panel adds up to years. I have not added it up, but it is possibly hundreds of years of rail experience. I think they will really take that into account. Again, I invite and welcome her to speak to Douglas Oakervee to make sure 2a and 2b are fully represented in her terms.

Carol Monaghan (Glasgow North West) (SNP): Can the Secretary of State give us a date for when we can expect HS2 to be extended to Scotland? If not, are the people of Scotland expected to sit and watch £100 billion being spent on this project when it literally pulls up short?

Grant Shapps: I do not want to disappoint the hon. Lady, but I cannot give her a date on the initial phases, let alone on that extension. I do think there is a very good point here about linking up our Union. I am pleased to see the nationalist side so onside with that project.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): The Secretary of State mentions the extension to Scotland. However, journey times between Glasgow and Manchester will increase as a result of HS2. Will he ask the review to consider expediting an extension north to Glasgow from Manchester as a matter of urgency?

Grant Shapps: Again, I think this comes into the wider picture. The £48 billion of rail investment over five years means that we should be able to do lots of different things at the same time—and indeed, we are. I think that is part of the wider infrastructure project for improvements on rail throughout the country.
Northern Ireland

11.13 am

Tony Lloyd (Rochdale) (Lab) (Urgent Question): To ask the Secretary of State for Northern Ireland if he will respond to the urgent question of which I have given prior notice?

The Secretary of State for Northern Ireland (Julian Smith): First, I thank the hon. Gentleman for his constructive work over the summer on a range of issues, including those relating to Harland and Wolff. Secondly, may I remind Members that I have been held captive in the Whips Office for over three years and that this is therefore my first Dispatch Box appearance? I have to be honest and say that I am very grateful not to be the Government’s current Chief Whip.

As is my duty under the Northern Ireland (Executive Formation) Act 2019, I will publish a report on or before 9 October to update on progress. Throughout the period ahead, I will be doing everything I can to support and encourage talks to succeed. Democratically elected politicians in Northern Ireland are best placed to take the decisions needed to support hospitals, schools and the police. I have seen the excellent work of civil servants in Northern Ireland over the last few weeks, but of course they cannot take the proactive decisions that are needed on public services or the economy in the run-up to 31 October. If we cannot secure the restoration of an Executive, we will pursue the decision-making powers that are needed at the earliest opportunity.

Tony Lloyd: I welcome the Secretary of State to his role and his appearance at the Dispatch Box. He will know that Northern Ireland is in a unique position in the United Kingdom: it has no devolved Government, nor does the Secretary of State or any member of the UK Government have powers to deliver the kind of transformation that is needed. I know from my conversations with senior members of the Northern Ireland civil service that they are frustrated by their inability to make the decisions—whether on health, education or the issues that we now face—that Northern Ireland so desperately needs.

In that context, we face the Prorogation of Parliament and the possibility—I accept it is a possibility—of a no-deal Brexit and a general election coming fast down the track. The Northern Ireland (Executive Formation and Exercise of Functions) Act 2018 will expire some time in October, and I have a number of specific questions that I need to put to the Secretary of State about the good governance of Northern Ireland.

The first examines the question of Prorogation. We know that we face the possibility of Prorogation next week and that that provides enormous challenges in terms of governance. Yes, if we can see Stormont back in operation, that will achieve what we need, but does the Secretary of State accept that there are real dangers during a period of Prorogation, in terms of the governance of Northern Ireland? Will he tell the House precisely when he was consulted about Prorogation? What advice did he give to the Prime Minister and other members of the Government?

Turning to a no-deal Brexit, the now Chancellor of the Duchy of Lancaster, the right hon. Member for Surrey Heath (Michael Gove), told the House before the summer that in the circumstances that it “voted for no deal”, or in any case, if there were no deal, “we”—the Government—“would have to start formal engagement with the Irish Government about...providing strengthened decision making in the event of that outcome. That would include the real possibility of imposing a form of direct rule.”—[Official Report, 13 March 2019; Vol. 656, c. 391.]

The Foreign Secretary told the “Today” programme that direct rule would require legislation and made it quite clear that the Secretary of State for Northern Ireland would need to follow that up. Does the Secretary of State accept that some form of direct governance—of direct accountability—would be necessary in the event of a no-deal Brexit? Can he tell us what steps he is taking?

Finally, in any part of the United Kingdom we expect the security of our people to be paramount. There will be some real questions about making sure that the Police Service of Northern Ireland has the resources that it needs. Will the Secretary of State tell the House how he intends to make sure that the allocation of those resources ensures that the PSNI has the resource base and numbers that it needs? If this were your constituency, Mr Speaker, or Rochdale, Skipton and Ripon, Wales or Scotland, this situation would not be allowed to happen. I hope that the Secretary of State shares my view that this cannot be allowed to frustrate and put Northern Ireland in a position of discomfort, or worse.

Julian Smith: The hon. Gentleman asks about dangers. I think I have been very honest with the House that powers are needed to ensure, not only in the current situation, where civil servants across Northern Ireland are making difficult decisions without political direction, but obviously in the run-up either to a deal or no deal, that the very tricky decisions can be made, and I am sure that those will have to be made at pace.

The hon. Gentleman asks about the legal advice on Prorogation. It was not something that I or my Department was involved in. That was a matter for the Attorney General. As Parliament is aware, the Cabinet was updated shortly before the decision was announced.

On what happens if the talks do not succeed in time, again, I have been clear that we need to have powers at the earliest opportunity because some of the challenges that will emerge will do so fairly soon, but we have to operate in the environment governed by the Good Friday agreement. On that point, certainly in the discussions that I am having with the Irish Foreign Secretary on the talks, the relationship is very positive.

The hon. Gentleman asked about the PSNI. As he will be aware, the PSNI has gained about £20 million of additional funding. However, when we look at how we direct funding and make those decisions, we see that, to ensure that a large and important part of our country is not left ungoverned at a difficult time, we do need powers to be in place.

Several hon. Members rose—

Mr Speaker: Order. In the name of expediting business, I appeal for extreme brevity.

Simon Hoare (North Dorset) (Con): I echo entirely the concerns of the shadow Secretary of State. My right hon. Friend’s commitment to Northern Ireland is not in
question, but the impression coming out of some sections of the Government is that Northern Ireland could easily now be collateral damage, so may I ask him a specific question? He referred to the Attorney General’s legal advice on Prorogation, which he will have seen. Did it make specific reference to the unique and pressing needs of Northern Ireland and how they might be attenuated as the Prime Minister set out his strategy, and if not, why not?

**Julian Smith:** It would obviously be inappropriate for me to discuss the details of that legal advice in the House, but suffice it to say that I have indicated that, to preserve the rights of citizens in Northern Ireland, we need to get Stormont up and running again or, failing that, ensure that powers are in place to protect those rights, jobs and the economy and the commitments made by the Irish and UK Governments on the Good Friday agreement.

**Gavin Newlands** (Paisley and Renfrewshire North) (SNP): The impact of no deal on the devolved nations has been well documented, with Northern Ireland at particular risk owing to the border. Reports that the Government are trying to row back from their 2017 joint report commitments are deeply concerning. Do the UK Government not see that this particular game of brinkmanship that the Prime Minister is playing could have catastrophic consequences for the people on Northern Ireland, and will the Secretary of State now commit to ensuring that no deal is taken off the table? Such moments press home more clearly than ever the need for Northern Ireland to have a functioning legislature, so what progress has been made over the summer to ensure that Stormont is reconvened at the earliest opportunity?

Finally, the Prime Minister said that he had not decided to prorogue Parliament, but we have now learned from evidence in Scotland’s Court of Session that, in reality, he had already signed off on Prorogation in his red box. Can the Secretary of State tell us why there is such a disconnect between the Prime Minister’s words and his actions?

**Julian Smith:** On the question of deal versus no deal, my job is to lead the efforts for Northern Ireland to prepare for no deal, but I could not be clearer in my mind that a deal is in the best interests of Northern Ireland. As for the talks, we have issued the report outlining what occurred over the summer. These have been at a differing pace throughout the summer. There have been good talks. The issues are important, but not insolvable. I again pay tribute to Simon Coveney and officials for the work that has been done over the summer to get us to a point where we are not far from the finishing line, if the parties want to push forward.

**Karen Bradley** (Staffordshire Moorlands) (Con): I join the shadow Secretary of State in expressing concern about the impact that Prorogation may have on the people of Northern Ireland. Can my right hon. Friend the Secretary of State—I welcome him to his new post and wish him every success—ensure that during Prorogation the Government will not stop working for those who need redress, and by that I mean the victims of historical institutional sexual abuse and those who were severely physically or psychologically disabled during the troubles through no fault of their own? They need redress and they need it urgently. Can he assure me that he will deliver that?

**Julian Smith:** May I first pay tribute to my right hon. Friend, who did an exceptional job as Secretary of State for Northern Ireland. She will know of the trauma that victims have suffered. It is now three years since the Hart report was published, and the work that she did means that the Bill could now be presented at the earliest opportunity. I hope that we will get that into the Queen’s Speech and ensure that we solve the issue once and for all.

**David Hanson** (Delyn) (Lab): In the absence of a Stormont Government, and in view of the potential difficulties arising from no deal, will the Secretary of State clarify who will make decisions during that period and tell us what discussions he has had both with the political parties and the Irish Government about the implications of direct rule?

**Julian Smith:** I strongly believe that getting the talks up and running, and getting Stormont up and running, is in the best interests of Northern Ireland and is the best route for decision making. Obviously, along with Cabinet colleagues, I am considering alternatives should that fail, but we have to try to get Stormont up and running.

**Mr David Lidington** (Aylesbury) (Con): I welcome my right hon. Friend to his responsibilities. Does he agree that it would be frankly unconscionable for any Government to lead us into a no-deal Brexit in which the Northern Ireland civil service lacked the legal powers and authority to cope with those circumstances? Does this not point to the need for legislation to be introduced and enacted before the end of October?

**Julian Smith:** I think it is vital that, first and foremost, we get the talks up and running. If that does not work, we must establish powers to ensure that we are making all the decisions in the best possible way for the citizens of Northern Ireland.

**Nigel Dodds** (Belfast North) (DUP): I welcome the Secretary of State and his ministerial team to their posts. We look forward to working with them in the days and weeks ahead.

Let me reiterate our commitment to getting Stormont up and running as quickly as possible, although I welcome the concentration on the need for direct decision-making powers to be taken in the event that that is not possible. As the shadow Secretary of State said, it is extremely important that Northern Ireland is not left, uniquely, in the terrible position of having no one in charge during these critical days.

Does the Secretary of State welcome the publication of remarks made by the Foreign Minister of the Irish Republic yesterday, in which he indicated that in the event of no deal there would be no checks or infrastructure on the border? We should build on that, because there is room for progress towards securing a deal, which we all want.

**Julian Smith:** I thank my right hon. Friend for his kind remarks. Thankfully, the EU negotiations are not my responsibility, but I do think that a deal is in the best interests of Northern Ireland.
Ireland, and the Secretary of State has a responsibility before Prorogation. It affects people's lives in Northern Ireland, and the Secretary of State today that that statutory instrument will be debated in the House on Monday, or on Tuesday, but certainly need a commitment, a guarantee, from the Secretary of State that the statutory instrument which governs key appointments to a range of bodies in Northern Ireland—including appointments of QCs—has been put in jeopardy by Prorogation. I need a commitment, a guarantee, from the Secretary of State that statutory instrument will be debated in the House on Monday, or on Tuesday, but certainly before Prorogation. It affects people's lives in Northern Ireland, and the Secretary of State has a responsibility to protect those lives.

Julian Smith: I hope to table a motion for the statutory instrument early next week.

Mr David Gauke (South West Hertfordshire) (Ind): It is clear from what my right hon. Friend is saying that if we have a no-deal Brexit and Stormont is not up and running, to protect the rights of Northern Ireland, we need to take powers; to take powers, we need to legislate; and to legislate, the House needs to be sitting. Is it not also clear that if the House does not pass that legislation by the end of October because it has been prorogued or dissolved, the rights of the people of Northern Ireland will be detrimentally affected?

Julian Smith: Again, the priority has to be getting Stormont up and running. I have been honest and open to the House about the need for powers, and clearly my right hon. Friend is right that at the very heart of the need for those powers are the rights of citizens in Northern Ireland.

Ian Paisley (North Antrim) (DUP): Is the Secretary of State sickened already by people talking up the dangers—almost cheerleading and willing on the problems instead of helping to find solutions? When will the Secretary of State be able to bring forward a report or a Bill on institutional historical abuse cases, which was promised before the recess?

Julian Smith: I hope we will be introducing that in the coming weeks.

Dr Julian Lewis (New Forest East) (Con): Will the Secretary of State confirm that there are no circumstances, including a no-deal Brexit, under which the British Government would erect a hard border on the island of Ireland?

Julian Smith: We are fully committed to no hard border between Northern Ireland and Ireland.

Jim Shannon (Strangford) (DUP): In the Sunday papers at the weekend, there were indications that dissident republicans are contacting experienced bomb makers in the IRA to make a spectacular big bomb. What is being done to prevent dissident republicans from making contact with the bomb makers, to ensure that those bombs never happen in Northern Ireland or anywhere in the United Kingdom of Great Britain and Northern Ireland?

Julian Smith: The PSNI and the security services have done an exceptional job over the summer. I pay tribute to them and their families, because people are trying to kill them—that is on the increase and certainly was over the summer. I have decided to convene a weekly security meeting that includes the PSNI to make sure that in the coming weeks and months I am apprised on a regular basis and meeting those people who are leading these teams putting their lives on the line.

Sir Henry Bellingham (North West Norfolk) (Con): In congratulating the new Secretary of State, may I ask him what he plans to do about stopping the relentless hounding of Army and police veterans in respect of alleged historical crimes when most of the evidence has disappeared? What is he going to do about it?

Julian Smith: As my hon. Friend will have seen from the report we laid yesterday and from the comments the Prime Minister has made, there has been a new cross-Government effort to ensure that we look at this issue. I know that he has raised this issue many times in this House, and I hope he welcomes the fact that the Government accept that the current situation is not working and that we need to relook at and revisit this area. I and a number of my right hon. Friends in the Cabinet are doing so and look forward to reporting to the House in due course.

Several hon. Members rose—

Mr Speaker: I remind colleagues that a single-sentence question is imperative.

Wes Streeting (Ilford North) (Lab): Given the unique challenges that Prorogation or Dissolution present to the Northern Ireland Office, why was the Secretary of State not consulted by the Prime Minister or Dominic Cummings before the Prorogation plan was agreed?
Julian Smith: The Cabinet was updated immediately before the decision; the hon. Gentleman will have to ask others about the first part of his question.

Nigel Mills (Amber Valley) (Con): The Northern Ireland civil service was clear that a decision to extend the welfare mitigation package was needed this autumn or else it would have to start taking alternative measures to advise Northern Ireland recipients of what action they should take. Has the Secretary of State got a plan to extend the welfare mitigations in the near future?

Julian Smith: My right hon. Friend the Secretary of State for Work and Pensions was in Northern Ireland last week. I continue to work with her and she is actively involved in looking at the issue of welfare not only in Great Britain but across Northern Ireland.

Sammy Wilson (East Antrim) (DUP): Does the Secretary of State agree that the actions of the Labour party yesterday in forcing through the pro-EU anti-democratic surrender Bill will make it more difficult for the Government to reach an agreement with the EU and therefore produce a situation in which direct rule is likely? Will he give an assurance that he will not shy away from the decision that should, quite frankly, have been made a long time ago?

Julian Smith: We have to focus on getting a deal for Northern Ireland. That is my priority in supporting the Prime Minister, and that is his priority. Let us get Stormont up and running. That will solve many of the issues that we are concerned about today.

Mr Speaker: My apologies to the right hon. Member for Old Bexley and Sidcup (James Brokenshire). If I had seen him earlier, I would have called him earlier, but it is a pleasure to call him now.

James Brokenshire (Old Bexley and Sidcup) (Con): Thank you, Mr Speaker. I congratulate my right hon. Friend on his appointment. It is a privilege to serve in office and I wish him all success with his role. He highlighted in his written statement yesterday the need to intensify negotiations with the parties. That is the way to avoid legislation being needed. Perhaps he could set out what form he expects that to take.

Julian Smith: As I mentioned earlier, we have been having good discussions over the summer. I met the Irish Foreign Minister last Friday and we will be meeting again this Friday. I hope to push forward, with him, on working with the parties to get into a position where we have the best possible opportunity to get Stormont up and running.

Ruth Jones (Newport West) (Lab): We heard from the hon. Member for North Down (Lady Hermon) yesterday about the Prime Minister’s failure, to date, to meet the Taoiseach, so what engagement on Prorogation has there been with the Irish Government in their capacity as co-guarantors under the Good Friday agreement?

Julian Smith: I meet the Irish Foreign Minister regularly, but I have not discussed the issue of Prorogation.

Maria Caulfield (Lewes) (Con): I welcome my right hon. Friend to his place. I am pleased to see that he is committed to legislation for victims of institutional abuse being in the Queen’s Speech. Can he commit to that legislation coming to this place before the end of year?

Julian Smith: Yes, I can.

Diana Johnson (Kingston upon Hull North) (Lab): If we prorogue and then move to Dissolution and Stormont is still not sitting, what will happen to the provisions of the Northern Irish Bill that repeal sections 58 and 59 of the Offences Against the Person Act 1861 after 22 October?

Julian Smith: Those provisions remain.

Craig Whittaker (Calder Valley) (Con): Just this week, Northern Ireland has received over £400 million extra in the spending review. Does my right hon. Friend agree that the people of Northern Ireland will get far better value for that money in all areas of spending by having the Assembly up and running?

Julian Smith: My hon. Friend is absolutely right about the £400 million, but we need a political decision making body, the Executive, to ensure that it is directed in the best interests of Northern Ireland citizens.

Martin Docherty-Hughes (West Dunbartonshire) (SNP): The Secretary of State’s former boss instigated a review into the Home Office forcing British identity on those who identify as Irish, such as Emma de Souza back in February. Can the Secretary of State advise the House whether his new boss has binned that review? If not, why not, and when will he publish it?

Julian Smith: It is vital that this House continues to respect the dual citizenship components that the hon. Gentleman talks about and ensures that they are preserved. The review is taking place, and I have made strong representations. The Government are fully committed to the Good Friday agreement obligations.

Alan Brown (Kilmarnock and Loudoun) (SNP): The Prime Minister says that a hard border can be avoided by the use of existing technology, so can the Secretary of State explain what technology can check passports, visas and customs arrangements for goods without so much as a camera at the border?

Julian Smith: The Government are fully committed, as are the Irish Government, to the common travel area in all deal and no-deal scenarios.

Tony Lloyd (Rochdale) (Lab): On a point of order, Mr Speaker—

Mr Speaker: As the hon. Gentleman’s point of order appertains to the matters of which we have just treated, I will take it if it is brief.

Tony Lloyd: Thank you, Mr Speaker. The Secretary of State was very candid in his admission that he was not consulted about Prorogation. Important decisions have to be made about Northern Ireland’s governance...
over this period. Can we have a clear statement, perhaps from the Prime Minister, that there will be time, either before Prorogation or at a convenient time for this House, to give the Secretary of State the power to do the things that Northern Ireland needs?

Mr Speaker: Does the Secretary of State wish to respond?

Julian Smith indicated dissent.

Mr Speaker: He does not wish to respond. Okay. The point of order has been heard. It is not a matter for adjudication by the Chair, but I want to say to the Secretary of State that the concern that has been expressed on this matter on both sides of the House, including by a number of former Northern Ireland Secretaries, will have registered very firmly with the right hon. Gentleman, and more must be heard about this matter ere long. We need to be absolutely crystal clear on that point. Nothing can get in the way of the provision of proper information to the House on this matter, as the Chair of the Select Committee and many others have emphasised. No one should think that that can be averted. It cannot be, and it will not be.

Ian Paisley: On a point of order, Mr Speaker. Several Members have taken to naming a senior public official of civil service rank from time to time—not only during this urgent question, but in debates. Perhaps you can correct me, but I was under the impression that to name a public servant in that way is out of order, wrong and should be avoided. Is that the case? What are the rules regarding naming and trying to shame public officials in this way?

Mr Speaker: Courteous reference is the guiding principle. The notion that no public servant can be referred to is not correct. It is an interesting concept on the part of the hon. Gentleman, but there is no track record on that matter.

We come now to the statement by the Secretary of State for Housing, Communities and Local Government, in respect of which there is, again, a premium upon brevity.

11.40 am

The Secretary of State for Housing, Communities and Local Government (Robert Jenrick): With permission, I wish to take this early opportunity as Secretary of State to update the House on the Government’s progress on building safety and to set out this Administration’s approach. Two years on from the Grenfell tragedy, it remains our priority to ensure that we have a building safety system that people can trust. In taking on this role, I have been mindful of my responsibility to the bereaved and the survivors of that tragedy. We must support them to recover and rebuild their lives. I am pleased that we will have the continued support of my right hon. Friend the Member for Ruislip, Northwood and Pinner (Mr Hurd) as Minister for Grenfell victims.

I am determined to play my part in their pursuit of answers and justice and to ensure that all residents of high-rise blocks of flats are safe, and feel safe, now and in the future. My predecessors have tackled that work with commitment and integrity, but having reviewed such matters since my appointment, it is clear to me that we must go further and at pace if we are to secure the system of building safety that we all want, so I will update the House on the immediate action that I intend to take.

First, I am consulting on changes to fire safety regulations for new build blocks of flats. We will seek to commit to requiring sprinkler systems as standard in a wider range of new flats. I am minded to reduce the height at which sprinklers are required down to 18 metres, but I am open to hearing evidence for other relevant thresholds and will be led by that evidence, wherever it takes us. We will also consult on requiring better signs and evacuation alert systems to support effective firefighting. I am grateful to the National Fire Chiefs Council and the London Fire Brigade for their valuable and continuing contributions. I have also published a summary of responses to our call for evidence on a full review of the technical requirements in approved document B. There will likely be additional changes in due course. When taking such decisions, we will always be led by the evidence and residents’ safety. I will keep the industry and Parliament informed.

Secondly, with respect to the “Building a Safer Future” consultation, I intend to respond by the end of the year and to legislate at the earliest opportunity. I believe that we should establish a new building safety regulator to oversee the new regulatory regime for buildings. However, it is clear that we need to act now, so we are working with the Health and Safety Executive to use its experience to set up the regulator in shadow form prior to new legislation, and I want to see that happen as soon as practicable. We will take decisions on the regulator’s long-term functions and structure during the autumn. Again, I will update the House accordingly.

Thirdly, although the answer to the concerns of residents is the establishment through legislation of the new safety case regime, with the individual assessment of buildings envisaged by Dame Judith Hackitt, it is clear that we should not wait until then to act.

The Home Secretary and I have worked with the National Fire Chiefs Council and intend to establish a new protection board, which will provide expert and
consistent inspections across the country to ensure we are identifying, managing and properly recording risks. This will significantly increase the pace of inspection activity across high-rise residential and other high-risk buildings to make sure building owners are acting on the very latest safety advice.

I expect all high-rise buildings to have been inspected or assured by the time the new building safety regime is in place, or no later than 2021. Residents of these buildings should be swiftly informed of the results of those assessments and inspections, with any changes acted upon as soon as possible.

Improved inspection activity for non-ACM high-rise buildings will be informed by local authorities’ current data collection work. Today, to support that work, I am pleased to confirm that we are providing them with £4 million of additional funding. I can also confirm that my Department will provide £10 million a year of additional funding to help local authorities improve their inspection capabilities and to support the work of the protection board, which we are now launching.

Should the protection board consider it necessary, I will, of course, consider providing additional resources during the remainder of this financial year to increase the pace of inspection and assurance work. I hope this systematic inspection programme will provide reassurance to residents across the country, many of whom I understand have legitimate concerns.

Finally, on our ongoing work to support the remediation of dangerous ACM cladding on buildings, where it poses a clear risk, the Government made funding available in May for its removal from eligible buildings in the private residential sector, in addition to funds already available for the social sector, bringing the total to £600 million.

As of 12 September, eligible private sector building owners will now be able formally to submit their applications for funding for ACM removal and replacement. They have until the end of December to apply. There is no excuse for building owners to delay. My Department has been encouraging swift applications, and we now have a direct relationship with a named individual in the United Kingdom for each relevant building. Where we receive applications, we will do everything we can to turn them around rapidly, prioritising and considering responses on a rolling basis.

Let me be clear: inaction will have consequences. I will name and shame individuals and businesses if I see inaction during the autumn. If we reach the end of autumn and building owners have not responded, and do not have exceptional reasons for it, I will take whatever steps and sanctions are necessary. I will support local authorities to take robust enforcement action against reluctant building owners, and I have asked the joint inspection team to provide them with all necessary advice.

Failure to act, particularly now that the funding is provided by the taxpayer, would be frankly disgraceful, and I know colleagues in this House will share that determination. Where Members have ACM-clad buildings in their constituency, we will provide guidance on how they can encourage building owners to apply. My Department stands ready to advise on the contact we have had already.

With regard to non-ACM cladding, the research programme began in April 2019 and scheduled testing has now concluded. Findings will be published in the autumn. Following the full report, the expert panel will consider whether further testing should be commissioned or existing advice supplemented. The panel anticipates that it will publish any such additional advice by the end of this year. In the interim, building owners should continue to follow the very clear steps set out in advice note 14 to ensure the safety of their buildings and residents.

The safety of people in their home must be paramount. I hope the House will welcome the measures I have laid out today to ensure that no one should feel unsafe in their home and to build a safety system that people across this country can trust.

I commend this statement to the House.

11.49 am

John Healey (Wentworth and Dearne) (Lab): I thank the Secretary of State for the advance copy of his statement. I have to say that I admire his air of calm. This is a Government of chaos—even the Prime Minister’s brother has walked out of office this morning—so his presence is welcome. I recognise his good intent to make good on the failings of his predecessors over the past few years.

Why, two years and three months after the terrible Grenfell tragedy, are 324 high-rise blocks still cloaked in the same dangerous, Grenfell-style cladding? Why have 72 private block owners not even got a plan in place to fix the problem? Will the Secretary of State do what his predecessors did not and bring in Labour’s five-point plan to force the pace of the recladding? It would mean naming and shaming those private block owners now, not some time in the future; setting a hard deadline for block owners to get the work done; updating the sanctions available to councils under the Housing Act 2004; making Government funding available for cladding remediation on private blocks where they have to do the work; and widening now the Government-sponsored testing regime to test comprehensively all suspect non-ACM cladding.

One year and four months after the final Hackitt report was published, why is there no comprehensive implementation plan? Why is there no legislation? Today, the Secretary of State confirmed his intention to respond by the end of the year. Can he do better? Will he guarantee that legislation to implement the much-needed legal changes is part of the Queen’s Speech that is promised for next month?

Ten months after the Government’s contract for the wider testing was due to be completed, the report has not been completed and published. Will the right hon. Gentleman undertake to publish in full and without delay—not sometime in the autumn—those results in full?

We welcome the consultation on extending the requirement for sprinklers in new build flats. That builds on the provisions that the Labour Government introduced for high-rise blocks. However, will the Secretary of State go a step further, do what we planned and pledged, and set up a fund so that we can retrofit all high-rise social housing blocks so that the people who live in them can be assured that they will be safe in future?

I welcome the Secretary of State’s plans for a new inspection system, but why on earth does he say that all high-risk buildings might not be inspected until 2021?
That is two years in the future; four years after Grenfell. What is he doing to speed that up?

Grenfell was a national tragedy. People look to the Government in such times for a national response. At every stage, the Government have been too slow to grasp the scale of the problems. Their actions have been too little, too late, and I regret to say that there is too little in today’s statement to give us confidence that the Secretary of State and the Government can rectify their failure to act as they should to make everyone safe after the terrible Grenfell tragedy more than two years ago.

Robert Jenrick: I am grateful for the right hon. Gentleman’s comments. He and I have worked well together on other issues and I hope that we can do so on this issue, which should be beyond party politics.

We have taken many steps. My predecessors have worked with commitment on the issue. We have given clear advice to building owners, who must take personal responsibility. We have introduced a ban on combustible cladding. We have had the independent review, which has now concluded, by Dame Judith Hackitt, and we have had the consultation, to which we will respond by the end of this year. We now have 150 individuals in my Department working on building safety, many with decades of experience. Again, they are working with great commitment and at pace.

We have put £600 million of public money behind remediation of dangerous ACM cladding in the social sector, of which £200 million is now available in the private sector. We have of course launched a full public inquiry into the Grenfell tragedy and the first phase is expected to report back shortly. Of course, the timing is up to the judge.

We have issued clarified building regulations guidance, and we are increasing support for local authorities. Today, I announced £10 million for the protection board and £4 million directly for local authorities. We have already removed a range of substandard products from the market. Is there more to do? Of course there is, and I hope that hon. Members of all parties will see from my statement the number of steps that I intend to take and the pace at which I want my Department to work in the months to come.

The right hon. Gentleman talked about funding; we have made the funding available, and I share his determination to hold private sector building owners to account. As I said in my statement, I will be naming and shaming the individuals and the companies that own the buildings if they do not take action very quickly this autumn. If we come to the end of the fund in December—the right hon. Gentleman asked for a hard deadline; that is a hard deadline—and there are buildings that have not been remediated, or at least applications to the fund have not been put in and there are not exceptional reasons for that, we will take whatever enforcement steps are required at that point. We will work with local authorities to make sure that they robustly use their powers. There are instances of their doing so, and we are working with them already.

The Hackitt review was an important step forward. This is a complex policy area and we all want to ensure that we get this right, so we need to work through the responses to the consultation carefully, and my Department is doing that. As I said, we will bring forward the legislation at the very earliest opportunity. The right hon. Gentleman has my assurance that I will be working within the Government to ensure that happens and to impress upon the Prime Minister and others that legislation needs to come forward at the earliest opportunity. I do not think it should be rushed, which is why I have worked with the Home Secretary to bring in the interim measure to establish the protection board. The individual assessments of buildings will begin as soon as possible once the board has been established. That will provide reassurance to residents. I share the right hon. Gentleman’s concern that time is passing; I hope he sees that I intend to work at considerable pace to get this done.

On sprinklers, we are currently consulting on the building regulations guidance so that the regulations can come into force for whatever is deemed to be the appropriate threshold. As I said, our preference is 18 metres, but we are open to evidence in other respects. On the retrofitting of sprinklers in existing high-rise buildings, Dame Judith Hackitt and other expert advisers have made it clear that that is not always the right option for a building. It may well be, but other measures could be taken instead that might be more appropriate for an individual building. Dame Judith Hackitt made it clear that it was wise to proceed on an individual basis, so the safety regime that we will be introducing in legislation will ensure that there are individual assessments of buildings. Those assessments may conclude that there is a requirement to retrofit sprinklers, but they might recommend alternative arrangements instead. Obviously, we will ensure that whatever is proposed in those assessments happens in a timely fashion.

Several hon. Members rose—

Mr Speaker: Order. Again, I appeal for extreme brevity on the part of colleagues; if they do not provide it, they will have to be cut off, I am afraid.

Robert Neill (Bromley and Chislehurst) (Con): I wrote to the Secretary of State on Monday about the position of my constituents in Northpoint in Bromley. I welcome his announcement. Will he confirm that the establishment of the protection board ought to and must be used so that people such as my constituents—who have had to do this—may avoid the rigmarole of commissioning a building survey to prove eligibility for the fund and then applying for funding from the pre-application fund, the portal for which was not live at the beginning of the month?

Robert Jenrick: My hon. Friend and I have corresponded and spoken about the issue in his constituency. As I said in my correspondence to him, I encourage the building owners in his constituency to apply to the fund. It will be open on 12 September and we will be handling the applications on a rolling basis. In fact, it will also be possible to get a refund retrospectively, so they could get on with the work immediately and seek the funding at a later date.

My hon. Friend asked me previously about buildings that may have a mix of ACM cladding and other forms of cladding. Public money will obviously be spent for the remediation of the dangerous ACM cladding, but if
it is proven that it is impossible to remediate the ACM cladding without taking off the other forms of cladding, it may well be possible to use public money to fund that as well. I hope my hon. Friends' constituents will put in an application as soon as possible and that we can move forward at pace in his constituency.

Alison Thewliss (Glasgow Central) (SNP): I welcome the Secretary of State to his place, but I agree that he is not quite moving fast enough. We owe it to all those who lost their lives and survived at Grenfell to do more, and to do more quickly. The Scottish ministerial working group is already way ahead of where the UK Government are on this and is moving forward with recommendations. In Scotland, we are looking at 11 metres rather than the 18 metres that the Secretary of State suggests. Has he spoken to his counterpart in the Scottish Government? Will he look at the evidence that Scotland took on making the threshold for mandatory sprinklers in high rises 11 metres rather than 18 metres?

We are looking at regulations around new builds, including having two forms of escape stairs and sound alerts in new builds. Will the Secretary of State look at those ideas? We are also looking at compliance plans for high-risk buildings and at strengthening enforcement.

May I ask—because the Secretary of State has not mentioned this—what the advice has been regarding ThermoWood and similar cladding on low-rise buildings following the fire in Barking? It is clear that there needs to be some advice and regulation in that regard.

I welcome what the Secretary of State said about bringing in a regulator, as we already have a Scottish Housing Regulator in Scotland. Such provision would allow residents to take up any issues they have with the regulator and to prevent something such as Grenfell from happening, because there would be a process through which complaints could be resolved. Has he met with the Scottish Housing Regulator to discuss their work? If not, will he do so? Will he also speak to the Chancellor about the potential VAT reduction to incentivise sprinklers and other remediation works in buildings, as that could make such works easier and cheaper for building owners.

Is the Secretary of State convinced that the money he has allocated will be sufficient, because £10 million does not really sound like enough to me?

Finally, the Chancellor has talked about this period as being the end of austerity. Fire and rescue services in England have seen a 38% cut since 2005; will the Government restore that money and ensure that fire services are able to respond adequately to emergencies?

Robert Jenrick: With respect to the threshold for sprinklers, we have made it clear that our preference is 18 metres, on the basis of the expert advice that we have received so far, but we are open to reviewing the evidence for an alternative threshold, including a lower one. There are obviously precedents elsewhere for thresholds of 11 metres. As I understand it, 18 metres has historically been the traditional marker above which higher fire safety systems are put in place—that has been the case with cladding and in other regards—but we will be led by the evidence and will pay careful attention to what is happening elsewhere, including in Scotland.

The consultation does ask questions about better signage in high-rise buildings and alert systems that would enable the fire officers attending the scene to communicate to all residents in the building and give them proper messages about staying in their flats or evacuating, and so on.

The incident in Barking was clearly very concerning. We have published advice about wooden cladding on balconies, so that is in the public domain: I am happy to send the hon. Lady a copy of that advice. As I understand it, the building in Barking, along with another on the same development, were unusual designs with excessive amounts of wood on their balconies. It was an extremely distressing incident, which I do not want to see repeated, but I advise anyone who is concerned to see the advice that we have published.

I will consider the hon. Lady’s request as a Budget representation to the Chancellor. In the recent spending review, we secured the funding that we announced today for local authorities and to fund the protection board, and we believe that that funding is sufficient. We think that £10 million a year is enough to carry out individual urgent inspections of high-risk and high-rise buildings across the country within the timeframe that I have set out.

Several hon. Members rose—

Mr Speaker: I remind the House that I am looking for single-sentence questions without preamble.

James Brokenshire (Old Bexley and Sidcup) (Con): May I support what my right hon. Friend has said in his statement about driving forward cultural change and ensuring that people are safe in their homes? I also encourage him to follow through on the social housing Green Paper to see that tenants have that voice to challenge their landlords and to drive change.

Robert Jenrick: I am grateful for my right hon. Friend’s work. A number of the initiatives that I announced today commenced during his tenure and he was the driving force behind them. I will, of course, take forward the social housing Green Paper. We are considering the very large number of representations that we received, and I will update the House in due course.

Mr Clive Betts (Sheffield South East) (Lab): I welcome the Secretary of State to his position. With regard to ACM cladding, will he give a date when he is going to require—not expect, but require—this cladding to be removed, and what steps and sanctions does he intend to take? In terms of the testing of non-ACM cladding, if that material is found to be as dangerous as ACM cladding, will he give a commitment to provide exactly the same funding for the removal of that cladding so that people in those homes are safe as well?

Robert Jenrick: The announcement that I made today sets out a timetable. The fund is now open. Every private sector building should apply, and we believe that they will. If, over the course of the autumn, some are procrastinating and not complying, I will name and shame them. The hard deadline is the closure of the fund in December. I will consider all options available to us at that point to ensure compliance. With respect to non-ACM cladding, the advice that we have had to date is now in the public domain. Building owners should be acting upon that. The testing process will conclude this autumn. If further updates are required, of course we will put that in the public domain.
Andrew Selous (South West Bedfordshire) (Con): Does the Secretary of State agree that building regulations can allow us a triple opportunity to build zero-energy bill homes—the homes of the future—quickly and affordably, reduce poverty and reduce greenhouse gases?

Robert Jenrick: My hon. Friend and I share a passion for doing that. We announced in the spring statement a new future homes standard that will ensure that no new home will be built in this country after 2025 without low or zero-carbon heating and the highest levels of energy efficiency. That is good for the environment and good for people on lower incomes.

Jim Fitzpatrick (Poplar and Limehouse) (Lab): Can the Secretary of State say a bit more about his protection board? What kind of people will be on it, how many of them will there be, will they have staff or will they be carrying out inspections themselves, and will they monitor how local authorities spend this £10 million?

Robert Jenrick: I am happy to write to the hon. Gentleman with more details of the board, but it will be a partnership between fire and rescue services and other appropriate experts. They in turn will commission regional teams of experts to ensure the consistent and competent inspections of buildings across the country.

Vicky Ford (Chelmsford) (Con): Fire safety matters, but so does the health and safety of workers, so will the Secretary of State keep a focus on the current review of building regulations to make sure that that prohibition on low-level letterboxes is delivered?

Robert Jenrick: Yes, I think we may all welcome that in the coming months.

Andy Slaughter (Hammersmith) (Lab): There is confusion about the “stay put” policy and tall buildings being approved with single staircases. What has happened to the review of means of escape?

Robert Jenrick: I will write to the hon. Gentleman with an answer.

Sir Peter Bottomley (Worthing West) (Con): Will the Secretary of State use the campaigning charity the Leasehold Knowledge Partnership as a way of letting leaseholders in privately owned blocks know what should be happening and of making sure that their interests are taken into account just as much as those in the private sector?

Robert Jenrick: I am very happy to take my hon. Friend up on that. He knows that I share his determination to take forward wider reforms in the leasehold sector, and I will be introducing measures in that respect in due course.

Kate Green (Stretford and Urmston) (Lab): What can be done to identify developers such as Mr Jason Alexander in Greater Manchester who have a track record of repeatedly flouting regulations for buildings they own and to make sure they cannot continue to do so and will face sanctions?

Robert Jenrick: Local authorities have robust enforcement powers available to them, and we are working closely with them to guide and support them. If the hon. Lady would like to come to me with examples, I would be very happy to support her.

Neil O’Brien (Harborough) (Con): First, tenants at Edwin Court in my constituency are having to move out of their homes while vital fire safety work is carried out. Will my right hon. Friend ensure that all housing associations look after their tenants in the process of such work? Secondly, will his review look closely at inadequate fire doors? Inside Housing’s review of this issue is very concerning, as have been answers I have received to parliamentary questions.

Robert Jenrick: I am very happy to work with my hon. Friend on that issue. We have already published updated advice notes on fire doors. It is an important issue that we want to take forward.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): Two years after Grenfell, buildings in Newcastle remain with this dangerous cladding, so will the Secretary of State admit that the privatisation of building safety, in effect, with building owners able to pick and choose who inspects them, has failed? Will he review the system generally and give local authorities more control, oversight and resource, as Newcastle City Council has requested?

Robert Jenrick: The hon. Lady can see that we are doing a root-and-branch reform of the building safety system, both in the interim and in the long term with the building safety Bill that will come forward as soon as possible. I am working very closely with local authorities, and today of course I have announced £14 million of additional funding that will help to support them to use their existing powers robustly.

Matt Western (Warwick and Leamington) (Lab): It is almost 12 years since the tragedy in Atherstone on Stour, in Warwickshire, which resulted in the deaths of four firefighters. Sprinklers were subsequently introduced into legislation. Can the Secretary of State not be more ambitious and ensure that sprinklers are retrofitted to all tower blocks and also insist that they be introduced into schools, so that we do not lose schools, as we did in Scotland the other week?

Robert Jenrick: As I think I said earlier, we will always be guided by the safety of residents, but we must be led by the evidence, and the consultation I am launching today will do exactly that. We will consider the appropriate threshold and whether measures need to be applied to other high-risk buildings of different types.

Mike Amesbury (Weaver Vale) (Lab): I welcome the Secretary of State to his post. Some 11,500 firefighters’ jobs have been cut since 2010. What representations has he made to other Departments?

Robert Jenrick: As I said in my statement, I have worked very closely with the Home Secretary in preparing this announcement. The protection board will be a partnership between the fire and rescue services, the Home Office and my own Department. The funding
that the Chancellor has made available for this will help to ensure that fire and rescue services that participate are properly funded for that work.

**Ruth George** (High Peak) (Lab): As we saw at Whaley Bridge this summer, it is not just residential buildings that can put lives at risk but infrastructure as well. While I welcome the review that is taking place on Whaley Bridge, will the Secretary of State confirm that the rigorous inspection regime will apply to infrastructure buildings as well as residential ones, and that where they are held by separate trusts such as the Canal and River Trust, capital funding will be available where needed?

**Robert Jenrick** (Minister for Housing, Communities and Local Government): The Chancellor has made a variety of money available for this will help to ensure their compliance.

**Mr Barry Sheerman** (Huddersfield) (Lab/Co-op): Is the Secretary of State aware that what my firefighters in West Yorkshire want is to be able to do the job? They want the training, the resources, the time and the prioritisation, and then they will do the job.

**Robert Jenrick**: With respect, that is exactly what we have announced today.

**Mary Glindon** (North Tyneside) (Lab): Notwithstanding the consultation, will the Secretary of State apply the same logic about sprinklers to existing tall blocks as he does to new blocks?

**Robert Jenrick**: I think I have already answered that.

**Several hon. Members rose**—

**Mr Speaker**: Tim Farron—one sentence.

**Tim Farron** (Westmorland and Lonsdale) (LD): Given that naming and shaming has been set out by the Secretary of State, could he be more explicit about what sanctions he will be using against the individuals and organisations that fail to comply with making these buildings safe for their residents?

**Robert Jenrick**: The hon. Gentleman asks a pertinent question. In the first instance, we will be working with local authorities, which have such powers available to them. We will be supporting and guiding them to take robust action, but if we reach the end of the year and there are still building owners who have failed to participate—which would be shameful given that taxpayers' money is available to them—I will consider all options available to us to ensure their compliance.

**Jim Shannon** (Strangford) (DUP): Will the Secretary of State's Department co-ordinate with the Northern Ireland permanent secretary to ensure that we, too, in Northern Ireland are securing improved safety measures for residents and for workers?

**Robert Jenrick**: I will.

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**Girls’ Education**

12.12 pm

**The Secretary of State for International Development** (Alok Sharma): With permission, Mr Speaker, I would like to update the House on the UK’s work to support girls’ education around the world—in particular, our work to help provide 12 years of quality education for all girls by 2030 and to leave no girl behind.

Educating girls is the tool that can address a whole host of the world’s economic and social problems. It is one of the five foundations of DFID’s wider work on gender equality, which tackles the barriers that hold women and girls back. Educating girls prevents child marriage and early pregnancy, helps women into the workforce and boosts household incomes and economic growth. Supporting education for girls and women gives them a greater voice. That voice helps them to shape their own future and advocate for changes in their own lives and, very importantly, the lives of other girls and women.

On a recent trip to Ethiopia, I met a group of teenage girls learning to code. One of them told me: “Education is a weapon that can change the world”—and she was absolutely right. Educating girls is central to achieving women’s rights and empowerment and to achieving the sustainable development goals. Nothing could be more important than giving every child the chance to make the most of their talents, ensuring that every child can reach their full potential.

We know that many girls become mothers before they finish school. The vital sexual and reproductive health services that they need are simply not available. In the Sahel, for example, child marriage and early pregnancy are endemic, stopping girls entering and staying in education. Three quarters of girls in Niger are married before their 18th birthday; more than one in four are married before the age of 15.

This situation is not acceptable. We in the UK are leading the action globally to address this injustice. Today, I can update the House on the UK’s continued global leadership on girls’ education. The UK is a world leader on girls’ education. I am immensely proud to spearhead the British Government’s girls’ education campaign. That campaign—Leave No Girl Behind—was launched by our Prime Minister in 2018 when he was Foreign Secretary. The campaign leads by example. It gets girls learning, builds international political commitment and boosts global investment so that all girls have access to 12 years of quality education by 2030. The girls education campaign is an essential part of this Government’s broader endeavours to promote global Britain’s core values overseas.

Through our strong political leadership and the UK’s global diplomatic network, we have achieved many notable successes since the launch of the campaign in 2018. At the Commonwealth Heads of Government meeting in 2018, all 53 Commonwealth members agreed to work to ensure 12 years of quality education for all girls by 2030. At the G7 in 2018, over £2.3 billion was raised for girls’ education. At the United Nations General Assembly in 2018, the leaders of the UK, Canada and France came together with key partners from the global south—Jordan, Niger and Kenya—to endorse a joint statement that focused global political attention on
girls' education. This year we have led and launched the Safe to Learn campaign, which addresses violence that prevents girls from attending and learning in school.

I hope that this demonstrates that the UK is leading across a range of programmes to build commitment and boost investment globally in our mission to ensure all girls access 12 years of quality education by 2030. Only last month, at the G7 leaders summit in Biarritz, our Prime Minister announced £90 million of new funding to provide education for children caught up in crises and conflict. Girls, who are more than twice as likely to be out of school in conflict areas, stand to benefit the most from this support. The Prime Minister also announced £30 million for affirmative finance action for Women in Africa. This will help to break down barriers to women's economic empowerment by providing up to 10,000 women with essential business training and thousands more with better access to business loans. Unleashing the economic potential of women will boost African economies, trade and investment opportunities, and increase global prosperity. This is in the interests of the UK and African countries and will provide girls with strong female role models.

At the UN General Assembly later this month, which I will attend, girls' education will be at the heart of the UK's activities and interventions. All UK-funded education programmes have a focus on girls and young women. Between 2015 and 2019, the UK supported 5.8 million girls to gain a decent education. Our Girls Education Challenge is the world's largest fund dedicated to girls' education. It is now supporting up to 1.5 million marginalised girls in 17 countries around the world.

I am absolutely clear that girls' education remains a key priority for this Government. We must send a strong signal that we will not give up on half of the world's population. I strongly believe that educating a girl ultimately helps to educate a nation. I commend this statement to the House.

Mr Speaker: I call the shadow Secretary of State, who should take approximately three minutes.

12.18 pm

Dan Carden (Liverpool, Walton) (Lab): Thank you, Mr Speaker. I thank the Secretary of State for advance sight of the statement and welcome him to his new role. He is the third Secretary of State I have faced in this position.

In its “World Development Report 2018”, the World Bank declared an international learning crisis. We know that it is too often girls who are most affected by the lack of education globally. They are twice as likely as boys to never start school. Given these figures, we welcome the Secretary of State's focus on education, and girls' education in particular.

While, like the Government, we recognise that the benefits of girls' education reach far beyond the individual girl, does the Secretary of State agree that education is first and foremost a basic human right? That is why the Labour party is committed to a rights-based approach to education.

Last month, I visited Kenya and saw for myself the huge educational needs in that country. I visited state schools and low-fee private schools, meeting teachers, pupils, parents and civil society groups, and one thing was clear when it came to education: the people I met there wanted exactly the same things that my constituents in Liverpool want—decent, publicly funded schooling for their children. I am concerned about the growing support that DFID is providing to expanding private education in the global south, because we know that fee-paying private schools never reach the most marginalised children. We know from our own experience in the UK that universal public systems of education are the only way to reach all children. The International Development Committee has said that DFID's support for private education is “controversial”. The last Independent Commission for Aid Impact assessment of DFID's work to support the most marginalised girls found that DFID is “falling short” of its ambitions to educate the poorest and most vulnerable girls. One reason for that was a lack of influence by DFID on public Government-run education programmes.

In Kenya, I heard some worrying stories from parents and teachers about their experience with so-called low-fee private schools, and one chain of schools in particular: Bridge International Academies. Parents told me how they had been tricked into believing that their kids would benefit from scholarships, leaving them unable to pay fees and their kids missing chunks of schooling as a result. I met the head of the Kenya National Union of Teachers to discuss education in the country, and he had a very clear message: he wanted the UK to stop using aid money to privatise his country's education system.

In August last year, Oxfam published its review of a DFID-funded education public-private partnership in Pakistan. It found that schools were failing to reach the most marginalised, relying on very low wages and poor employment practices. In February this year, the Send My Friend to School coalition released a report calling for DFID to ensure that its aid spending goes towards supporting education that is provided universally and is available free at the point of use. In April, a report from the National Education Union and Global Justice Now claimed that UK aid is being used to push an ideological agenda to expand fee-paying private education around the world.

Labour knows the importance of publicly delivered public services. That is why we will set up a new unit for public services within DFID that will champion education as a human right and a public good. Will the Secretary of State listen to the sector, to the unions and to teacher and campaign groups in the UK and the global south, who say that education is a universal right guaranteed by the state and not a market to make profits from? Will he shift his Department's focus on education towards a human rights-based approach, so that all girls get the education they are entitled to?

Alok Sharma: I thank the hon. Gentleman for his response. We are at a time when there is an enormous amount of rancour in this House and debates are perhaps not as good-natured as you would like, Mr Speaker, but this is an area on which I think we can all agree across the House. Education matters for every child, whether in our country or the developing world. I hope that the hon. Gentleman will be pleased at the reaffirmation yesterday of the 0.7% commitment in the Chancellor's spending review statement.
I very much share the hon. Gentleman’s view that the work we do in developing countries is incredibly important. He talked about his visit to Kenya. I was in Nigeria recently to see the work we have done in Kaduna state, working with the state—the public sector—to ensure that thousands of teachers are retrained appropriately. I visited a school where the school roll was failing only a couple of years ago—it was down to 400—but it is almost double now, and over half the children there are young girls. I had an opportunity to talk to them, and they were incredibly enthusiastic and positive, not just about their own future but about their own country. That is because of the great education they are getting.

I agree with much of what the hon. Gentleman said, but I want to respond to his point about where DFID’s funding goes. I want to make it clear that over 95% of my Department’s education funding goes to the public sector to support improvements in education outcomes. That is right and proper. We are working across the developing world with countries and their education ministries to provide support. Of course, where state provision is weak or non-existent, it is right that we work with non-state providers, including paid-for schools, to provide education to children who would otherwise get none, and we continue to work with a range of education partners to ensure the best results and value for money.

The hon. Gentleman talked about ideology. There is one education ideology that I suspect we share, which is that it is vital that every child gets the right level of education. We are both committed to ensuring 12 years of education for every girl across the world.

Harriett Baldwin (West Worcestershire) (Con): In this difficult week, it is wonderful to hear the Secretary of State shine a spotlight on this incredibly valuable and important part of what the UK does. It is such good value for money. Can he commit to exploring whether the UK could be spending a greater share of our overall aid budget in this incredibly valuable area?

Alok Sharma: May I first pay tribute to my hon. Friend, who did so much work in this area during her time in government? I remember having conversations with her about this issue, which she is passionate about. We spend around £1 billion a year on education, in official development assistance, and it will fluctuate over the years. It is important that we also focus on outcomes, but I will take on board what she said about our trying to do even more in this area.

Several hon. Members rose—

Mr Speaker: Order. Extreme brevity is required.

Chris Law (Dundee West) (SNP): I welcome the new Secretary of State to his place; he will be the fourth in little over two years. Sustainable development goal 4 included a new agenda for global education, vowing to “ensure inclusive and equitable quality education and promote lifelong learning opportunities for all”.

I fully welcome this commitment of UK aid to helping every girl to get an education. As we know, education can be the most valuable tool in the fight against global poverty, yet too many girls remain without access. In sub-Saharan Africa, 52.2 million girls of primary and secondary school age are out of school.

The education of women and girls must be made a priority in all educational international development programmes, and such programmes must explicitly address complex factors that keep girls out of education. Girls are more than twice as likely to be out of school if they live in conflict areas, and young women living in conflict are nearly 90% percent more likely to be out of secondary school than those in other countries.

Education is a long-term challenge and one that is easily disrupted. Humanitarian crises are becoming more protracted, and one major challenge is coming up with a long-term solution to the children whose education is disrupted by this. Last week, the United Nations High Commissioner for Refugees published a report that found that, of the 7.1 million school-age refugee children around the world, more than half do not go to school. With one third of the £90 million funding earmarked for those living through the world’s forgotten crises, I ask: what proportion will be spent on those girls who have fled conflict but have been left without an education due to displacement?

Furthermore, the Government’s programmes to help women in developing countries overwhelmingly focus on children—those under about 10—and adult women, and there is a gap that adolescent and teenage girls can fall through, leaving them out of programmes to get them into education and keep them safe from sexual violence. Can the Secretary of State tell me how he plans to address that specific age group?

Alok Sharma: I am delighted that, once again, we have a shared view about the importance of girls’ education. The hon. Gentleman is right that education is a long-term challenge. He talks about the UK’s commitment. The Prime Minister was absolutely committed to the 12 years of education for girls during his time at the Foreign Office—in fact, he launched our work on this—and he is totally committed now, so I think the hon. Gentleman will find that this is a key area of focus for us.

I also share the hon. Gentleman’s view that we have too many children across the world who are not in education. The latest figures suggest that over 260 million children, of whom about 130 million are girls, are not in education, and that is not good enough.

The hon. Gentleman asked a specific question about the £90 million commitment that the Prime Minister has made for educational emergencies. I can inform him that this includes £85 million for Education Cannot Wait, which will support 600,000 children, including girls, in emergencies. I hope he will appreciate that we are absolutely focused on helping children across the world, with this particular money very much focused on those living in emergency areas.

Bob Blackman (Harrow East) (Con): Across the developing world, the main obstacle to girls being in education is the lack of running water, sanitation and toilet facilities. My right hon. Friend has recently visited Africa, including Nigeria. Ten per cent. of the girls in the world are not in education. What more can we do to invest in this area so that we can provide the facilities for girls to have education?

Alok Sharma: My hon. Friend raises a really important point, which is that basic sanitation and the availability of clean water are vital. I saw one of the projects in
Ethiopia that has been funded through DFID, and I had an opportunity to meet some of those who are benefiting from it. I spoke to a lady who previously spent five hours a day getting water for her children, and now she is able to spend that time working, raising money to educate her kids.

Stephen Twigg (Liverpool, West Derby) (Lab/Co-op): I congratulate the Secretary of State on his appointment to this important role in government. I welcome very warmly both his statement and the commitment the UK made at the G7 to Education Cannot Wait. Clearly, we need other donors to rise to the challenge in the way the UK has. What will he be doing over the next few weeks to ensure that the full replenishment of Education Cannot Wait is achieved, so that children living as refugees get the education that they deserve?

Alok Sharma: I thank the hon. Gentleman for his question, but also for the very fine work he does in leading his International Development Committee. We have always had a very good relationship and I very much hope that that will continue.

I agree with the hon. Gentleman. We need to be doing even more in promoting not just the UK but others to corrall in finance into this area. I talked in the statement about the amount of money that was corralled in last year at UNGA. As I have said, girls’ education will be a key focus of the work we will do at this year’s General Assembly.

Sir John Hayes (South Holland and The Deepings) (Con): G. K. Chesterton said:

“Education is simply the soul of society as it passes from one generation to the next.”

The work we do in this country will both be exported and inspire others worldwide. So will the Secretary of State look at girls studying STEM subjects—science, technology, engineering and maths—and particularly going into engineering in this country? The hon. Member for Newcastle upon Tyne Central (Chi Onwurah) and I worked on this when I was in government. It will inspire others. It will nourish our society, as we nurture the taste and talents of young women with a practical, vocational and technical bent.

Mr Speaker: Have it framed and put it up in the loo.

Alok Sharma: My right hon. Friend raises a very important point. Of course, studying STEM subjects is really important in the UK, but also abroad. He showered me with a quote. May I give him one back from a young lady I met who is learning to code as a result of funding provided by DFID? This was when I met a group of most vulnerable children in the world—receive an education.

Sarah Champion (Rotherham) (Lab): Female genital mutilation, child sexual exploitation, child marriage and child trafficking all cause girls to drop out of school. DFID and the British Council have been excellent at changing culture abroad. Can the Secretary of State say how we can learn those lessons and bring those lessons to the UK so that we can change our culture here?

Alok Sharma: First, I agree with the hon. Lady. Lady that education is absolutely vital because we know that, for every girl who goes to secondary school, infant mortality is cut in half. About 12 million children would escape stunting due to malnutrition if every girl went to secondary school, and we would see significantly higher GDP growth across the world. Of course, we share any learnings that we have across government, and we will continue to do so.

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

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

Dr Lewis: In how many third-world countries are girls like Malala at risk of attack or assassination, and do we have any programmes to assist the Governments in those countries to protect them?
Alok Sharma: I think the simple answer is too many, but the wider work that DFID does on humanitarian support and security clearly aids the objective of making sure that children—girls—are able to go to school safely and live in an environment where they feel that they will not be threatened if they go to school.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): I welcome the Secretary of State and this G7 initiative. Does he accept that this is not just about Governments? Why do we not involve more legislators around the world, working together and using the Inter-Parliamentary Union and the Commonwealth Parliamentary Association to share good practice and ideas? I chair the World Health Organisation global legislators group to cut road deaths, which is a very good model. Can some of us, on an all-party basis, come to talk to him? This is a great campaign and we should be helping legislators around the world to improve conditions for girls.

Alok Sharma: As the hon. Gentleman and other colleagues in the House will know, in all my previous roles, I have, I hope, been very open to having discussions and, indeed, learning from colleagues who may have much more detailed knowledge built up over many years, so I would welcome an opportunity to sit down with him and other colleagues.

Sir Peter Bottomley (Worthing West) (Con): Forty years ago, when I was a trustee of Christian Aid, we knew that educating a girl could break cycles of poverty in one generation and could also lead to later marriage, fewer children, more prosperity and better health. Can the Secretary of State say now or in a later statement how the increase in maths provision for these girls around the world has been improving, thanks to our efforts?

Alok Sharma: May I pay tribute to my hon. Friend’s work over many years in this area? He has highlighted one of the organisations he has been involved in. The support we have provided over the last four years has meant that 5.8 million more girls are getting a decent education and it is vital that we continue this work.

Christian Matheson (City of Chester) (Lab): I welcome this statement. When I go on “Send My Friend to School” visits in Chester, girls’ education is always the No. 1 issue raised with me by British schoolchildren. However, will the Secretary of State confirm that, if we do not get right nutrition and healthcare as part of the package that supports education, that could damage education for girls? It is about getting the whole picture right.

Alok Sharma: The hon. Gentleman raises a vital point, and we need a holistic approach to our work. I believe that is very much what DFID does as a Department.

Luke Graham (Ochil and South Perthshire) (Con): I welcome my right hon. Friend’s comments: no girl or young woman should be denied access to education, and I am proud that we are funding schemes at home and abroad. Will he confirm that he is prioritising girls and young women in conflict zones, as well as those in overseas territories and our Commonwealth partners who have suffered from natural disasters?

Alok Sharma: Yes. I thank my hon. Friend for the work he does locally in championing education in his constituency. As I set out, the vast majority of the £90 million that the Prime Minister announced at the G7 is for conflict zones and to help those in Syria and areas such as Cox’s Bazar. We will continue to focus on that.

Alison Thewliss (Glasgow Central) (SNP): A third of girls in Yemen are reported to be married before their 18th birthday and 9% are married before they are 15. What is the Minister doing to ensure that those girls in Yemen in a conflict zone are getting an education and what will he do to end conflict?

Alok Sharma: As the hon. Lady will know, we do a wider piece of work across government to end conflict, working with our partners internationally. For example, around £3 billion has been put into a UK programme on Syria. Clearly, however, we must keep focusing on these areas. It is important that, if children are caught up in these areas, they continue to receive basic education and we are focused on that.

Martin Whitfield (East Lothian) (Lab): I welcome the Secretary of State to his position. Will he confirm that good practices such as the “Send My Friend to School” initiative are important in exploiting the messaging on this, as is the mental health of girls involved in education? What will the Government do to continue to support the mental health of young women in their education?

Alok Sharma: Mental health is of course an important issue, which has risen up the agenda over a number of years. The Government are doing their part through the Departments of Health and Social Care and of Education, and where DFID is able to offer support, it will do so.
Business of the House

12.42 pm

The Leader of the House of Commons (Mr Jacob Rees-Mogg): With permission, I should like to make a statement about the business for next week. I shall begin by apologising to the shadow Leader of the House and the hon. Member for Perth and North Perthshire (Pete Wishart) that this statement is later than it would normally have been, which is to ensure that the information before the House is as full as possible. I understand that that has caused some travel arrangement difficulties, which is a matter of regret.

The business for next week is as follows:

Monday 9 September—If necessary, consideration of Lords amendments, followed by debate to approve a motion relating to section 7 of the Northern Ireland (Executive Formation etc) Act 2019 (historical institutional abuse), followed by debate to approve a motion relating to section 6 of the Northern Ireland (Executive Formation etc) Act 2019 (victims’ payment), followed by debate to approve a motion relating to section 5 of the Northern Ireland (Executive Formation etc) Act 2019 (human trafficking), followed by debate to approve a motion relating to section 4 of the Northern Ireland (Executive Formation etc) Act 2019 (gambling), followed by general debate on a motion relating to section 3(2) of the Northern Ireland (Executive Formation etc) Act 2019, followed by debate on a motion relating to an early parliamentary election.

The House will not adjourn until Royal Assent has been received to all Acts. A message may be received from the Lords Commissioners.

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The House will not adjourn until Royal Assent has been received to all Acts. A message may be received from the Lords Commissioners.

I will return to the House on Monday with further information if necessary.

12.44 pm

Valerie Vaz (Walsall South) (Lab): I thank the Leader of the House. I was going to say that it is the usual custom and convention to thank him, but I appreciate that he has apologised—at least I abide by custom and convention. I also thank him for being vertical when he gave his statement.

The Opposition will co-operate with the Government on the Northern Ireland legislation to ensure that it goes through, and we are obviously keen for Lords amendments to the European Union (Withdrawal) (No.6) Bill, if there are any, to come back to the House to be debated. Will the Leader of the House say exactly what the motion relating to an early parliamentary election will be and whether it will be similar to that under the Fixed-term Parliaments Act 2011? When is he likely to table it?

As I said I would do every week, I raise the case of Nazanin Zaghari-Ratcliffe. Will the Leader of the House update the House on her case, given that things have taken a different turn, and on the cases of the other UK nationals who are in prison? Kamal Foroughi was detained in May 2011, Anousheh Ashouri was detained in August 2017, and British Council employee Aras Amiri was detained in March 2018 and has now been given a 10-year sentence for visiting her grandmother.

I asked the previous Leader of the House about the Queen’s Speech and I know that that has been thrown back at me a number of times. We have had the longest continuous parliamentary Session since the Acts of Union 1800. Hardly any business was legislated for while the Government were going through a leadership election. The Government chose to have a long Session and no legislation was progressed, despite my asking for that, as well as for Opposition day debates, which I have not been given. We should have realised that something was going to happen when someone asked when the Trade Bill would come back and the Leader of the House responded, “Why would we want to do that?” That should have given us a clue. A number of Bills—the Immigration Bill, the Agriculture Bill, the Fisheries Bill and the Financial Services (Implementation of Legislation) Bill—are stuck. We know that they fall when Parliament is prorogued, but not statutory instruments—they are still live. Will the Leader of the House say what the Government plan to do with those Bills?

I asked the previous leader of the House, the right hon. Member for Central Devon (Mel Stride), whether we could sit during the conference recess. We on this side of the House were ready to do that. There is nothing conventional about the Government’s plans for Prorogation. Most Prorogations last a few days and take place just before the Queen’s Speech, but this one is five weeks, which will be the longest in more than 40 years.

Will the Leader of the House clarify what he said during the debate yesterday? When asked, he did not say whether he knew on 16 August that the House was going to be prorogued. In fact, he said he was at Lord’s. I will ask him again: on 16 August, when he was at Lord’s, did he know whether the House was going to be prorogued? Had he seen that email? Two weeks later, he was on a plane to Aberdeen airport. When was he told that he was going to Balmoral and when did he know what was in the proclamation?

We do not trust this Government—they take their lead from the Prime Minister, who says one thing and does something else. When he wanted to be Prime Minister, he wrote in a letter to all his colleagues that he was “not attracted to arcane procedures such as the prorogation of Parliament”.

He said he was a one nation Conservative, yet he has prorogued Parliament and withdrawn the Whip—possibly sacked, possibly expelled—from some of the most honourable right hon. and hon. Members, who have given great service to their party and country. Now we face the fact that the right hon. Member for Orpington (Joseph Johnson) has resigned and no longer wants to stand—the Prime Minister’s own brother cannot take it anymore. That is why we do not trust the Government and the Prime Minister. He secretly agreed to suspend Parliament two weeks before denying it would happen. He is treating Parliament, democracy and the people with contempt.

Twenty-two law professors have written an open letter to say that the Prorogation is clearly designed to evade scrutiny, including of legislation, and to prevent MPs from asking key questions on EU negotiations and no-deal planning. So what were the reasons for the Prorogation at that time, without recourse to coming to the Chamber and explaining it?

An important Bill to stop a no-deal exit was passed yesterday and is making its way through the Lords. Here are the reasons why it is important. The director of the CBI has said:

“No deal is a tripwire into economic chaos that could harm our country...for years to come.”
Is that scaremongering? The General Secretary of the Trades Union Congress said that no deal would be a "disaster for working families". Is that scaremongering? The President of the National Farmers' Union said that "you will have many farmers going out of business" and the Food and Drink Federation has warned that it would "inflict serious—and in some cases mortal—damage on UK food and drink."

Is that scaremongering?

The British Medical Association said in its report that the dangers of no deal could lead to the disintegration of the NHS. The fashion industry, worth £32 billion, says no deal should be avoided. The Incorporated Society of Musicians said a no-deal Brexit will incur major disruption to the music industry worth £4.5 billion. Are they scaremongering?

Guy Verhofstadt, Brexit co-ordinator for the EU, said that the only people who will prosper are the wealthy bankers and hedge fund managers who have bet on chaos.

I think the Leader of the House also owes an apology to Dr David Nell, who was part of Operation Yellowhammer. When will the Leader of the House publish Operation Yellowhammer, or does he think the Government are scaremongering?

Mr Speaker, they are like the wolves of Whitehall. They are marauding over our customs and our conventions. It is absolutely outrageous, the way they are destroying them. The Prime Minister only governs by custom and convention.

I think the Leader of the House also owes an apology to Mr Speaker. I think he was heard on air to say that Mr Speaker was wrong, but I want to remind him of his bedtime reading, "Erskine May", and of the dedication Mr Speaker was wrong, but I want to remind him of his conventions.

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Is that scaremongering?

We then come on to the Queen’s Speech and what will happen to the Bills that are stuck. The Bills that are stuck will become unstuck because they will fall on prorogation. That is the sort of de-supergluing process that we are able to use. I am glad to tell the House that all the Bills that are needed for leaving the European Union on 31 October are in place.

We then come to the diary questions. What was I doing? [Interruption.] On the ability to leave on 31 October, all the legislation that is needed is in place. We have 580 statutory instruments to make sure it will all happen smoothly. That is all done. It is ready. It is prepared. Her Majesty’s Government have been a model of efficiency and efficacy in preparing this. My right hon. Friend the Chancellor of the Duchy of Lancaster is perhaps one of the most impressive administrative Ministers this country has ever seen.

I was asked questions about my knowledge of the next Queen’s Speech. The hon. Lady is aware that one of the main duties of the Leader of the House is to prepare for the next Queen’s Speech. That is what one does. That is what one is briefed on from the very beginning. Bids for items in the next Queen’s Speech come to the Leader of the House, so that has been part of my briefing from the point at which I was appointed and that is the reason why this Session is coming to an end. It has gone on for far too long, as the hon. Lady rightly pointed out—as indeed did the hon. Member for Rhondda (Chris Bryant), who seems to be fidgeting at the moment in an uncharacteristically fidgety way.

Mr Speaker: How does one fidget in an un-fidgety way?

Mr Rees-Mogg: Mr Speaker, your knowledge of being able to fidget is so extensive that I am sure you will be able to tell the House or make it a chapter in your memoirs on un-fidgety fidgeting.

That is the straightforward reason for the Prorogation. The Prorogation is taking place to have a new Queen’s Speech to set out the really exciting one nation policies that my right hon. Friend the Prime Minister wishes to set out. [Interruption] Mr Speaker, I know and we all know, because we have heard you say it many times, that however much chuntering there is from the other side you will make time for me to answer all their questions, which I am looking forward to with eager anticipation. I will be better able to answer them if they wait their turn, rather than making noises imitating a farmyard that I cannot translate because I am not Dr Doolittle. If only I were Dr Doolittle, life might be easier. So that is the routine part of my responsibility and that is why Parliament will be prorogued.

On the conference recess, on the last occasion I appeared at the Dispatch Box to answer these questions I raised the issue of the conference recess. Sitting opposite me was none other than that really distinguished figure, the Opposition Chief Whip. [Interruption.] It was not
the hon. Member for Ogmore (Chris Elmore) who is sitting on the Opposition Front Bench now, but the Opposition Chief Whip. When I said that we would have the conference recess, the Opposition Chief Whip nodded. As we all know, a nod from the Opposition Chief Whip is like the nod of Zeus: what it nods at is done and is viewed as authoritative, so let us have no questions about that.

The hon. Lady came on to scaremongering. She seems to wish to compete to become the scaremonger-in-chief. The preparations have been made. They are in place and they have been done with remarkable efficiency. But yes, a lot of remainers wish to make our skins crawl. I am afraid it seems to me that Dr David Nicholl is as irresponsible as Dr Wakefield. [Interruption.] I will repeat: as irresponsible as Dr Wakefield, in threatening that people will die because we leave the European Union. What level of irresponsibility was that?

In conclusion, I say to the hon. Lady and the House that this Government have offered them the opportunity, if they do not like what we are doing, to seek an election and put themselves to the voters, but they dare not do that. They are frightened of the voters and all they wish to do is obstruct democracy.

Sir David Amess (Southend West) (Con): Will my right hon. Friend the Member for Southend West (Sir David Amess) recall the debates on the future staging of party conferences? It seems to me that these conferences have changed out of all recognition and in future could easily be held over a long weekend.

Mr Speaker: What a very sound question. I am even more delighted than usual to have called the hon. Gentleman so early. These are meetings of voluntary organisations which could perfectly well take place over a weekend. The idea that we should be away from our main place of work for this sort of indulgence will strike very large numbers of people across the country as bizarre.

Mr Rees-Mogg: Mr Speaker, I wondered if you were going to suggest a job share. Perhaps I should sit in as Speaker on occasion and you should answer questions as Leader of the House. I am sorry to say that I have a slightly different answer to my hon. Friend the Member for Southend West. Party conferences are an important part of the political process. I am really glad to say that this year’s Conservative party conference is going to be primarily an occasion for members. We are going to get back to putting members front and central, because they are the people who select us and for whom we work, and who campaign for us. Party conferences are important and it is a reasonable time to have. This House has not been that busy, it has to be said, earlier in the Session. Therefore, having a party conference is perfectly reasonable.

Pete Wishart (Perth and North Perthshire) (SNP): I thank the Leader of the House, esquire, for announcing whatever this is supposed to be for next week and say to him that if he is starting to feel a bit tired, he should just feel free to have a little lie down. But perhaps if he is going to do that, he should mention it to his hon. Friends the Members for Pudsey (Stuart Andrew) and for Horsham (Jeremy Quin) next to him.

According to the statement, there will be another attempt at a general election on Monday—perhaps the Leader of the House can just confirm that. It looks almost certain that straight after that, the Government’s intention is to suspend democracy—contemptuously—for five weeks, much against the desires and wishes of this House and the people we are elected here to serve.

But I congratulate the Leader of the House on an incredible week—not on becoming an internet sensation with his “Victorian dad lying down” stuff, but on his shrewd, stellar and steady management of the House business. He has managed to lose every single vote for this Prime Minister. No Prime Minister has ever got off to such a terrible start. He has managed to lose his Government majority by deselecting decent and honourable members of his party who have served their country and party with such distinction. He has lost control of the business of the House, and last night his unelected lords in the other place put up the white flag to what they call the surrender Bill. In the last few hours, we have had the resignation of the right hon. Member for Orpington (Joseph Johnson) in his desire to spend less time with his family.

There is only one piece of business that the Leader of the House craves: to secure his general election while still being able to get the no deal that the Government crave. To his great frustration and that of the Brexit cult that occupy the Government Benches, they have been unable to get away with it. His general election is coming, but everybody has to be certain that their no deal is dead and buried.

The funniest thing about the general election motion last night was the sight of Scottish Conservatives trooping through the Lobby in favour of an immediate general election on the day that an opinion poll showed that they would be decimated in Scotland. If we want to see a demonstration of slavish loyalty to the no-deal Brexit cult cause, we need look no further than these hon. Gentlemen. This is not just turkeys voting for Christmas; it is turkeys lathering themselves in cranberry sauce and shoving the stuffing up their own posteriors.

I have a feeling, though, that this will probably be the last opportunity to see the right hon. Gentleman in his place. He wanted a legacy—how about the least successful Leader of the House that we have ever had?

Mr Rees-Mogg: I am grateful as always to the hon. Gentleman for his characteristic charm. What we have seen today is, I think in history, unprecedented, unknown and unseen. We have seen a frightened Scotsman. They are people who are known for their courage, their forthrightness and their stubbornness, and they are scared of going in front of their voters. They have run away from an election. They are—what is it?—“timorous beauties”, I think they must be called, who dare not face their voters. I just wonder whether that is because of the narrow majority that the hon. Gentleman has. He parades it as concern for Conservative Members, and he is worried that they may be in danger, but surely if that is what he really thinks, he should be embracing the opportunity for an election and pushing forward for it.

The hon. Gentleman mentioned, as did the hon. Member for Walsall South, my right hon. Friend the Member for Orpington (Joseph Johnson), who has decided to leave Her Majesty’s Government. This is something that we know about across the country: families disagree
on Brexit. My enormously distinguished, wise and good sister, Annunziata, has gone and joined the Brexit party—and not only joined it, but got elected to the European Parliament. We all have, within our families, these disagreements over an issue that is of fundamental importance to us—[Interruption.]

Mr Speaker: Order.

Mr Rees-Mogg: Thank you, Mr Speaker. It is of fundamental importance to us all, and that is why it is right to put this back to the British people in a general election, so that they can decide and the hon. Member for Perth and North Perthshire (Pete Wishart) can restore the honour of the people of Scotland by showing he is not afraid.

Mr Speaker: These are richly enjoyable exchanges. That would ordinarily be the case in the presence of the Leader of the House in any circumstance, but I believe that it is more so because, unless I am much mistaken, the right hon. Gentleman is not the only Rees-Mogg present and observing our proceedings today. It is a great pleasure and privilege to welcome little Mogg's in particular, of whom there are several, and other members of the Rees-Mogg dynasty.

Notwithstanding that joy, one of the responsibilities of the Speaker is to safeguard the rights of Members in respect of business to follow. I make that point simply to underline the imperative of brevity from Back and Front Benchers alike in observing that, exceptionally today, it may not be possible for everybody to be called on the business statement. We will do our best, and the quest for brevity can be led—I think with distinction—by Dr Julian Lewis.

Dr Julian Lewis (New Forest East) (Con): May we have a statement or debate on the circumstances of the seizure of a British-flagged tanker by Iran in the Gulf? If there is not enough time for that, will the Leader of the House have a word with the Secretary of State for Defence, because the Defence Committee on Monday has a session planned, but the former Secretary of State—my right hon. Friend the Member for Portsmouth North (Penny Mordaunt)—has so far not yet received the information that she requires from the Ministry of Defence to enable her to give testimony to us?

Mr Rees-Mogg: That is a matter of the utmost importance and I shall certainly ask my office to contact the Ministry of Defence. It is only right that Select Committees should get the information that they require.

Ian Mearns (Gateshead) (Lab): I thank the Leader of the House for the statement and for his apology. When I was considering the delay in the normal timing of the business statement this morning, I was wondering whether he was carrying on his normal practice of having a lie-in.

The Leader of the House will be aware that if Prorogation happens, the Backbench Business Committee ceases to exist and has to be re-elected. I will therefore be writing to him with a list of as yet unheard debates, should any time become available after Prorogation or possibly after a general election. They include debates on women's mental health, which is vital; the role and sufficiency of youth work, which we have heard so much about recently; diabetes services with targeted prevention strategies; the 50th anniversary of the Open University; and parental mental illness with its impact on children's outcomes. It is a list of things that are important and still need to be aired. By the way, if Prorogation does happen, there is also an application in for a debate about Baby Loss Awareness Week, which happens from 9 to 15 October every year.

Mr Rees-Mogg: I take this opportunity to thank the hon. Gentleman, on behalf of the whole House, for the wonderful work he does on the Backbench Business Committee and in ensuring that the House gets to debate the issues at the forefront of its mind and that Parliament functions effectively. I take very seriously what he said about the debates that may come up after an election or a Queen's Speech and that require attention before the Backbench Business Committee has been reformed.

As to my recumbent position, I assure the hon. Gentleman that my office is drawing up a position paper for me and is coming up with a recline to take.

Sir Edward Leigh (Gainsborough) (Con): We have indeed had a panoply of questions, apart from the obvious one: when the motion on the early general election is considered at the end of Monday, will the Bill that the House of Commons passed yesterday on ruling out no deal have received Royal Assent? The reason I ask is that I distinctly heard the Leader of the Opposition say yesterday that once the Bill became law, he would vote for an early general election. Does my right hon. Friend agree that it would be quite extraordinary, after this long Session of Parliament, which is clearly deadlocked, if every Member of Parliament—or at least two thirds—did not vote for an immediate general election to put this to the people?

Mr Rees-Mogg: It is indeed an addled Parliament that is not able to get things done, and the conclusion that my right hon. Friend draws is correct. Royal Assent will be given speedily once the Bill has completed its passage through the House of Lords and come back to us, if necessary, with any amendments. I obviously cannot predict what their lordships will do, but if it completes those stages, it will receive Royal Assent, and speedily.


Jessica Morden (Newport East) (Lab): With the Government's disgraceful proarguing of Parliament, not only will hon. Members be unable to scrutinise Ministers on Brexit, but I will be robbed of the opportunity to press Ministers following Tata's announcement that it proposes to close all steelworks in Newport, so what will the Leader of the House do to facilitate a debate so that we can all fight to save our steel industry?

Mr Rees-Mogg: There simply would not have been time for such a debate anyway, because we were about to go into the conference recess. We are losing four or five days of parliamentary time. There will then be a fresh new Session full of interest and excitement, with opportunities for debates on a range of issues.

Karen Bradley (Staffordshire Moorlands) (Con): MPs across Staffordshire are very concerned about news that school transport provision will not now be available to
those who have to pay for their school transport, due to a ruling about disability regulations. I will not go into the technical details now, and I appreciate that time is short, but would the Leader of the House find time for a debate on this important matter?

Mr Rees-Mogg: That is an important issue, and I have a nasty feeling that it is the result of some tiresome EU regulation, so after 31 October we may be free to deal with it ourselves.

Ellie Reeves (Lewisham West and Penge) (Lab): City airport consultation plans have proposed an additional 110 flights a day, many of which would fly over my constituency. Given that we already face noise and air pollution from the aircraft, and given that we are in a climate change emergency, may we have an urgent debate in Government time on airport expansions?

Mr Rees-Mogg: City airport is a fantastic airport—convenient to use and very well run—but I understand the concerns about the increasing number of flights from airports. The hon. Lady knows that there will be many opportunities to secure debates—Adjournment debates and Backbench Business debates—when Parliament returns in October.

Tom Tugendhat (Tonbridge and Malling) (Con): Does my right hon. Friend agree that we need an urgent debate on planning? We have recently seen delays in various planning authorities—particularly the Planning Inspectorate—reviewing planning applications, which has led to the five-year lag in planning. That means that groups of applications that are not part of the planning process from the borough council are being put in, which particularly affects areas such as the monastery and the nunnery in West Malling.

Mr Rees-Mogg: I am always concerned about anything that might affect a monastery. If we have a Queen’s Speech, obviously we will have the normal days of debate that follow, during which I am sure it will be possible to raise the important issue of planning.

Tracy Brabin (Batley and Spen) (Lab/Co-op): Jess, my constituent, was heavily pregnant when her husband was stealing from her bank account. She went to her bank but was told that, because she had given him her PIN, that was acceptable, and the police had no legislation to support her. Kirsty Ferguson was married and had homes, but when she and her husband divorced, he refused to sell them, against court orders. She was pushed into penury and emotional distress. What can we do after Prorogation, now that the Domestic Abuse Bill will fall, to support these women, not only in Batley and Spen but across the country?

Mr Rees-Mogg: The issues that the hon. Lady raises are of fundamental importance. We will all have had similar cases brought to us in our constituencies. The Prime Minister is fully behind the Domestic Abuse Bill. I cannot tell the hon. Lady what precisely will be in the Queen’s Speech, but I think that I can give a steer that it would be a great surprise to all of us if the Bill were not revived very quickly, because her concern is shared across the House.

Mr Speaker: A single sentence. Henry Smith.

Henry Smith (Crawley) (Con): May we have a statement from the Health Secretary on when NHS England’s new genomic medicine service will be fully operational?

Mr Rees-Mogg: I will certainly pass on that question to the Secretary of State.

Alex Norris (Nottingham North) (Lab/Co-op): All summer, the hunger in communities such as mine across the country was tangible. Voluntary sector organisations are stepping in to feed our children. Why are the Government not doing more? May we have a debate on feeding our children in the holidays?

Mr Rees-Mogg: I am grateful to the hon. Gentleman for raising that point. The Government carried out a pilot scheme that fed 50,000 children over the summer. The scheme is being evaluated to consider whether it should be rolled out more widely.

Luke Graham (Ochil and South Perthshire) (Con): The Economic Secretary to the Treasury previously made a statement from the Treasury Bench that a debt is owed to Equitable Life victims. When can we debate the matter further and ensure that the debt is repaid?

Mr Rees-Mogg: The Equitable Life issue really ought to have been finished by now, but of course it concerns many Members and many of our constituents. I was a member of the all-party parliamentary group for justice for Equitable Life policyholders, so I share my hon. Friend’s concerns.

Judith Cummins (Bradford South) (Lab): What is happening in Kashmir is an outrage. The UK Government must do everything they can to bring about lasting peace and stability and to restore human rights to the region. May we have an urgent debate in Government time on the crisis in Kashmir?

Mr Rees-Mogg: I am grateful to the hon. Lady. I understand that the matter was covered very fully in Foreign Office questions, and the Foreign Office is taking it with the utmost seriousness. An opportunity to debate it will of course follow the Queen’s Speech.

Mr Speaker: A single sentence. James Brokenshire.

James Brokenshire (Old Bexley and Sidcup) (Con): Will my right hon. Friend ask a Transport Minister to make a statement on the future of the Southeastern train contract? Under the franchise arrangements, the competition has been cancelled. My constituents are keen to see the benefits of the new trains that the new contract would deliver.

Mr Rees-Mogg: I will pass on what my right hon. Friend has said to the relevant Secretary of State. Problems with trains always beset the House, and I fear that if we debated them all we would never have time for anything else.
Mr Rees-Mogg: The first half of that question referred to jokes, and the second half was wrong.

Rehman Chishti (Gillingham and Rainham) (Con): Hospital Radio Medway has raised a real concern about hospital radio stations being able to get appropriate licensing from Ofcom, which is preventing patients from accessing radio in hospital. That cannot be right. May we have an urgent statement or debate on that?

Mr Rees-Mogg: Hospital radio is very important for cheering people up when they are in hospital, and actually it is a very good training ground for people starting a career in radio. I think that it is a more suitable topic for an Adjournment debate or a Westminster Hall debate, rather than taking time in the Chamber.

Ms Angela Eagle (Wallasey) (Lab): The Leader of the House has been extremely coy about when Prorogation will actually happen. He has not announced that it will be Tuesday or Thursday. If the general election motion falls again, will Prorogation we delayed so that he can have a third go?

Mr Rees-Mogg: The Privy Council determined that a Commission should be established under the Lord High Chancellor, and that under the Great Seal, Parliament could be prorogued on Monday, Tuesday or Wednesday of next week. Parliament will be prorogued according to a decision made by that Commission. That Commission has not yet made its decision.

Bob Blackman (Harrow East) (Con): On Indian independence day, families were attacked outside the Indian high commission by thugs, and on Tuesday more thugs stoned and pelted the high commission. May we have a statement from the Home Secretary or another Minister on what actions can be taken to protect those diplomatic areas of our society for our allies and friends?

Mr Rees-Mogg: I was unaware of that, but it is deeply shocking that the representative office of so close an ally should be attacked in the United Kingdom. We should take every measure, as part of our diplomatic obligations, to protect the offices of all embassies in this country, but particularly those of friends. It is a matter that I am sure the Foreign Secretary will take most seriously.

David Hanson (Delyn) (Lab): Is next Monday’s fixed-term Parliaments motion under the Fixed-term Parliaments Act 2011 or another mechanism?

Mr Rees-Mogg: As I said earlier, the motion will be put down later today.
Mr Rees-Mogg: It is indeed a matter of public interest. It is quite extraordinary that a charity should be paying someone so much more than the Prime Minister earns, or, even more shockingly, than Mr Speaker is paid. He stays in his seat for hour after hour in a very diligent way, and I think that if he were paid an hourly rate, he would find that he received less than if he worked at McDonald’s. It is very impressive. [Interruption.] The hon. Member for Rhondda (Chris Bryant) will have to catch your eye in due course, Mr Speaker, before we run out of time.

I share my hon. Friend’s concern. It is a matter for the Department for Digital, Culture, Media and Sport, but charities must report on the number of staff who are paid more than £60,000 a year in income bands in their annual report and accounts, and the Charity Commission has asked Marie Stopes International to provide an explanation of its chief executive officer’s quite extraordinary salary.

Mr Rees-Mogg: The general principle is that if commitments have been made from the Dispatch Box to spend money, those commitments are incumbent on the Government. They were made, and they continue. I cannot guarantee spending commitments—I am not the Chancellor of the Exchequer, in case the hon. Lady had not noticed—but I share her concern about this important issue, and, if it will satisfy her, I will write to the Chancellor of the Exchequer to clarify the position.

Mr Speaker: I would happily join the Leader of the House on that delegation.

Mr Rees-Mogg: This is a matter for the Foreign Secretary. I cannot constitutionally interfere in the Foreign Secretary’s business. However, I completely share the concern. If you were to lead a delegation Mr Speaker, I think that that would be very powerful, but I do hope you will make sure that you get back.

Mr Speaker: On the principle that Members always speak the truth in the Chamber, I have to assume that the right hon. Gentleman was sincere in what he just said.

Harriett Baldwin (West Worcestershire) (Con): On the Chancellor’s desk since last July has been a shortlist of candidates to succeed Mark Carney as Governor of the Bank of England. Is the Leader of the House aware of the Chancellor’s plans to make a statement on who he has recommended be appointed, so that the Treasury Committee may scrutinise that appointment?

Mr Rees-Mogg: I am not aware of the Chancellor’s decision, or the timing of the Chancellor’s decision. However, as a former member of the Treasury Committee, I think it is of the utmost importance that the Committee carries out proper due diligence and scrutiny of appointments, which is hugely beneficial to the good running of the country.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): The Leader of the House clearly thinks that we were all born yesterday, but we are not going to fall for trickery over a dissolution motion that has already been sought and that, would allow him to crash us out with a no-deal Brexit before 31 October. Why does he not publish the motion now, so that we can see it? Will he state whether it is amendable and when he plans to table it?

Mr Rees-Mogg: I am very grateful for that question. The hon. Gentleman has just said that he expects his party to lose the election. Not only has the Labour party passed a surrender Bill, but it has now decided to surrender as a political force. What we have just heard is that Labour Members do not think that they can have an election on 15 October. Why? Because they would lose. If they are so confident that they would win, they can win and cancel Brexit, which is their real purpose, but they do not trust the people.

Mr Speaker: Sir John Hayes: a sentence.

Sir John Hayes (South Holland and The Deepings) (Con): Barely a life in this place, or beyond in our constituencies—perhaps through family or friends—has not been touched by cancer and its treatment. You, Mr Speaker, and the Leader of the House will know of £434,000 last year. May we have a debate on the high levels of executive pay in the charitable sector, which its regulator has described as an issue of public interest?
the critical relationship between detection, diagnosis and definitive treatment. Will the Leader of the House therefore arrange either a statement or a debate on early diagnosis? It would assuage fear, prevent pain and, hopefully, stop people dying.

Mr Rees-Mogg: This is a matter of great importance, and one on which debates can be very useful, because they help to raise awareness. I am sure that the Chairman of the Backbench Business Committee has heard that request.

Ian Mearns (Gateshead) (Lab) indicated assent.

Mr Rees-Mogg: May I also point out that £34 billion more is to be provided for the national health service? I am sure that some of that will be used to improve cancer treatment services.

Chris Bryant (Rhondda) (Lab): The Government now think that they may need to invoke the Civil Contingencies Act 2004 after 31 October if we leave without a deal. That Act presumes that Parliament is sitting. Is it not therefore vital that we sit through 31 October, and will the Leader of the House ensure that the motion is published as soon as possible—before 2 o'clock—so that we can all decide what we are going to do on Monday?

Mr Rees-Mogg: There is no question of the House not sitting around 31 October. No one has proposed that.

Huw Merriman (Bexhill and Battle) (Con): Will the Government back and give time to cross-party calls for the financial services industry to provide, or maintain, at least one free-to-use, 24/7 cashpoint machine for every high street that supports 5,000 residents?

Mr Rees-Mogg: My hon. Friend has presented a ten-minute rule Bill on that subject, and he may want to introduce a similar Bill in the new Session. Alternatively, he could enter the lottery for a private Member’s Bill, which could give him a great deal of time in which to discuss the issue. However, I share his concern about the need to ensure that people have access to cash.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): The closure of the bank branch in Brora means that there will shortly be only one branch for the whole vast county of Sutherland. May I humbly request a debate, in Government time, about the continuing closure of rural bank branches? I have asked for one before, but, in the lingua franca, omnia tempus habent, sed dum spiro, spero.

Mr Rees-Mogg: I am glad that the hon. Gentleman is breathing and hoping. That is always extremely beneficial for all hon. Gentlemen and, indeed, all hon. Members—and right hon. ones, too. [Interruption.] I said “hon. Members”. I thought that the word “Members” included everyone, but I apologise if that is not the case.

The hon. Gentleman’s point is important, but I do not think that Government time is likely to be the right arena. Furthermore, I may be, to some extent, partial, as I represent a rural constituency, and I do not think that I should advocate debates in my own cause.

Ross Thomson (Aberdeen South) (Con): During the summer recess, I met the wonderful international volunteers at Simeon Care in my constituency. May we have a debate that would celebrate and recognise the important role of international volunteers in our communities, so that charities such as Simeon can flourish?

Mr Rees-Mogg: May I first congratulate my hon. Friend on the amazing charitable work he does, because I know he has great personal concern and is very supportive of his local charities? Again, I think that is suitable for a Backbench Business debate and my hon. Friend knows the form for making applications for them.

Paula Sherriff (Dewsbury) (Lab): Does the Leader of the House agree that it is about time we had a further debate or a statement from the Government regarding the women who have been affected by the state pension age increase? It is okay for the Leader of the House to lie down on the job, but many 1950s-born women are being forced back into work by his Government or face poverty.

Mr Rees-Mogg: May I begin by thanking the hon. Lady and the hon. Member for Rhondda (Chris Bryant) for their kind words last week when a protest was proposed outside my house? I was very grateful for that and for their bipartisan approach; I think we all have a concern that Members’ houses should not be affected, and I am genuinely grateful.

The issue the hon. Lady raises is very serious, and I have great sympathy for the WASPI women—it is difficult for them—but the situation we inherited in 2010 in terms of the public finances necessitated it, and although I am not unsympathetic to a debate, I very much doubt the decision is going to be changed.

Mr Speaker: I very much endorse what the Leader of the House said about the hon. Members for Dewsbury (Paula Sherriff) and for Rhondda (Chris Bryant). I have made that point myself before, but I take the opportunity to do so again: people who have political disagreements with public figures should not demonstrate in a way that causes real anxiety and fear either to that Member—that public servant—or to members of his or her family; that is intolerable.

Jeremy Lefroy (Stafford) (Con): May we have an urgent statement on UK Government support for the people and Government of the Bahamas given their very difficult situation?

Mr Rees-Mogg: The Department for International Development has sent a team of experts to help to deal with the devastation and destruction caused by Hurricane Dorian in the Bahamas. The team is working with the Bahamian Government to assess the situation and provide support. The Department for International Trade, the Foreign Office and the Ministry of Defence are monitoring the situation and getting support to those who need it. The Government are doing whatever they can, but my hon. Friend is absolutely right to raise this issue.

Nick Smith (Blaenau Gwent) (Lab): Constituents have contacted me regarding proposals for a breeding kennel in Blaenau Gwent. Many residents have emphasised
the importance of good animal welfare, so may we have a statement from the Government explaining what action is being taken right now so that dogs get the best possible protection in the future?

Mr Rees-Mogg: I know that this issue concerns many people, and the Government have a particular concern for animal welfare. In the new Session of Parliament there may well be time to have a debate on it.

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): Royal Mail Group is trying to sell off Parcelforce as a separate business. Communication workers will be ready to strike and take action. With an election possibly coming up, will there be a statement from the Government?

Mr Rees-Mogg: I am sure that no responsible person would go on strike to interrupt the democratic process of a general election.

Hywel Williams (Arfon) (PC): The Plaid Cymru group will probably vote against the Government on Monday, Tuesday or Wednesday, but would it not be reasonable for the official Opposition to have the courage of their convictions and do likewise?

Mr Rees-Mogg: What has happened to the men of Harlech? I thought they were meant to stand steady. Instead, they are running away from an election, which is very disappointing.

Ian Murray (Edinburgh South) (Lab): A small family-run restaurant in my constituency was hit with an eye-watering Home Office fine for a minor administrative error in its staffing. I do not want a debate or a statement, but will the Leader of the House please get me a meeting with the Home Secretary so I may ask her directly to resolve this issue and why she has not responded to my letters?

Mr Rees-Mogg: I am sorry to say that arranging meetings is not the job of the Leader the House. I am here to organise debates and to point people in the right direction for getting parliamentary responses—not, I am sorry to say, to be a diary secretary.

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): Will the Leader of the House assure me that during Prorogation the Home Secretary will not lay a statutory instrument to make it illegal to enter Kurdish Syria and that we will continue to be able to support our allies in Kurdistan?

Mr Rees-Mogg: The rules relating to the laying of statutory instruments when the House is sitting are complicated and detailed, and without knowing the precise form of the statutory instrument I will not be able to give any guarantee.

Christine Jardine (Edinburgh West) (LD): We have recently learned that free movement as we know it is to end on 31 October. During the referendum campaign the current Prime Minister made a great deal of decisions not being made without the democratic agreement of this Parliament. May we be assured that, in the current circumstances, the biggest change to immigration in this country in a decade will not be made without the approval of Parliament?

Mr Rees-Mogg: Well, Mr Speaker, let us have an election; let’s let the British people decide. Stop running away from it—not you, Mr Speaker, but others in this House. It is so ridiculous to say that the Government are outrageous, undemocratic, shocking and terrible because they are offering an election. An election gives the choice to the British people and validates whatever we do.

Clive Efford (Eltham) (Lab): The Leader of the House is very knowledgeable about procedural issues. If the House agrees to an election date of 15 October on Monday, is there any device the Prime Minister could use to move that date to beyond 31 October while the House is dissolved, to take the country out with no deal?

Mr Rees-Mogg: The date of the election flows from the date of Dissolution. [Interruption.] No, it is not: the election follows 25 working days from the date of Dissolution, so if we are dissolved on Monday—[Interruption.] But the process for that—[Interruption.] No, that is a mistake: it is not a minimum once the Dissolution day is set; it is 25 working days from Dissolution.

Chris Bryant: It is the other way around.

Mr Rees-Mogg: No, what the hon. Gentleman is confusing is when the day of Dissolution is set, and that is done by Royal Proclamation.

I can assure the House that the date will be set and the date will be stuck to. I think everybody in this House wants to see this issue settled: it is the one thing we have agreement about. The best way to settle it is through a general election—and a general election before 31 October.

Wes Streeting (Ilford North) (Lab): Does the Leader of the House not understand that such is the lack of trust in this Government because of their behaviour that we simply will not vote for a general election unless and until an extension of article 50 has been secured, guaranteeing that this country cannot be dragged out with no deal? That is the condition.

Mr Rees-Mogg: The condition seems to change, because the condition was that the legislation was passed.

Lloyd Russell-Moyle: And enacted.

Mr Rees-Mogg: And enacted; given Royal Assent. [Interruption.] Royal Assent is the point at which it is enacted—it is when it becomes an Act. If that is the law of the land, that will be the law of the land, and if Members think it through they will realise that the Government would not want an election after that law had taken effect and we had had to ask for an extension. The last thing this Government want to do is ask for an extension.

Wes Streeting: But we do.

Mr Rees-Mogg: Then win an election. That is the easy part of it; if Labour Members really have confidence in what they say, go for an election. That is the obvious point. The weasel wording to try to pretend they want
an election, but they do not want an election, and they are not going to vote for one because we might leave is all about stopping Brexit by people who do not trust their own voters.

Jim Shannon (Strangford) (DUP): In July of this year, there were a number of attacks on Christian villages in Plateau state, Nigeria, with some 75 houses burned and three Christians killed—a father and his seven-year-old son and the elder of a church were brutally beheaded. We had a debate in the Chamber some six weeks ago in which we discussed the persecution of Christians and the Truro report. May we have an update on where we are, because the murder of Christians is continuing across the world?

Mr Rees-Mogg: This is a very serious issue, and I share the hon. Gentleman’s concern regarding the persecution of Christians across the world. We should do whatever we can—and indeed, the Government are doing what they can—to help them. I believe the hon. Gentleman met my predecessor quite recently to discuss freedom of religion and belief, and I know he is in regular communication with the Prime Minister’s special envoy on freedom of religion or belief at the Foreign Office. These incidents are dreadful and we must do everything we can to stop them. I am happy to take this matter up further if the hon. Gentleman would like to write to me.

Alison Thewliss (Glasgow Central) (SNP): There were 1,187 drug-related deaths in Scotland last year, but the Scottish Government wish to hold.

Mr Rees-Mogg: This clearly is an important and worrying issue, and one where any policy initiatives that can be made to help to reduce the suicide rate ought to be made, but I think it is a suitable matter for the Backbench Business Committee.

Martin Whitfield (East Lothian) (Lab): My constituent Erin Campbell, who is our member of the Scottish Youth Parliament, runs the Keep in Mind mental health campaign to reduce the stigma of young people’s mental health and ask them to talk about it. If there is space next week, may we have a debate on the role of young people helping their own mental health through discussion and conversation?

Mr Rees-Mogg: I think that fitting it in next week might prove a little difficult.

Thangam Debbonaire (Bristol West) (Lab): Will the Leader of the House please apologise to the doctor whom he compared an hour ago to another now disgraced former doctor whose actions and misinformation led to the loss of this country’s herd immunity to measles earlier this year?

Mr Rees-Mogg: No, I will reiterate because I think this doctor’s behaviour was disgraceful. To scaremonger and say that people are going to die because of Brexit is thoroughly irresponsible and unbecoming to his role.

Diana Johnson (Kingston upon Hull North) (Lab): The Leader of the House is a stickler for good manners, except when it comes to members of the medical profession. I wonder whether he can help me. I wrote to the right hon. Member for Uxbridge and South Ruislip (Boris Johnson) 76 days ago about the contaminated blood scandal. The fact is that 19 people have died in those 76 days without receiving any compensation. Can the Leader of the House assist me in getting a response from the right hon. Gentleman, which I can then pass on to everyone who has been affected by the scandal?

Mr Rees-Mogg: If the hon. Lady sends me a copy of her letter, I will of course chase it up, but 76 days ago my right hon. Friend was not yet Prime Minister. However, if she sends it to me, I absolutely promise I will take it up and try to get an answer as soon as possible.

Carol Monaghan (Glasgow North West) (SNP): Will the Leader of the House confirm whether it is a Government tactic to cause reputational damage to experts such as Dr David Nicholl, who dared to challenge the Government and raise legitimate concerns about the impact of no deal?

Mr Rees-Mogg: Frankly, I think when people start saying that people are going to die because of Brexit, their reputations are destroyed by themselves.

Mr Speaker: I am extremely grateful to the Leader of the House and to colleagues for their brevity.
**Point of Order**

1.43 pm  

Margaret Greenwood (Wirral West) (Lab): On a point of order, Mr Speaker. The Government introduced a negative statutory instrument just three days before the summer recess for a pilot of managed migration to universal credit and payments to severely disabled people who lost out in transferring to it. The Secretary of State said that the Government had been advised by the Joint Committee on Statutory Instruments to use a negative SI, but my office has since been informed that the Committee had not reported on the instrument in question and that no such advice had therefore been given. Mr Speaker, will you please advise on how she could set the record straight?

Mr Speaker: I am grateful to the hon. Lady for her point of order and for her courtesy in giving me notice of her intention to raise it. Ministers are, of course, responsible for the accuracy of their answers in the House, and I am sure that the points made by the hon. Lady will have been noted on the Treasury Bench. It is open to the Secretary of State to correct the record if she thinks that that is the appropriate course of action. Moreover, I think there is a salience about this, and I understand that the Joint Committee on Statutory Instruments has been alerted to the statement made by the Secretary of State and will be writing to the Department about this matter. In the light of that, I think we have to await the sequence of events, and people must draw the appropriate conclusions, both from what I have said and more widely.

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**Clean Growth: Emissions Reduction Targets**

**SCIENCE AND TECHNOLOGY COMMITTEE**

**Select Committee statement**

Mr Speaker: We now come to the Select Committee statement. Mr Norman Lamb will speak on his subject for up to 10 minutes, during which no interventions may be taken. At the conclusion of his statement, the occupant of the Chair will call right hon. or hon. Members to put questions on the subject of the statement and call the Chair of the Science and Technology Committee to respond to these in turn. Members as per usual can expect to be called only once. Interventions should be questions and should be brief. Those on the Front Bench may take part in questioning. I now call the Chair of the Science and Technology Committee, who I regret to say I am wrongly advised is Norman Lamb. The Chair of the Science and Technology Committee is, of course, Sir Norman Lamb.

1.45 pm

Norman Lamb (North Norfolk) (LD): You are very kind, Mr Speaker. I rise to make a statement following the publication by my Committee, the Science and Technology Committee, of our report last month, “Clean growth: Technologies for meeting emissions reduction targets”. These technologies are essential to confront the climate emergency that we face.

I start by thanking the more than 80 organisations and individuals who provided us with written evidence and the 27 individuals who gave evidence. I would also like to thank my fellow Committee members, many of whom are here today. It has been an enormous pleasure working with hon. Members from across the House and also with the outstanding staff on our Committee. I particularly want to thank the hon. Member for Bristol North West (Darren Jones), who took a lead on this inquiry. This is an evidence-based report, and it would not have been possible without the input of the many organisations and individuals who have given evidence to us.

This summer, the UK had its hottest day on record in July and the hottest August bank holiday on record. This pattern was repeated across Europe. Weather is always variable, but trends in global climate are becoming clear. Global temperatures are rising and extreme weather is becoming more extreme and more common. To avert a climate catastrophe, the United Nations has agreed to keep global warming to within 2% of pre-industrial levels and to aim to keep it within 1.5°C. The Committee on Climate Change has determined that the UK’s contribution to this target should be to reach net zero emissions by 2050. The Government rightly adopted this target by amending the Climate Change Act 2008, a move that was widely supported in this House and recognised by the Committee, but it will take more than targets to achieve this ambition.

The UK can point to some historical success in cutting emissions. Since 2000, the UK has achieved greater decarbonisation than any other country in the G20, but we must look to what is needed going forward, not dwell on past successes. We need to compare ourselves...
not with other countries but with what we need to do to restrict global warming. On these measures, we risk falling short. The Committee on Climate Change has warned that the UK is not on track even to meet its fourth and fifth carbon budgets, which are interim targets designed to achieve only 80% decarbonisation by 2050 and not the net zero target that is now legally binding. That is why my Committee launched our inquiry to examine what the Government should be doing to put us on track.

The first thing we identified were 10 key areas in which Government policy to support the implementation of low-carbon technology has been delayed, cut back or undermined. For example, the plug-in grant for low emission cars has been scaled back and the feed-in tariff for low-carbon power generation has been closed. We have witnessed a dramatic fall in the number of new solar installations, for example, as a result. There has been no new policy to encourage those who can afford it to improve the energy efficiency of their homes—an absolutely essential ambition to achieve net zero. Despite a consultation on the topic in 2017, no action has followed since. Following the cancellation of the zero carbon homes policy in 2015, the Government said that they would consult on changes to building regulations in 2019 to improve energy efficiency, but no consultation has been launched, so we are building new homes that we will have to retrofit to achieve net zero. Fuel duty has been frozen for nine years in a row, while bus and train fares have been allowed to increase every year over the same period. There are even rumours that the Chancellor intends to cut fuel duty in the Budget. I urge him to consider improving public transport and incentivising people to use it instead.

What should the Government be doing? Much of the media coverage focused on just one aspect of our report—the future of car ownership—but I urge colleagues across the House to carefully consider all my Committee’s proposals for change. Some key priorities include the fact that transport emissions have barely changed since 2012, with transport now bring the heaviest-emitting sector of the UK economy. Indeed, emissions from new cars appear to be going up. In the near term, the Government should be using vehicle excise duty to encourage the purchase of lower-emitting models and working to make electric vehicle charging points much more widely available and interoperable. In the longer term, the Government should bring their proposed ban on sales of new conventional cars and vans forward to 2035 at the latest, and they should also move towards a future transport system that no longer requires widespread car ownership. Incidentally, this is not an imposition on people not to have cars, but there needs to be a national discussion about what our future transport system will look like and how we can get about without mass car ownership.

The Government must also develop a strategy for decarbonising heating—absolutely vital to achieving net zero—and a mix of different low-carbon heating technologies is probably required. Large-scale trials of different technologies, such as hydrogen and heat pumps and heat networks, are needed now to gather evidence for future decisions. Whatever technologies are used, there will be massive benefits from having energy efficient homes. The cost of housing and of heating our homes will reduce substantially if we make them more efficient. The Government must ensure that regulations deliver new buildings ready for a net zero future. They should also learn from past policies to encourage homeowners to improve energy efficiency in their existing homes. My Committee recommended that the Government should consider amending stamp duty to provide the incentive and introduce a “help to improve” scheme, like Help to Buy, to help provide the finance for such improvements.

Power generation has already achieved impressive decarbonisation, but that must continue. However, the deployment of onshore wind and large-scale solar power has fallen drastically since 2015 as a result of planning policy and their exclusion from financial support frameworks. The Government must ensure that there is strong policy support for building new onshore wind power and large-scale solar power projects and repowering existing ones where there are projected cost savings for consumers over the long term and local support. Decisions are also needed on future funding mechanisms for nuclear power and the careful monitoring of the new smart export guarantee for renewable generation, which must provide a proper incentive.

To meet the Government’s original 2050 target, reaching net zero emissions will also require the active removal of significantly more greenhouse gas from the atmosphere than envisaged in any of the previous illustrative pathways. The step change required will necessitate a significant increase in current support for greenhouse gas removal technologies, and the Government should increase funding for their research, development and demonstration, ensuring that they are seizing currently available opportunities for greenhouse gas removal.

Carbon capture, usage and storage has been widely identified as a key technology for decarbonisation in several sectors. The Government must provide greater clarity on the details of its CCUS action plan and learn from previous carbon capture projects to ensure that a sufficient number of them, of sufficient scale, are undertaken and that the knowledge gained from publicly funded work is publicly accessible. The scale of the challenge ahead should not be underestimated, nor should the imperative of succeeding in it. Our report makes a wide range of recommendations, and I urge the Government to act on all our recommendations.

Finally, it is disturbing and worrying that this is one of the big challenges we face as a society, yet the Brexit quagmire that we are in is distracting the attention that this Parliament should be giving to how we confront this enormous existential threat. In many ways, it is sad and rather depressing that not enough people are in the Chamber today to debate such an important issue. At some point soon, this Parliament needs to get back to focusing on such issues, which are critical to the futures of our planet and our society.

Several hon. Members rose—

Mr Deputy Speaker (Sir Lindsay Hoyle): I am spoilt for choice. I call Sarah Newton.

Sarah Newton (Truro and Falmouth) (Con): As both a former member of the Science and Technology Committee and a member of the Conservative Environment Network, I very much welcome this report. Does the right hon. Gentleman agree that reducing emissions from people
heating their homes is not only good for our climate change targets, but will reduce costs for people and enable us to end the scourge of fuel poverty.

Norman Lamb: The hon. Lady makes an absolutely central point that is a real win-win. We can achieve the essential decarbonisation of our economy by confronting the problem of how we heat our buildings, particularly our homes, but we can also achieve affordable housing. We often talk about affordable housing and the vital need to increase access to it, but housing is not affordable unless energy is cheap. We have the potential to minimise and, indeed, to eradicate the cost of energy in our homes if only we were to follow the objectives set out in this report.

Dr Alan Whitehead (Southampton, Test) (Lab): I warmly welcome this report and congratulate the Chair of the Committee and its members on the assiduity with which they have gone about their business and on the comprehensive and compelling report that they have produced as a result. Following the House’s decision to change the target for greenhouse gas removal from 80% by 2050 to net zero by 2050, it is clear that several of the actions that had previously been proposed, which were based on the carbon budgets and Government ambition relating to the 80% target, would have to be changed. Did the Committee take any evidence on the extent to which documents such as the Government’s clean growth plan should be amended or extended as a result of the change of target?

Norman Lamb: I am grateful to the shadow Minister for that contribution. It is fair to say that the legislating for net zero came towards the end of our inquiry, so much of the evidence was received before that, but the consensus was clear that we need to significantly up the ambition of the policies that are in place in order to deliver net zero or, indeed, even to deliver the previous target of 80%. We not only have to will the end, but we have to will the means to get there.

Vicky Ford (Chelmsford) (Con): As a member of the Committee, I thank our Chairman, all the staff and all the people who gave evidence on this incredibly detailed and important report. I completely agree with him that not enough time is being devoted in this place to climate change, which is our biggest challenge.

It is fantastic news that we set that net zero target, but does the Chairman agree that, when targets are at risk of not being met, action needs to be taken to address it? It is important to recognise that the Government have taken action in some of these areas, such as saying no fossil fuel heating in new homes by 2025. We have seen extra electric vehicle charging points pop up in Chelmsford and in other parts of the country, and some of our recommendations are already in place.

The widespread use of personal vehicles is cause for concern. Does the Chairman agree that the report is not saying that everybody should no longer be allowed to own a car—we know that cars and vehicles are important, especially in rural areas and in many careers—but is pointing out that we need investment over the decades ahead to give people alternatives? Does he agree that what happened to the national grid this summer is a real wake-up call on the investment that is needed in this area? That investment needs to come from public and private sources.

Does the Chairman agree that carbon capture is vital not only to innovation but to protecting areas in the UK, such as our peat bogs, and overseas, like in the Amazon rainforest? Finally, does he agree that we will address this only when we work together with other countries and that next year’s global climate change conference, which is possibly coming to Britain, is a vital time for our future?

Norman Lamb: First, I thank the hon. Lady for all her work on the Committee during my time as Chair. This is probably my last appearance in the Chamber as Chair of the Committee or, indeed, as the Member of Parliament for North Norfolk, and it has been an enormous pleasure to work with her and other Committee members.

I agree with all the hon. Lady’s questions. We are right to applaud the Government for setting the 2050 target in legislation, but, as she says, to maintain public trust and to confront this existential challenge, we now have to get the measures in place to deliver on the target.

Carol Monaghan (Glasgow North West) (SNP): It is a pleasure to have been part of the Committee in drawing up this report, which is one of our most important reports over the last few years. Of course we need to take bold, ambitious steps. We cannot continue living our lives as we currently are, and we all need to look at what we are doing. With these bold steps, we also need to look at the bold, retrograde steps that have been taken, such as cutting offshore wind subsidies and removing feed-in tariffs. We could reverse those steps instantly, which would help to change the landscape of our energy use.

We all love our cars, and many journeys are currently not possible without them, but I recently got rid of my car after deciding to rethink my relationship with it. I live in a city, so that is possible, but it is more difficult in rural areas. Does the Chairman agree that we need to start thinking about whether our cars are necessary and whether our journeys could be taken another way, such as by bike, by walking or by public transport? Finally, will he commend the Scottish Government for our commitment to renewable energy? The majority of our electricity generation is from renewable sources, and we want to move that to 100%.

Norman Lamb: I thank the hon. Lady for her excellent work on the Committee, and it has been a pleasure working with her. I do think the Scottish Government have taken important steps in this context.

The hon. Lady mentions the areas in which policy has either stalled or fallen back, on which the report is clear. I pick out the zero-carbon homes standard, which was supposed to come in from 2015 but was abandoned, and the ludicrous situation—Lord Deben made this point in his evidence as chair of the Committee on Climate Change—in which we are building new homes that do not meet the standard we need to achieve and so will have to be retrofitted. How ridiculous and inefficient is that?

I also pick out the Government’s decision effectively to end new onshore wind in England, although obviously not in Scotland, where it is devolved. There are enormous
opportunities to deliver cheaper energy to our citizens if we permit onshore wind, which is widely supported by the public provided we avoid areas with important and sensitive landscape.

Bill Grant (Ayr, Carrick and Cumnock) (Con): I am also a member of the Science and Technology Committee, and it has been a pleasure to serve under the right hon. Gentleman's chairmanship for the last two years. I am proud to have served with him over that time, and I wish him all the best for the future, wherever it takes him.

I am sure the right hon. Gentleman will share my concern that road vehicle emissions have either stagnated or increased somewhat. Does he agree there is a role for the Department for Transport in incentivising migration to electric cars and for making progress on the use of hydrogen propulsion for large goods vehicles on our roads today?

Norman Lamb: I totally agree. I am grateful for the hon. Gentleman's kind comments, and I thank him for his excellent contributions to the Committee and for always being prompt and reliable. He has the prize for being the most reliable member of all.

I very much agree on the need to incentivise people to shift to ultra low emissions vehicles. In a sense, there is a personal story here, because I am due to take delivery of an electric car.

Bill Grant: Show off.

Norman Lamb: Absolutely, but I am conscious that, financially, it is beyond most people's reach, so we have to find ways of making it affordable. By incentivising the purchase, we will start to bring down prices so that they become competitive. Alongside that, we need the charging points that provide for their day-to-day use.

Several hon. Members rose—

Mr Deputy Speaker (Sir Lindsay Hoyle): Order. This is meant to be a 20-minute debate. We have now passed 20 minutes and we have quite a lot to get through, so if we could all speed up—I want to make sure everyone gets in.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): I start by congratulating the Chair and all the members of the Select Committee on this excellent report, particularly its emphasis on the need to take action to address the huge, existential threat that climate change presents and the role that technology can play. Does he agree that such technologies, given the right framework, could also create hundreds of thousands of good high-wage, high-skill and high-productivity jobs and that the right Government, with the right investment programme, would see the decarbonisation of our economy as an opportunity to transform our economic and manufacturing base, creating hundreds of thousands of good jobs and sharing prosperity around the country in the process?

Norman Lamb: I thank the hon. Lady for making that important point. She is right that we can generate economic growth in our country by greening our economy, but we also have massive export opportunities. We have the opportunity to assist the developing world in decarbonising its economies and in growing in a way that does not damage the planet. Unfortunately, through our development assistance, we are still not always consistent in that approach.

Dr David Drew (Stroud) (Lab/Co-op): I thank the Chair of the Select Committee for what he has done and for this excellent report, and I associate myself completely with his initial remarks.

I understand that the previous Prime Minister took very seriously how we roll out electric charging points, but sadly it was right at the end of her tenure. Is the Chair any clearer on the Government's strategy to increase the number of charging points?

Norman Lamb: I thank the hon. Gentleman for his kind comments, and it is always a pleasure to see him as he comes and goes from this place over many years. He is right to raise this issue, and there is not yet clarity on the roll-out of charging points. Other countries, such as Norway, are well ahead of us in achieving that. To encourage people to buy electric, we have to assure them that they will be able to recharge without difficulty.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): I am not a member of the Committee, but, for the record, I would also like to extend my personal thanks to my right the right hon. Gentleman for all his kindness over the short years I have been here. I am particularly interested in his statement on offshore renewable energy, which is a success story in my constituency. What consideration did the Committee give to the development of further sites around the British Isles where this might be appropriate?

Norman Lamb: I am grateful to my hon. Friend for his kind comments. There is clearly an enormous opportunity to help decarbonise our electricity generation capacity in this country. It is clear from the evidence we received that there is great opportunity to increase offshore wind capacity around our shores.

Martin Whitfield (East Lothian) (Lab): On a personal note, I thank the right hon. Gentleman for his chairmanship, guidance and education during my short time on the Science and Technology Committee. It has been a great pleasure to serve under his chairmanship.

The report is hugely important and young people have managed to get climate change back on the front pages. Is it not the case that there is no single magic bullet to perfect what we need, but that the Government and all those involved must look at all the answers holistically and address all our suggestions and recommendations so that we can honour our young people for putting climate change back where it belongs?

Norman Lamb: I thank my friend for his massive contribution—when he has not been dragged away by HS2. It has been a great pleasure to work with him. He is right: this requires action on all fronts. There is a particular need to focus on the heating of buildings and on transport. We have made very little progress on those matters, and urgent progress is essential. Unless we attack where we put carbon into the atmosphere on all fronts, we will fail to meet the targets, and fail future generations.
Matt Western (Warwick and Leamington) (Lab): I also commend the right hon. Gentleman for his report and congratulate him on his determination on the subject, for which I share his passion. Does he share my frustration that for so many years—since 2010—we have, through lack of tighter regulation, allowed housing to be built without energy efficiency or renewable energy provision in the regulatory framework? Including such provision would have transformed some of our communities. On the transport side, we need to invest more heavily in cycle routes and electric bicycles, which would transform our urban movement.

Norman Lamb: I thank the hon. Gentleman for his kind comments. More than a decade ago, a German teacher came to stay with us. He was building a zero carbon home in Germany with a ground source heat pump. That was more than a decade ago, yet we have made snail’s pace progress in this country on alternative ways of heating our homes. The hon. Gentleman is right to focus on the need to find ways of avoiding having to use cars. Cycling and walking are essential, and our urban areas in particular must be designed and adapted in such a way as to facilitate that.

Darren Jones (Bristol North West) (Lab): I thank the right hon. Gentleman for pointing out the importance of the report, not just to tackling climate change, but to bringing together the two questions of technology and climate change to achieve our net zero emissions. It was my privilege to lead on this in the Science and Technology Committee. Does he agree that the evidence across all policy areas in the report concluded that much stronger leadership was required from central Government—from the Prime Minister, with a cross-departmental and economy-wide mission—to meet the net zero target emissions? For whoever is on the Treasury Bench in the months and years ahead, the report provides an excellent evidence-based agenda of items that should be prioritised in achieving those targets.

I put on record my tribute to the right hon. Gentleman for his excellent leadership of the Committee, which has been recognised not just by Members but by the science and technology community outside the House.

Norman Lamb: That is really kind. It has been an enormous pleasure working with the hon. Gentleman and I thank him for taking a lead role in this vital report. I entirely agree with his comments. The Prime Minister has said that he wants the Government to be the greenest ever. We have heard that before, but there now must be substance to back up that statement. That requires key policies that provide the incentives and the regulatory framework to deliver that essential target by 2050.

Mr Deputy Speaker (Sir Lindsay Hoyle): May I also wish you well? The tributes, which have come from all sides, show what a great man you are. We wish you well in your retirement. I am not quite sure that it is retirement, but we wish you well in whatever future venture you undertake.

Backbench Business

UK Shared Prosperity Fund

2.14 pm

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): I beg to move,

That this House notes with concern that the Government is more than half a year behind its schedule to provide details of post-2020 funding through a UK Shared Prosperity Fund; supports the Joseph Rowntree Foundation’s recommendation that the Fund should at the very least match the £2.4 billion per year currently allocated through the EU structural funds; and calls on the Government to ensure that full details of the fund are published with urgency, that the devolved settlement is respected and that there is no reduction in the levels of funding to devolved governments or their role in distributing funds.

I thank the Backbench Business Committee for allowing us the opportunity to bring this matter to the Chamber today. Scottish communities stand to lose millions of pounds from Brexit. Communities, charities and other organisations have been waiting for years to find out what funding will be available. There is also a threat to devolution. Long-term planning has been abandoned to Brexit.

We need clarity about the details of the so-called shared prosperity fund. We need to know whether the devolution settlement will be protected. Currently, until 2020, communities and charities can access funding worth £2.4 billion a year. Work by the Conference of Peripheral and Maritime Regions—the CPMR—shows that, for 2021-27, the UK would have received £13 billion in regional development funding. For Scotland, failure to replace that would mean a loss of £840 million. For the highlands and islands alone, that would be £130 million. It is therefore vital that that money is replaced.

That funding has underpinned further education, youth employment, smart cities, connectivity for islands and communities, small and medium-sized enterprises, apprenticeships, regeneration, innovation, productivity, social inclusion and much more. In Scotland, it has supported projects and development in West Lothian, the Orkney isles, Ayrshire, Fife, Argyll and Bute, Midlothian, East Lothian, Perth and Kinross, Aberdeenshire, West Dunbartonshire, Stirling, Western Isles, Inverclyde, Clackmannanshire, Moray, Shetland, Edinburgh, Dumfries and Galloway, Renfrewshire, Glasgow, Dundee and more.

In the highlands and islands, we would be hard pushed to find any town or village, let alone our city of Inverness, that has not had investment since we joined the European Community in the 1970s. Indeed, two specific and unavoidable icons stand testament to that. The Kessock bridge was built through Europe before devolution because Westminster ignored the highlands for decades.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): When the hon. Gentleman and I drive around the highlands, we cannot help but notice the signs with the stars on them on new bits of road that say that the development was funded by the EU. Without that funding, those roads would probably not have been built and transport across our vast constituencies would have been difficult for our constituents. Replacing the funding is essential. Notwithstanding the fact that the Minister
has met me several times, tried to do his level best and knows the area, I am bound to say that we seem no further forward, which my constituents find not just frustrating but deeply worrying.

Drew Hendry: It is absolutely true that the money has had a massive impact on the infrastructure of the highlands and it must be replaced.

Albert Owen (Ynys Môn) (Lab): This is an important debate and I know that the Minister has worked hard on the matter and been very good with Members. The hon. Gentleman talks about peripheral areas, and west Wales and the valleys have particularly benefited. However, small businesses tell me that they need to plan. They need some indication of what is happening. We have just talked about science and technology. Does the hon. Gentleman agree that research and development also require planning? Brexit has taken the Government’s eye off the ball, but we need some answers now.

Drew Hendry: I am grateful to the hon. Gentleman for those comments and I can confirm that I will underline those very points later in my speech.

The Minister for the Northern Powerhouse and Local Growth (Jake Berry) rose—

Mr Clive Betts (Sheffield South East) (Lab): Here comes the money.

Jake Berry: Show me the money.

The hon. Member for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry) has repeatedly referred to “EU money”. I hope he will acknowledge that it is not the EU’s money but British taxpayers’ money and that he will reflect on the fact that, in 2018, we paid £13.2 billion into the EU and they returned £4.2 billion to this country.

Drew Hendry: I will reflect on the fact that if it had not been for EU funding—that is what I am talking about: funding that is generated out of EU schemes—the highlands and islands, as others have pointed out, would have been ignored by Westminster.

Several hon. Members rose—

Drew Hendry: I will give way one last time, then I must make progress.

Hywel Williams (Arfon) (PC): Does the hon. Gentleman agree that the difference between the European Union and the Government here in Westminster is that the European Union has a regional policy to counteract the effects of poverty, unlike this Government?

Drew Hendry: Yes—I am grateful to the hon. Gentleman for that comment.

Before I took those interventions, I was talking about the two icons, one of them being the Kessock bridge, which I will not go into now. It is there for everybody to see and is a monument to the fact that Europe has paid attention to the regions that need assistance. The other icon is the University of the Highlands and Islands. EU funding enables research capacity, new facilities and equipment and expert researchers, and it has enabled doctoral and post-doctoral students to support priority sectors such as life sciences, marine science, aquaculture, archaeology, Gaelic and the creative economy—all coming together to make the highlands the vibrant place it is. The University of the Highlands and Islands receives the largest Scottish grant of €7.17 million, out of €68.6 million throughout Scotland. The view of the University of the Highlands and Islands is that Brexit will reduce prospects in those areas.

Erasmus has enabled student and staff exchanges for more than 30 years. International collaboration and EU engagement are at the heart of the University of the Highlands and Islands, and have been since its inception. It was helped by the EU to achieve university status and title in 2011, and is a vital contributor to economic growth. More than £250 million of investment has been levered into the UHI through structural funding. Some 25% of the university’s non-teaching “other” income has come from the EU. If we were remaining in the EU, there would be much more potential for growth through the EU 2020-27 programmes.

Adam Haxell of MillionPlus, the Association for Modern Universities, said to me: 

“On UHI itself, it is important to emphasise what a remarkable success story it has been. The idea of having a university that covered this area in the early 1990s seemed totally unrealistic to many, and it is thanks to the determination and perseverance of those involved combined with the spread of funds they were able to draw down on, namely European funding streams, that made it happen. Today, the university stands as a pillar of the regional economy of the Highlands and Islands and an important element of the modern social fabric. The range of courses that are offered through this institution, some of which relate directly to the regional culture and heritage, combine to create a unique local offer that reflects the needs and ambitions of local residents. Moreover, in the last Research Excellence Framework, 69% of research at the institution is deemed world-leading or internationally excellent. For an institution that only gained university title in 2011, this is a phenomenal trajectory and could not have happened without the support it got.”

He went on to say that

“Kate Louise McCulough has written on the historic framing of the ‘Highland problem’ in Scottish and UK public policy and how European funds played a critical role in its transformation from the 1980s to become ‘…an example of what a successful peripheral region looks like’.”

Kirstene Hair (Angus) (Con): Will the hon. Gentleman give way?

Drew Hendry: I will not; I am going to make some progress, as I indicated. There is very limited time.

Communities and charities have used European funding to benefit people, especially the most vulnerable and disadvantaged. The Shaw Trust says:

“Without ESF—European social fund—

“funding, Shaw Trust would not have been able to support 70,000 disabled people”

and

“offenders…to gain new skills, improve their wellbeing and find work”.

Equally Ours—formerly the Equality and Diversity Forum—says that EU funding has provided vital, dedicated support to individuals experiencing disadvantage, discrimination and abuse, as well as the voluntary and community organisations that support them. It says
that the continuing lack of consultation on the UK shared prosperity fund is creating significant uncertainty for communities, organisations and disadvantaged people.

Communities and charities have now been waiting for years to find out what funding will be available post Brexit, yet so far there is nothing from the UK Government, other than a name, that the Union flag will be on it and that it will be administered by the Minister for local government in England. That is in spite of a recognition of how valuable the funds have been and a commitment made to replace them. The UK shared prosperity fund was promised by the Tories in their 2017 manifesto. They said that it would “reduce inequalities...across our four nations.”

They said it would be “cheap to administer” and “low in bureaucracy”. Without a like-for-like replacement, inequalities will increase, and that is what we are now looking at. The Tories were right in the second part of what they said: the fund is cheap and there is no bureaucracy—because it does not exist.

The Library notes that many considerations are required for the fund, including priorities, objectives, amounts of money, allocation, method of model, length of planning and who administers funds. The latter role currently rests with the devolved Governments. All the organisations and charities that have contacted me agree with the conclusions of the all-party group on post-Brexit funding for nations, regions and local areas, which in turn received many submissions, including from the Welsh Government, the Convention of Scottish Local Authorities, Scottish local authorities directly, the Equality and Human Rights Commission and numerous educational and voluntary bodies. They all said, first, that the fund’s budget must be no less in real terms than the EU and UK funding streams it replaces, and, secondly, that the devolved nations’ share should not be reduced and that it should remain a devolved matter.

The UK Government must now respect the devolution settlement and UK Ministers should commit to work with all the devolved Administrations to agree funding arrangements that make sense for all the nations of the UK. As I have said, currently the biggest piece of concrete information we have is a written statement from July 2018 that largely consists of a future planning framework for England, with, as mentioned, the English Communities Minister, who is judged on English community improvement, in charge of UK funding distribution.

The groups and communities aided by the funds do not believe that Westminster knows best how to act in the interests of the parts of Scotland that need the most support. They do not want to see a Westminster power grab. There have been no assurances about devolved powers, despite numerous questions raised in the House. In mid-November last year, we were promised that a consultation on the UK shared prosperity fund would be published before the end of that year, but there is still nothing. All the while, the hard-working volunteers, charities and communities face rising concerns about the future of the people they selflessly serve and about their own futures. They need more than the new Secretary of State for Scotland saying that he will put Union flags on all projects, with the attendant suggestion of misplaced priorities and a desire to interfere with devolution by insisting on UK Government agreement on an UK shared prosperity funding. It is unacceptable.

The Scottish Government are determined to defend and maintain the benefits that EU funding has given them, to defend the organisations I mentioned and to defend their hard-won fiscal responsibility. How will the shared prosperity fund ensure the flexibility, which currently exists with EU funding, to allow organisations to fund different policy areas, from biotech to tourism and education? How will the new fund enable strategic planning within organisations over the longer term, as EU funding has enabled? Will the Minister guarantee like-for-like funding for the £13 billion that would have come from the EU? Will he guarantee no detriment to the Scottish Government as a result of Brexit? Will he commit today to respecting the devolution settlement?

If he cannot do those things—if he cannot make those commitments—he should work with his Government to revoke article 50, so that the money is not lost to our communities. If he is not able to do that, all it will do is show the people of Scotland that they need to make a new choice about their future—to be an independent country, taking their own seat in Europe.

Several hon. Members rose—

Mr Deputy Speaker (Sir Lindsay Hoyle): Order. I want to make sure that everybody gets in and that we start the next debate on time, so Members will have up to six minutes. Please be aware of that.

2.28 pm

Sarah Newton (Truro and Falmouth) (Con): It is a huge privilege to stand in the House today. We have a special word in the Cornish language: hireth. There really is no direct translation into English, but it is about a feeling that comes from being Cornish. It derives from our inspirational natural environment and from our history and culture.

As someone whose family has lived and worked in my constituency for generations, it has been a huge privilege to represent my home town. [Interuption.] Mr Deputy Speaker, just before you leave the Chamber, let me say that you were in the Chair when I made my maiden speech. As the general election is just around the corner, this may well be my last speech in this House, and it will be a speech standing up for the people of Cornwall who sent me here. Thank you, Mr Deputy Speaker, for standing and listening to me say that.

There is no doubt in my mind that the funding that Cornwall has received via the European funds has been absolutely essential. Despite the many natural wonders of Cornwall, and the hugely talented, creative and resourceful people, the fact remains that we are still the poorest region in England. There is no doubt that a huge amount of progress is being made. In no small part, that is down to the funding that we have received via the European Union. Let me explain why.

Just before the summer recess, colleagues from across the House, including my Cornish colleagues and I, supported by 14 first tier local authorities, launched a report called “Britain’s Leading Edge”, which demonstrates beyond doubt that the English regions that do not have a major city have been historically underfunded and that there is a bias in the system of the allocation of public money towards the English regions that do have cities. I am delighted that the Government have responded positively to the report and that we have seen some real
progress in some of the funding formulae used to allocate 
funding, particularly in the NHS and the recent moves 
on the national funding formula for education. However, 
the models that the Treasury uses in the allocation 
of funds for transport and economic development are 
systematically biased against regional peripheral maritime 
regions such as Cornwall.

This is where the European funding that Cornwall 
has received comes in. It has enabled us to put that 
money on the table in our negotiations with the Treasury 
when we are securing vital investment for our infrastructure, 
such as roads, rail, superfast broadband and education. 
It is vital for future progress that anyone and everyone 
who represents Cornwall and the regions of the UK 
that do not have major cities ensures that there is 
dedicated funding to close those gaps and to make the 
progress we want.

Cornwall, like all these regions, has huge potential 
and capabilities that need to be unleashed. We want to 
play our full part in our nation. We do not want to be 
the poorest region. We certainly have the talent and the 
capability to deliver, particularly on some of the key 
challenges and opportunities our country faces. I think 
we can all agree that there is no greater challenge than 
facing up to climate change and environmental degradation, 
and our regions have the solutions; we produce the 
nation’s food as well as vast sources of renewable energy. 
We have talented people, great businesses and wonderful 
universities. With dedicated funding, we are more than 
able to meet the challenge of closing the gap. I know 
that the Government want to ensure that no one and no 
region in our country is left behind, and dedicated 
replacement funding for the EU funding will enable us 
to ensure that.

Mr Betts: I wish the hon. Lady all the best for the 
future, as she has indicated that she will not be in this 
place after the election.

It is important that areas such as Cornwall get the 
continuation of the funding they have had in the past 
when we are outside the EU. But there are other areas 
such as South Yorkshire, which are not currently objective 
1 areas but which would get objective 1 funding in the 
future if we were still in the EU. It is important that that 
recognition is in any future settlement, so that areas such 
as South Yorkshire get the proper funding as well.

Sarah Newton: Let me put this beyond doubt; I am 
just being respectful of the fact that no one has a right 
to a seat on these Benches. If we have a general election, 
I do not make any assumption about whether I will be 
returned to this place, but I absolutely plan and hope 
that the general election does send me back to this 
place. Far too many people in this House are complacent 
and see themselves automatically being re-elected. In a 
forthcoming general election, I know that I will have to 
go out and earn my right to represent my constituents 
here. I appreciate that Madam Deputy Speaker would like me to complete my speech, which I 
am very happy to do.

I would like Ministers to make an unequivocal 
commitment in our manifesto for the forthcoming general 
election that Cornwall will receive the same 
progress we would have received had we stayed in the European 
Union, so that we can unleash the huge potential that 
we can deliver to our great nation.
proportionately get considerably less money than one would expect if the criteria were based on, say, per head funding.

Albert Owen: I represent a neighbouring constituency, so I share many of these projects in north-west Wales with the hon. Gentleman. He talked about the agricultural community. Is it not important that any new allocation of funds is not made through the Barnett formula, as this would mean a huge reduction in moneys allocated? We are talking here about food production, much of which is exported to mainland Europe.

Hywel Williams: The hon. Gentleman makes a good point. I raised it with the then Minister over two years ago and was given a verbal assurance that that would not be the case. Were we to use the Barnett formula, funding to Welsh farming would probably be halved. At that time, the Minister gave us a verbal assurance, but I seek a similar reassurance from the Minister today.

Funding should go directly to our Government in Cardiff, rather than being allocated directly from London to local authorities and organisations. There is much merit in ensuring that local organisations and local government get the maximum funding. I have heard the argument that diverting money through Cardiff would increase bureaucracy and cost, but the fundamental argument is that the competent authority should be the Government in Wales. Any move in any other direction would undermine the devolution settlement and would be resented by Members on these Benches and others.

To close, I should point out again to the Government that Wales is another country and that EU membership has had a different value and quality for us in Wales, as reflected in the funding we have been getting. That is particularly the case in my own area of Gwynedd, despite its poverty. One might suppose that that would put us in with areas that voted strongly to leave the EU, because of the marginalisation, poverty and distance from London and the seat of power. In fact Gwynedd voted 60:40 to remain, because of our values, the way we see the world, our culture, our bilingualism and our happiness at being part of the EU, which is much more congenial to us. Gwynedd is a different place—Wales is a different place—and should be treated with respect.

2.41 pm

Scott Mann (North Cornwall) (Con): Meur ras, Madam Deputy Speaker. Thank you for giving me the opportunity to speak in this important debate.

One of the promises the leave campaign made during the referendum was that European funding would be replaced. I am pleased the Government have pledged to introduce the shared prosperity fund, although I have to say that progress has been rather slow. European funding was designed to tackle inequalities between regions, and the shared prosperity fund should go in with exactly the same aim. I will be lobbying the Government strongly on behalf of my residents in North Cornwall to ensure we get our fair share of this funding. I will also be taking a lot of interest in the consultation, particularly after yesterday's spending review.

The question whether the current European funding has been successful can be answered by asking the public in towns such as Bodmin in my constituency, who, after two decades of regional development funding, have yet to see any tangible benefits to their incomes or small businesses. A recent report highlighted that only one job was created for every £250,000 of ERDF funding. I believe the UK Government can do much better than that.

Many large organisations, companies, professional public relations teams and consultants were able to successfully apply for this level of funding, but many small businesses in North Cornwall, which run their operations on tight budgets and do not have the time or the staff, or sometimes the expertise, to make those complicated and onerous bids, were not successful. As the Government look forward to the shared prosperity fund, we need to make it much easier for those small businesses to bid. The rules on these bids and structural funds were often dictated by Brussels. The shared prosperity fund must be easily accessible, be more streamlined and have a much simpler bidding process, so that small businesses in my constituency can benefit.

There are also disparities between urban and rural communities and, although programmes such as LEADER helped, we need to go much further. I know that the Minister was instrumental in the coastal communities fund, which was seen as a really positive fund for communities, including some that I represent, that were feeling left behind by globalisation. In North Cornwall, we have very mixed traditional industry, with many agricultural and fisheries businesses, but we are also keen to explore how 5G and fibreoptic technology can help people to run their businesses from home in small towns such as Bude in my patch.

People are making choices about where they live and work and, as they make those choices, they are looking at where they want to bring up their children, retire to or move their businesses to. Some of them are coming to places such as Cornwall. We want to be able to respond to the changing market conditions in places such as Cornwall by ensuring we have the business skills and the shared prosperity fund to support these small businesses as they grow. We need to ensure that as businesses are displaced from the cities we can accommodate them in rural places such as North Cornwall.

Mike Amesbury (Weaver Vale) (Lab): I actually share some of the hon. Member’s analysis and concerns about the former structures, and I speak as someone who had the pleasure of taking forward ESF funds. The urgency now, which was displayed by 100 chief executives writing to the Prime Minister in August, is to get on with it and make it happen for communities such as Cornwall and Weaver Vale. Does he agree?

Scott Mann: I agree absolutely. We faced a bottleneck after we did not leave the European Union in March—a bottleneck with businesses not investing—and we have to clear that bottleneck as quickly as we can. The replacements for the ERDF should be in place to help those businesses to grow and expand as the economy changes.

On one occasion, there were two businesses working alongside each other in North Cornwall. One was able to double its footprint due to a generous EU grant, but that placed the other business, which was working on the other side of the road, a family-owned business, into some difficulty. We have to be aware of some of the
regional and local difficulties when implementing these funds and of how they can change the economies of the towns we work in.

To sum up, while North Cornwall will continue to ask for its fair share of these moneys, we also want to work with our local authority partners to ensure that we develop their programmes and their economic plans. During the upcoming consultation, I hope to be here and to speak up on behalf of the residents of North Cornwall to ensure that they get their fair share.

2.46 pm

Dr Roberta Blackman-Woods (City of Durham) (Lab): I congratulate the hon. Member for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry) on securing this important debate. It builds on the important Westminster Hall debate that we held recently on this subject called by my hon. Friend the Member for Sheffield Central (Paul Blomfield). In that debate, we sought to elicit more information from the Government about how the shared prosperity fund would operate, and we also focused on the loss of EU funding and the impact it would have on regions classed by the EU as less developed. That is of particular importance to me because I represent a constituency in the north-east. We need to know what will happen about the shared prosperity fund.

Since that debate, however, we have heard very little from the Government about how things are going to proceed.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): I thank my hon. Friend and neighbour for giving way and for her remarks. The UK is the most regionally unequal country in Europe and indeed the world in terms of how the economy is centralised around London. Does she share my concern that any fund administered from Whitehall will not meet the needs of regions such as ours—the north-east—or allow them to achieve their economic potential?

Dr Blackman-Woods: I absolutely agree. Indeed, we have pointed out in previous debates that, given what we know about regional inequality in this country, we do not trust this Government to use these funds to eradicate it.

As we have heard throughout this debate, we need a shared prosperity fund to replace the EU structural funds currently being paid to the UK regions through the European regional development fund and the European social fund. The total value to the UK of funding from these streams in the current funding round is £9.15 billion, or £1.3 billion per year, so we are talking substantial sums of money. There are also smaller pots of funding—the European maritime and fisheries fund, the LEADER programme, the youth employment initiative and so on—amounting to a further £100 million a year.

Although there are funding implications for the whole UK, our withdrawal from the EU and the loss of access to these funding streams is of particular importance to the regions of greatest need. If the UK were to remain in the EU, we would be due to receive significant additional funding in the next round. I am not sure that the Minister has taken this issue on board. It would be really good to hear him acknowledge what these regions would have got if we were staying in the EU. The three regions that are currently affected—Tees Valley and Durham, South Yorkshire and Lincolnshire—are on course to slip below the threshold of 75% of EU average GDP per head, which means they will qualify for extra funding. They would join the three regions already acknowledged—west Wales, the valleys and Cornwall—in receiving a much higher level of funding: about £135 million a year. As my hon. Friend the Member for Newcastle upon Tyne Central (Chi Onwurah) said, the Government should be very concerned that these regions are facing such inequality and experiencing a need to develop their economies further. We really do want to hear from the Government how they are going to achieve that.

We want to hear from the Government about how the shared prosperity fund will operate and about timescales. We want to hear what they are doing to address the growing regional inequality in the UK. How do they see the shared prosperity fund sitting alongside local growth funds, for example? How will those funds interact with other funds that are available to support regional development? Are the Government giving themselves a timeframe in which to eradicate regional inequality? To date, we have not had enough information from the Government. Even at this late stage, we know very little about how the fund will operate. What sort of money are we talking about, and will it be disbursed in the same way as it has been under the EU? Will the Government take into account the regions in greatest need, or not?

I feel very strongly about this issue, as do other Members of Parliament in regions that very much need investment to help our economies to grow and to reach their full potential. These are amazing regions with huge skills and talents among the population. They all need development in digital and higher-level skills, so we need to use our universities and colleges to drive up that development. They need investment in renewable energy—particularly the north-east, which has wonderful expertise in this—and in pharmaceuticals. We need to upgrade the transport system. We must ensure that everyone in these regions can reach their potential and contribute to the future prosperity that we all want to see, particularly in the communities that need more support from this Government.

Several hon. Members rose—

Madam Deputy Speaker (Dame Rosie Winterton): Order. May I stress to colleagues that there is real pressure on time, and if they could take more like five minutes than six minutes, that would enable us to have a fair allocation of speakers this afternoon?

2.53 pm

Luke Graham (Ochil and South Perthshire) (Con): I congratulate the hon. Member for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry) on securing this debate. I thought we were going to be singing from the same hymn sheet today, because in previous debates on this topic we have agreed, but unfortunately he has, yet again, let nationalism get in the way of some of the facts and figures, and the actual impetus and help that these structural funds deliver. He is quite right that in the period 2014 to 2022 the funding arrangement for the EU structural fund is about £15 billion for the United Kingdom. That gets topped up to about £26 billion. I am informed by the Library, with UK match funding,
The hon. Gentleman raised a point about some of the roads being built in his constituency, as did the hon. Member for Caithness, Sutherland and Easter Ross (Jamie Stone). In those constituencies—yes, they are right—the EU flag does fly, but why does the Union flag not fly proudly alongside the EU flag and the Saltire when the UK has made a contribution, as I believe my right hon. Friend the Minister will be able to confirm?

Scotland received around £1.2 billion from EU structural funds between 2010 and 2016, which is great, and I will come on to say why I want that to be secured and continued. The hon. Member for Inverness, Nairn, Badenoch and Strathspey parades and champions the EU structural funds, as will I, but he was less willing to recognise the £1.2 billion of additional funding awarded to Scotland by the Government in the spending round just yesterday, which will give our devolved Administration in Scotland over not a six-year or 10-year period but a one-year period the greatest settlement we have had in over a decade.

My constituency of Ochil and South Perthshire has only received £1.1 million to £1.3 million a year of EU funds between 2014 and 2020 so far. That is not enormous, but it is helpful. Although Scotland has 8% of the UK population, we receive around 14% of the UK allocation, so it is very important to us. I know from visiting companies such as the Loch Leven Equine Practice in my constituency that these funds can be very helpful to small businesses.

The funds are meant to help combat structural inequality and have a transformative effect on the economy, but from my constituency point of view, they have not been able to do that. In Clackmannanshire, we still have a job density of only 0.5 per head of population. We have higher rates of unemployment and youth unemployment than the Scottish and UK averages. In Perth and Kinross, on the other side of my constituency, we also see it reflected in some of the official figures in terms of deprivation and in the recent increase in the number of drug deaths per 1,000 people.

I am quite excited about the fact that the shared prosperity fund can be a fresh start. Unlike the SNP, Conservative Members will be requesting more funding and coming up with innovative solutions. [Interruption.] If the hon. Member for Inverness, Nairn, Badenoch and Strathspey would like to make an intervention, I will gladly let him. He certainly did not let anyone on the Government Benches intervene on him.

Luke Graham: I secured a debate on Scottish funding and devolved funding just before the summer recess to which no SNP MP turned up. In that debate, I gave the opportunity to challenge those figures and have an in-depth, detailed discussion about them, because they are not recognised by the Library. If they are, I will be happy to welcome another debate on the topic, so that we can take it further.

I would like to go on to the positive things that we are trying to do. The shared prosperity fund allows us to formalise the process of applying for funds. It could also build and improve the city deal and growth deal projects that have already been awarded Scotland to the value of over £1 billion. The money in the city deals has been very welcome, but I think Members on both sides of the House would agree that the city deal and growth deal process could do with some improvement. We can have less bureaucracy, and central Government should provide support not to only the devolved Administrations but the local authorities and civic groups that are applying for these funds. So often, exciting and transformational opportunities are lost because local businesses and local groups do not have the skills to meet a Green Book or European set of qualifications to access the funding that they so require.

Bob Stewart: It seems to me that there is a requirement for the shared prosperity fund organisation to have a local office, particularly to help small businesses.

Luke Graham: I thank my hon. Friend for his suggestion. That is just the kind of innovative proposal that we should be putting forward and having a cross-party discussion about, to ensure that the shared prosperity fund works for the entire United Kingdom.

Although we could talk about this for a great many hours more, I am conscious of time, so I will conclude. I am pleased that the Government have guaranteed funding to 2022, which I am sure the Minister will confirm, so that we can give assurances to the charities, local government and businesses in our communities. We do not come with grievance; we come with solutions. Let us keep the central fund of around £1.2 billion plus inflation for the future, but let us also recognise that it has not delivered transformational change for our constituents in Scotland. Perhaps we could put some of the UK match funding into a new direct central fund that local authorities and businesses could bid into, along national lines, to provide greater clarity and guarantees for our local communities, so that they can access the funds they so badly need to thrive and survive.

I agree with colleagues in Wales, Scotland and England that these funds provide opportunities to all our regions. We want to combat structural inequality and improve the opportunities we have, and we want to do it through a fine United Kingdom system.

Several hon. Members rose—

Madam Deputy Speaker (Dame Rosie Winterton): Order. I am afraid I will have to impose a time limit of five minutes.

3 pm

Justin Madders (Ellesmere Port and Neston) (Lab): As we know, the central aim of the shared prosperity fund is to reduce inequality and enable all our communities
to share in the country’s economic growth. It could not be any more needed than it is now, because regional inequality has grown since 2010.

My constituency is in the north-west, and it is no surprise to me that earlier in the year the Institute for Public Policy Research North published a report finding that the north has borne the brunt of the Government’s austerity drive. We have had a £3.6 billion cut in public spending, while the south has had a £5.1 billion rise in real terms. We have seen public sector employment fall by 2.8%, compared with 1.2% in London, and spending on transport rose by more than twice as much in London as in the rest of the country. We have seen weekly pay increase by only 2.4%, compared with 3.5% nationally, and the number of jobs that pay less than the living wage has risen by nearly 11%.

Of course, these cuts have had and continue to have a negative impact on our communities. There are now more than 200,000 extra children living in poverty in the north than there were five years ago, meaning that 800,000 children are now living in poor households. That is nothing short of a scandal. The economy has been growing consistently—very slowly, but consistently—throughout the last five years, so having such an extra number of children growing up in poverty during that period shows that the economy is not working for many in the north. The points that have been made about maintaining, at the very minimum, existing levels of expenditure are absolutely right. The budget for the UK shared prosperity fund must match, in real terms, what the EU has been paying, but we need to go much further. I am worried about the lack of transparency from the Government about how they are going to adopt this fund, because I believe we have good grounds to be worried.

Let us take the future high streets fund. It is potentially a good initiative, but one that I fear has already been hijacked for party political ends. Ellesmere Port put forward what I considered to be a good bid. Indeed, the Government seemed to think it was, because when it was rejected in the first round, the Department wrote back a very nice letter to say that it was impressed with the bid and that it was well placed for the second round that would be decided some time next year. However, somehow—out of the blue—another round of funding for successful bids was announced only last week. Sadly, Ellesmere Port missed out again, but when I saw that the majority of the lucky towns were in Conservative constituencies, I was overcome by a flush of cynicism. Could it be that the announcement was entirely connected to secret plans to hold a snap general election? I think that subsequent events have borne out my concerns in that area, which is why we cannot trust this Government to allocate these funds in a non-partisan manner.

Towns such as Ellesmere Port and Neston in my constituency have been struggling for a long time. The rise of the internet and changes in shopping habits are leading to shops closing on a weekly basis. The sums we need for a truly transformative approach will not come from one pot alone. If the shared prosperity pot is operated in tandem with other funding pots, as the Local Government Association suggests, there would be an opportunity for an integrated and creative approach that could lead to a better outcome for all. Although we must ensure that this does not reduce the scope for matching funds in relation to any other projects, it is vital that we can access as many funds as possible to ensure that the communities we represent are properly resourced, that the imbalances are shared out and that the inequalities across the country are actually eradicated altogether.

For too long, people have felt left behind and held back by a system that does not work for them. We do not want more plattitudes from London. We need a new approach—one that really empowers our local communities by giving them the responsibility, power and resources to shape their own futures, in line with local priorities and local need, because decisions that impact on local communities are best made by those communities themselves. It does not make sense that, in 2019, London still controls all the resources and holds all the levers. It is time we realised that business as usual is not going to cut it and that further Westminster handicaps on Westminster terms are not what our communities want. We need this new prosperity fund to be really owned by local people so that it actually delivers for their priorities.

3.4 pm

Bill Grant (Ayr, Carrick and Cumnock) (Con): I thank the hon. Member for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry) for securing this debate, which is important for Scotland and the whole UK. In recent weeks Opposition Members have made many, fairly wild, allegations that the Government have not adequately planned for Brexit. Aside from the fact that we have seen daily evidence of considerable planning, and that we cannot possibly know today how effective such planning will be in the fullness of time, many are still determined to paint a bleak picture. I hope the provision of the UK shared prosperity fund will provide some reassurance to those who have instead kept an open mind and offer an indication that the Government have planned for some time to replace the structural funding that the UK receives via the EU. British taxpayers’ money is currently managed in the European Union, far away in Brussels, and I believe this fund will considerably benefit my constituents.

This funding is in the region of £2.4 billion per annum to boost economic development. It will provide support for businesses, employment and agriculture, and as stated in the industrial strategy, it will strengthen the “foundation of productivity”. Fisheries will be covered by separate funds. The funding will be administered by the different nations of the UK, and I understand that, as always, the UK Government will respect the devolution settlements regarding the allocation of funds.

The laudable aim of the fund, which could be said to be the skeletal heads of terms stage following stakeholder engagement, is to reduce inequalities between communities. A consultation will follow, to enable flesh to be added to the bones. I welcome the statement that the new fund will be low in bureaucracy and duplication. The single most important fact is that the UK Government have guaranteed to maintain all EU funding that was agreed before the UK leaves the EU.

Let me reflect on infrastructure in Scotland, the bulk and best of which was built long before we joined the European Union. I will name just two iconic bridges—the Forth rail bridge and the Forth road bridge—neither of which encompasses Chinese steel. I believe that recent data show southern Scotland as a less developed area. When considering my constituency, I welcome the fact...
that this funding will provide support to local small businesses, several of which have highlighted to me that they routinely struggle to make a living, never mind a profit, under the burden of increasing rates and taxes, while also accommodating increased salary costs.

The unemployment rate in Ayr, Carrick and Cumnock is 6.9%, which is far above the Scottish and UK average of around 3.8%. My constituency has immense potential, and really needs this funding. That high unemployment rate would further concern me if, as part of its method of allocating spending between regions, the new UK shared prosperity fund replicated the measures used by the EU for its structural funds—namely GDP per person—because in some former mining areas that would result in a distorted picture.

The Joseph Rowntree Foundation suggested that the funding should be focused on “inclusive growth” and be “allocated according to the employment rate and earnings of the least well off”.

That would be most beneficial for constituencies such as mine, and others across the United Kingdom.

I have met several constituents with good, innovative ideas and sound STEM and business backgrounds who could perhaps benefit not just local communities but the wider UK. They are people whose ideas, with the support of local councils and community partnerships, could come to fruition if the right funding was available for them to bid for. It is therefore vital that we conserve what was formerly ERDF and ESF funding.

I thank the hon. Member for Aberavon (Stephen Kinnock) for his work on the all-party group for post-Brexit funding for nations, regions and local areas. He produced an excellent report in November 2018. Will the Minister assure the House that the shared prosperity fund will be sufficiently funded and flexible enough to take account of the diverse needs of my constituency, with its many struggling rural ex-mining communities that bear the legacy of a harsh industrial past, as well as those towns whose high streets have been ravaged by the change in shopping trends and, sadly, the demise of local banks?

3.9 pm

Stephen Kinnock (Aberavon) (Lab): I thank the hon. Member for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry) for securing this important debate.

Over a year ago, I set up the all-party group on post-Brexit funding for nations, regions and local areas, with the aim of holding the Government to account on their promises regarding the introduction of a shared prosperity fund that would replace EU funding in full. I am afraid to report that in this past year, despite organisations across the country relying on information so that they can plan their 2021 budgets, the Government have done absolutely nothing to make progress on the shape of that new fund.

In November, the all-party group published a report that set out 18 questions that the Government needed to answer. These questions were based on submissions from around 80 organisations from across the country. I will not name all 18, but the most pressing questions that were unanimously agreed on by all stakeholder organisations were the following. First, the UK shared prosperity fund must comprise not a single penny less in real terms than the EU and UK funding streams it replaces. Westminster must not use Brexit as an opportunity to short-change the poorest parts of the UK. Equally, the UK Government must not prevent local areas from having appropriate control over the funds. Secondly, this is not just about the money. There is a real fear that it will not only be a financial grab but a power grab, and that the Westminster Government will use this opportunity to reduce funding for the areas that need it most and to claw back powers that sit naturally with devolved Administrations and other local areas.

Those are very serious questions that need to be answered. Since November 2018, we have had positive and constructive meetings with the former Chief Secretary to the Treasury, the Secretary of State for Wales and the former Business Minister. Disappointingly, the all-party group has not yet been granted a meeting with the Minister who is in his place today. None of those whom we spoke to were able to give us any cast-iron answers to the questions I have just set out. We are therefore continuing to demand that the Government guarantee not a penny less, not a power lost.

A recent worrying development is that the Government are considering rolling the local growth fund for England in with the UK shared prosperity fund. We know this only by rumour and leaks than by any clear or transparent statement, which is of course the modus operandi for this Government. As it stands, our recent report shows that the UK Government must find £1.8 billion per year to replace EU funding for the UK’s poorest regions, but that figure will reach £4 billion per year if the two funds are merged. The possibility of combining existing UK-managed funds with the UK SPF has led to fears of double-counting.

There were already fears that funding for the UK SPF may fall short of the EU’s projected 2021-2026 budget, given that three areas of the UK—Lincolnshire, South Yorkshire, and Tees Valley and Durham—have now fallen into a higher priority category. That is a damning indictment of the utter failure of this Government’s economic policies. They have gone into that higher priority category and would therefore receive more money in the next spending round than they each did between 2014 and 2020. That concern has now increased. I urge the Government to reconsider whether merging an England-only fund with a UK-wide fund is a logical step and to recognise that rolling the two funds together would inevitably create serious confusion and raise serious doubts about transparency. I would therefore be grateful if the Minister addressed that in his summing up and specifically answered this question: will the SPF and the local growth fund be rolled into one or not? We need clarity about when the SPF consultation will be published. That is an absolutely priority.

The great advantage of the current system is that it is data-driven and evidence-based, thus guarding against pork-barrel politics. There is a real worry that the SPF will become a politicised slush fund, with a Conservative Government using it to buy votes in marginal seats. I hope that the Minister’s response today will reassure us that our constituencies will not be left short-changed by a sleight of hand in Westminster.

3.14 pm

Jane Dodds (Brecon and Radnorshire) (LD): Thank you, Madam Deputy Speaker, for giving me the opportunity to say a few words on this really important issue. I am
grateful to the hon. Member for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry) for bringing it before the House.

We have heard from colleagues from Wales, and I echo what they said about the importance of this pot of money for people in Wales, particularly for rural areas. As the Member for Brecon and Radnorshire, I know that we are particularly reliant on these sorts of funds to support our residents. I would like to say a few words about one project in particular: Workways+ in Powys, which helps young people to access jobs. In rural areas, we have a real challenge in keeping young people in our communities. Many want to move out to perhaps more exciting and more urban ways of living, but we want to keep them in our communities. They are our future. They are going to be the families of the future and the people who work in our communities, and we want to keep them there. Workways+ in Powys does a wonderful job of keeping our young people in our rural community.

I ask the Minister to address four points. First, will he give us a very clear timescale for publishing where the shared prosperity fund is going? Secondly, what is the consultation process? Thirdly, will he give us an assurance that the moneys from this fund will go to the devolved Governments? Certainly, in terms of Wales, he has had very clear representations on that. Finally, we all have our views on the politics of this issue, but we share a common interest: we want this fund, and we want the timescale for the fund and information to be given to us and our communities as quickly as possible.

3.17 pm

Alison Thewliss (Glasgow Central) (SNP): I thank the hon. Member for Brecon and Radnorshire (Jane Dodds) for setting out her stall for her constituency. In the short time that she has been here, she has been a strong advocate for her constituents. I also thank my hon. Friend the Member for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry) and the Backbench Business Committee for granting us time to discuss this fundamentally important issue.

It is difficult to think of an area of Scotland’s economy that has not benefited from structural funds, and my constituency is no exception. Being part of the EU has not benefited from structural funds, and my constituency is no exception. Being part of the EU has been vital in the delivery of inclusive growth in Scotland. The European structural funds have been vital in the delivery of inclusive growth in Scotland. The European regional development fund is supporting small and medium-sized enterprises and is investing in Scotland’s transition to a low-carbon economy. There is still a lot to be done to tackle inequality and we cannot let these issues be overshadowed by the process of Brexit.

The Scottish Government value the European structural funds dearly, not just because of the monetary value, but because we have a shared vision of what we can achieve when they are used in a strategic way. I am not convinced that the UK Government share that vision. I agree with the hon. Member for Ellesmere Port and Neston (Justin Madders) that local areas do not want handouts on Westminster terms. It is difficult for anybody in Scotland to know precisely what the UK Government’s intention is. We have been waiting an inordinate amount of time for details on the UK shared prosperity fund. From the 2017 Tory manifesto until now, we still do not know. The hon. Member for Ayr, Carrick and Cumnock (Bill Grant) himself called it skeletal—I think that is being generous, frankly. It is not a trivial amount of money that we are dealing with here. Third sector organisations, which are delivering vital services in our communities, need to know what their future will be.

The hon. Member for Aberavon (Stephen Kinnock) set out well the questions that he and his APPG have been seeking and referred to the lack of answers and clarity that, shockingly, we still have. We need to know how the new fund will be drawn and whether there will be criteria to allow for the treatment of contaminated land, for example, such as in Shawfield in the Clyde Gateway area. Decontamination programmes are crucial to development but cannot go ahead until funding is secured. Opportunities to clarify matters have come and gone, with the spending review only yesterday failing to address the issue.

These are vital funds, and many of the organisations that depend on them are doing valuable work to mitigate some of the worst excesses of this UK Tory Government. Those on the Tory Benches could barely be providing a better argument for Scottish independence. We are once again seeing a tale of two Governments, with the Scottish Government working to increase equality and grow the economy in a sustained and sensible way, and the UK Government hellbent on pursuing a hard exit from the EU without adequate preparations for what will come next.

The Scottish Government have been clear on the five key principles that they would like any new funding scheme to adhere to. First, there should be no reduction in the level of funding that Scotland currently receives from the EU. Secondly, the devolution settlement must be respected, and there must be no reduction in the powers that the Scottish Parliament currently has. Thirdly, the Scottish Government should be an equal partner in the development of the shared prosperity fund. The hon. Member for Ochil and South Perthshire (Luke Graham) let the cat out of the bag when he talked about the bypassing of the Scottish Government—

Luke Graham: Will the hon. Lady give way?

Alison Thewliss: No, the hon. Gentleman has had his say.
Luke Graham: The hon. Lady is misinterpreting me. I did not talk about bypassing the Scottish Government. I specifically said—I am sure that Hansard will have recorded this—guaranteeing the £1.2 billion plus inflation, plus an additional fund that could be administered centrally so that they could work together in partnership, because that is what our constituents want: devolution plus central Government in a United Kingdom.

Alison Thewliss: The hon. Gentleman is talking about a United Kingdom system here. He is talking about the UK choosing Scotland’s priorities. That is not what our communities deserve, that is not devolution and that does not respect the devolution settlement, and he knows that just fine.

Fourthly, the current flexibility in the allocation of funds should not be reduced. Fifthly, the replacement scheme should be operational in time to be implemented in early 2021, so that communities, organisations and businesses in Scotland do not lose out on much-needed funds should not be reduced. Fifthly, the replacement scheme should be operational in time to be implemented in early 2021, so that communities, organisations and businesses in Scotland do not lose out on much-needed funding. There must not be any gap, and the Minister needs to be able to guarantee that today.

Dr Philippa Whitford (Central Ayrshire) (SNP): With the threat of actually being out of the EU in literally a matter of weeks, is not a gap inevitable, given that we are talking about the end of 2021?

Alison Thewliss: I agree with my hon. Friend that a gap is inevitable. We do not know what will happen, and the UK Government cannot tell us what will happen next week, never mind in 2021. We cannot believe anything that they tell us on these commitments.

Will the Minister today commit to giving the principles set out by the Scottish Government the consideration they deserve, because the people of Scotland did not vote for any of this Brexit mess and should not lose out on funding as a result? Scotland has benefited from EU funds while the UK Government looked the other way, from the Kessock bridge to inequalities, education and industry. Will he guarantee today that Scotland will have not one penny less under the shared prosperity fund than we would have received under the EU?

3.23 pm

Peter Dowd (Bootle) (Lab): We have had 11 speakers and interventions, and I think they have all expressed their concern about the lack of detail. I thank the hon. Member for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry) for bringing this to our attention.

The breaking news as I arrived in the Chamber was that the right hon. Member for Orpington (Joseph Johnson), the Prime Minister’s brother, is standing down. I very much appreciate, in a personal sense, the family.

As a Member of Parliament who represents a Merseyside seat, I very much appreciate, in a personal sense, the role that EU funds have played in ensuring investment in our region, as in other regions. I remember that Geoffrey Howe, the former Chancellor of the Exchequer, talked about the managed decline of Merseyside in the early 1980s. The European economic community was virtually the only social and economic lifeline that the city region had.

The Minister can sit there chuntering and shouting from the Front Bench, but I think he should behave in a much more dignified way. The Tories are using bully-boy tactics at the moment, threatening everybody. The Minister should pause and think about the distress that his Government caused to so many regions, and continue to cause to so many regions now. We have a bully-boy Minister, a bully-boy Prime Minister, and a bully-boy adviser in Dominic Cummings. Let us see a little bit of respect for the Chamber and for the democracy that it embodies.

EEC funds helped Merseyside, and they helped other regions. The Government’s proposals raise a fundamental question that others have raised today and that the House must address. Even if the UK leaves the European Union and ends our participation in these funds—or substitute funds—can we trust the Government to ensure that the proposed prosperity fund will offer the same funding and reach the same communities? That question has been asked by virtually every Member, including Conservative Members, and there is also concern about the delay.

As was pointed out in June by my hon. Friend the Member for Sheffield Central (Paul Blomfield), a report published recently by the Conference of Peripheral Maritime Regions states that had the UK remained in the EU we would have been entitled to €13 billion from EU structural funds between 2021 and 2027. That amount—an increase from €10.6 billion, would have allowed five regions—including west Wales and the valleys, Cornwall and the Isles of Scilly, Tees valley and Durham, Lincolnshire and South Yorkshire—to receive the lion’s share of the funds, as they represent some of the least developed regions in Europe, where GDP falls below 75% of the European average. The fact that those regions fall below the 75% threshold is itself an indictment of a Government who have let them down and continue to do so. The very fact that the UK has gone from having two less developed regions to five in a matter of six years testifies to the failure of their economic policies.

Falling GDP is another legacy of the Conservative Government’s austerity agenda, which resulted in 200,000 more children living in poverty in the north than five years ago. As other Members have said, under this Government regional inequality is at an all-time high. According to analysis conducted by the Institute for Public Policy Research, the north of England and the north and South Y orkshire—to receive the lion’s share of the structural funds—was £2.4 billion a year, which goes to the very people whom the Government have left behind. That £2.4 billion is broken down between £1.2 billion a year from the EU and equal funding matched by other public and private sources. The funds finance research and development projects, support the retraining and upskilling of workforces, help small and medium-sized businesses to grow, and encourage local areas to make the transition to a low-carbon economy.

Let me now deal specifically with the proposal for a shared prosperity fund. Previously, Ministers have committed themselves to maintaining the current arrangements for structural funds throughout the transition period. Given the Government’s commitment to pushing the UK towards a no-deal Brexit, perhaps the Minister
will tell us for how long the Government will now commit themselves to similar levels of funding, and over what period. I am sure that he will be able to do so.

Similarly, while the Government have said that the fund will "reduce inequalities between communities", they have consistently failed to offer further details about the specific design of the funds and who will be likely to administer them. Virtually every Member who has spoken today has drawn attention to that pattern. There is a fear, particularly among the devolved Governments and the metro mayors, that the shared prosperity fund will be yet another centralised fund controlled by Whitehall—a slush fund, in the words of my hon. Friend the Member for Aberavon (Stephen Kinnock). The clue is in this: the Prime Minister said at a recent leadership hustings in Cardiff that there should be a "strong Conservative influence" over how money that replaces EU structural funds is spent in Wales, implying at the very least that this Government will interfere with the distribution of funds far more than previously stated. That is key.

Ministers have claimed that a shared prosperity fund would be easier to administer and reduce bureaucracy, but again there is little detail on how this will be achieved, especially if the Treasury is hellbent on administering these funds centrally and with little flexibility for the involvement of the regions and devolved Governments.

The UK remains one of the most economically unequal countries in Europe. The gap between the richest and poorest is almost twice as large as in France and three quarters larger than in Germany. The EU structural funds have played an important role in addressing these regional inequalities, which the poorest communities cannot afford to lose. It is time for the Government to dispense with the smoke and mirrors, come clean about the details of the Government’s plan to replace EU structural funds and offer a cast-iron guarantee that the communities that rely on these funds will not be cut adrift and there will be as much devolution and subsidiarity in these funds as possible.

The prevarication and procrastination at the heart of the Government is affecting the continuity of services already being provided, with staff in various agencies currently funded by EU funds being laid off. For example, Members will probably have had contact from employment support providers for ex-offenders, particularly vulnerable people whom Jobcentre Plus is ill-equipped to help. Staff are having to be laid off because we do not know about the future of the fund.

At this stage, we still do not have any details on what the fund will cover. The Government are more than six months behind schedule in providing details of the post-2020 funding and have not yet published a consultation. The indecision of the Government in so many policy areas is damaging the country and their indecision on this particular fund follows that pattern. Ministers need to get a grip of this sooner rather than later.

3.32 pm

The Minister for the Northern Powerhouse and Local Growth (Jake Berry): It is a privilege and an honour to have the opportunity to respond to this debate, and I congratulate the hon. Member for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry) on proposing it. It presents us with a timely opportunity to update the House on the progress we are making.

I also congratulate the hon. Members who have spoken; I will not have time to name them or respond to all the points they have raised but this shows that across the House there is real passion for the communities that each of us represents, and I share that passion for my own constituency, of course, in east Lancashire.

Many of the Members who have contributed referred to our being the recipients of EU money, and I think it is really important that the point is made for people who may be watching our proceedings today at home and following our every word about the future of EU structural funding and the UK shared prosperity fund that this is not the EU’s money. This money belongs to the British taxpayer; it is taken into the EU and is sliced, diced and taken away. It is then returned to the British people wherever they may be in our United Kingdom with a whole load of strings attached.

In 2018, the UK contributed £13.2 billion to the European Union and it sent us back £4 billion—£4.3 billion to be precise. We know in this country better how to spend UK taxpayers’ money than the European Union does; many Members on this side of the House, if not the other side of the House, will certainly agree with that.

We in Government have a history of working with the devolved Administrations, metro mayors and local authorities across our United Kingdom, and that is why we are so pleased that we were able to commit over £500 million of Government funding to the Glasgow city region deal. Specifically in the Inverness and Highland city region, we are proud to have contributed £53 million, among other things, towards the funding of the University of the Highlands, about which the proposer of the debate spoke with such passion. I know he will let no opportunity pass him by to ensure that the Scottish Government, the European Union and the UK Government are all credited for the contributions they have made to that exciting growth deal.

Jamie Stone: An issue that I and others raised with the previous Secretary of State for Scotland is that, while we welcome the Inverness and Highland city region money, there is some evidence that the money is not going to some of the furthest corners of the highlands, such as Wick and Thurso in my constituency, where it has been badly needed.

Jake Berry: The hon. Gentleman makes an excellent point on behalf of his constituents. I know it is not the first time he has made it, and we should certainly continue to monitor that. I, like him, suspect that there may not be a completely even-handed approach to disbursing money around the highlands, but he will know more about that than I do. However, these growth deals across our United Kingdom in Wales, Scotland and Northern Ireland are an example of what we can achieve when we work together as four nations. The awesome foursome that makes up the United Kingdom is the most successful political partnership and Union that Europe has ever known, and that is why, despite what the separatists may say in today’s debate, we are stronger together.

Turning to the main points raised in this debate, I understand that recipient organisations of European funding are concerned about the certainty of the future of their funding, but it is important that we acknowledge—[Interruption.] Is the hon. Member for Aberavon (Stephen Kinnock) seeking to intervene?
Stephen Kinnock: Yes. I thank the Minister for giving way. He just referred to the funding as “European funding”, but I thought he said in his opening remarks that it was not European funding. Will he clarify that point?

Jake Berry: I am so pleased that the hon. Gentleman is listening closely to my response. What I would say is that if he, like me, is concerned about protecting the British taxpayer’s pound, perhaps he will reflect on the fact that the Bill passed by Opposition parties last night in this Parliament will cost the UK taxpayer £1 billion a month for every additional month we spend in the European Union. That will cost up to £24 billion. Maybe he should be committed, as I am, to leaving on 31 October, as the British people want, if he is concerned about spending money.

Peter Dowd: I am glad the Minister is telling us how much it costs—£1 billion a week or a month or whatever it happens to be. He is very good with his numbers, so can he give us an estimate of how much a no-deal Brexit will cost the country each month?

Jake Berry: It seems to me that the hon. Gentleman is suffering from a version of Stockholm syndrome. I happen to believe that the British people and this British Parliament are best able to determine the future for our country. The rebel alliance is going to Europe with its flag fluttering behind it—a white cross on a white background—surrendering British sovereignty, but I am proud to be part of a Government that will never support that.

Peter Dowd: This stuff about surrendering is bizarre, because this is the Government who surrendered last night to what is apparently the surrender Bill. That is the situation we are in. They should publish the Yellowhammer report and make it transparent, so that we can see how much a no-deal Brexit will cost us. Let us get the facts on the table, so that we can examine them—if they do not prorogue Parliament before then.

Jake Berry: I am sure the hon. Gentleman would like to have blamed the passing of his surrender Bill on the House of Lords. The Members of Parliament who voted for it know that the Opposition parties have passed a law meaning that we cannot leave the European Union on 31 October, deal or no deal. If we do get to an election—if the Labour party finally has the backbone to have a general election—I will be reminding lots of those constituencies in the north of England that it was the Labour party that stopped us leaving on 31 October.

Dr Whitford: Will the Minister give way?

Mike Amesbury: Will the Minister give way?

Jake Berry: I am sorry, but I must make some progress, and I would like to briefly get on to responding to the debate.

Specifically, I want to deal with the two pertinent questions, which were repeated by many others, asked by the hon. Member for Aberavon in an extremely good speech. The first was about whether the UK shared prosperity fund will respect the devolution settlement, and the answer is absolutely yes. We are clear about that, and we want to work with the devolved Administrations and metro mayors as partners. We do not want to set the UKSPF up against the devolution settlement, which we will celebrate in the country.

The second question was about when the quantum will be clear, and it will not become clear until we have completed the comprehensive spending review. I will point out, however, that the quantum from the European Union would also not be clear until 2020. People have referred to the Conference of Peripheral Maritime Regions report, but that is of course a report by a think tank. It is not a report from the European Union setting out the quantum at this stage.

Finally, turning to the guarantee provided by the Government, it is quite right that areas are worried about the future of their funding, which is why the Government have set out a guarantee—deal or no deal. This week, I was involved in discussions approving new spending in the current period of European funding, and the guarantee enables commitments to be made until 2021, and it will apply to commitments that are paid out between now and 2023, so there is certainty for projects. Projects are still being approved. With the guarantee, there will be no gap, and clarity about the quantum and the form of the UK shared prosperity fund will become clear at the comprehensive spending review, notwithstanding the fact that we are already involved in deep consultation with both the recipients of the funding—British taxpayers’ cash—and the mayors and devolved Administrations. Official level consultation is ongoing between the devolved Administrations and the UK Government. The most recent meeting took place on 2 August, and additional consultations will happen later this month.

Madam Deputy Speaker, I would have loved to have said more, but—

Sarah Newton: Will my right hon. Friend give way?

Jake Berry: I am sorry, but I am unable to give way. I am bringing my remarks to a conclusion.

3.42 pm

Drew Hendry: I thank all hon. Members who took part in today’s debate and the Backbench Business Committee for the opportunity. I must correct the Minister, because the CPMR is not a think tank. It is a representative organisation of local authorities from across Europe, and I know that because I used to be its vice-president. We asked the Minister to clarify the flexibility and timetable, but we have had no answer. We asked the Minister whether funding will be matched pound for pound, but we have had no answer. We have had no answer on whether devolution will be fully respected. He said—[Interruption.] I will allow the Minister in.

Jake Berry: To be absolutely clear and to repeat what I said in my contribution, the Government will fully respect the devolution settlement in respect of the UK shared prosperity fund and, I am sure, in all other respects.

Drew Hendry: In that case, I will accept the Minister’s comments, but he will be judged not on cheap words but on the actions of this Government and on whether they fail our communities.
Question put and agreed to.
Resolved.

That this House notes with concern that the Government is more than half a year behind its schedule to provide details of post-2020 funding through a UK Shared Prosperity Fund; supports the Joseph Rowntree Foundation’s recommendation that the Fund should at the very least match the £2.4 billion per year currently allocated through the EU structural funds; and calls on the Government to ensure that full details of the fund are published with urgency, that the devolved settlement is respected and that there is no reduction in the levels of funding to devolved governments or their role in distributing funds.

Martin Docherty-Hughes (West Dunbartonshire) (SNP): On a point of order, Madam Deputy Speaker. Earlier today, following the statement by the Secretary of State for Northern Ireland, I asked about aspects of being Irish, British or both in relation to an upcoming review that the previous Prime Minister had promised. In response, the Secretary of State stated: “It is vital that this House continues to respect the dual citizenship components that the hon. Gentleman talks about”. I talked about the birth right to be Irish, the birth right to be British, or both. What is open to Members such as myself to ensure that the Secretary of State reads the Good Friday agreement and recognises that the utterances that they make in relation to the politics of Northern Ireland have grave consequences not only for the peace, but for the social and economic prosperity of the people of Northern Ireland?

Madam Deputy Speaker (Dame Rosie Winterton): I thank the hon. Gentleman for giving me notice of his point of order. Obviously, I am sure he will understand that Ministers are responsible for what they say in the House. He has expressed concern about what was said earlier; he has made his point, and I am sure it will have been heard on the Treasury Bench and will be reported back to the Minister.

British House Building Industry

3.45 pm

Siobhain McDonagh (Mitcham and Morden) (Lab): I beg to move,

That this House notes with concern the ongoing shortage of housing and the housing crisis across England; further notes with concern the number of families in temporary accommodation and the number of people rough sleeping; acknowledges that there are over one million households on housing waiting lists; recognises the Government’s target to build 300,000 new homes each year; acknowledges that this target has been missed in each year that the Government has been in office and that the number of homes constructed by housebuilding companies that are deemed affordable is insufficient; notes the pay ratios between executives and employees in FTSE 350 housebuilding companies; and calls on the Government to tackle the housing crisis as an urgent priority.

I thank the Backbench Business Committee for granting time for today’s debate and all the Members who will participate. It is amazing to see so many Members here, given the week we have had. At the request of Madam Deputy Speaker, I have stripped quite a lot from this speech because so many people want to speak—I will do my best. I want to give credit to the High Pay Centre and the best possible exposition of its amazing research for this debate on the state of the house building industry.

No Member of this House, whatever their party, can but be fully aware of the crisis in housing and homelessness in all our constituencies. I will open the debate by looking at the scale of the current housing crisis, by considering the record of the FTSE 350 house building companies and their contribution to solving this crisis and finally, and most amazingly, by analysing the utter pay inequality that is rife across the British house building industry.

On streets across our country and on the very doorstep of Parliament, British citizens who simply cannot afford a place to call home are sleeping rough. For the general public, they are the visual representation of our homelessness crisis. As highlighted by the Children’s Commissioner last month, homelessness is far more common in 21st-century Britain.

Not a single week goes by without a normal, hard-working family in my constituency being evicted from their privately rented property and sent to temporary accommodation miles away from family, their schools and their jobs. They join over 83,700 households across our country, including 124,000 children, who are living in temporary accommodation.

Joan Ryan (Enfield North) (IGC): May I add to the picture the hon. Lady is painting by telling her that Enfield has significant problems on housing and homelessness? We have the capital’s highest eviction rate and the second highest number of residents in temporary accommodation, and homelessness has rocketed by 250% since 2011. Does she agree—from what she is saying, I think she clearly does—that the Government’s policy is not only hurting the housing market but causing a huge set of social problems, too?

Siobhain McDonagh: The social and financial cost of homelessness far exceeds what we spend on temporary accommodation, which was £1 billion of taxpayers’ money last year—every £1 of it badly spent. Some 6,980 families...
in my constituency are trapped in bed and breakfast accommodation, having been there longer than the six-week legal limit, including 810 children. Others are stuck in hostels far away from their schools, families and friends.

Some of my constituents are housed, at least temporarily, in Connect House, a warehouse on the busiest south London industrial estate. For anybody who wants to see what Connect House looks like, please have a look at the video on my Twitter account.

I am just crawling through my speech, because I see more and more people here.

Other families who have come to see me are on the ever-expanding waiting list, with 1.2 million families across our country now waiting for a place to call home—1.2 million. Just 6,464 new social homes were built in 2017-18, the second lowest number on record. At that rate, it could take 172 years to give a socially rented home to everyone on the current waiting list. That is utterly appalling when we compare those figures with the 150,000 social homes delivered each year in the mid-1960s or the 203,000 council homes that the Government delivered in 1953. It has been done before and we all know that we can do it again.

In Merton, where my constituency is based, 10,000 families are on the housing waiting list, with lettings for just 2.5% of them in 2018-19. What hope can I give the other 97.5% that they will ever find a place to go? I would like to provide statistics on home ownership but, again, I will move on to some of the other data in my speech.

The statistics and the stories that I have detailed this afternoon should provide thoroughly fertile ground for the British house building industry to get on and build, but its record does not match the potential. Here is the reality: our country’s housing target is 300,000 new homes a year—a figure that has not been reached, as we have already identified, since 1969, when councils and housing associations were building new homes. England is now on course for the worst decade for house building since the second world war.

I would like to look specifically at the performance of the leading house building companies in our country. To the best of my understanding, the figures are all correct as of June. In the last financial year, just 86,685 homes were completed by the 10 FTSE 350 house building companies, despite an extraordinary collective pre-tax profit of more than £5.37 billion. That is a mind-boggling figure, which is better understood when broken down.

Let us start with the four FTSE 100 housing companies: Barratt, Persimmon, Taylor Wimpey and Berkeley. In the most recent financial year, Barratt completed just 17,579 homes—slightly more than Persimmon, which finished 16,449 homes, with profits of £1.1 billion, of which half was down to public subsidy through the Government’s Help to Buy scheme. Taylor Wimpey came third with 15,275 homes completed but, in fourth place, despite an astonishing pre-tax profit of £934.9 million, is Berkeley homes, which completed a pitiful 3,894 homes. Together, those four companies collected a pre-tax profit of an unimaginable £3.68 billion, despite completing just 53,198 homes—less than 18% of the Government’s house building target.

What went wrong? Did they perhaps just not have the land to build the houses? Those four companies are sitting on a land bank of more than 300,000 plots between them. If we add in the rest of the FTSE 350 house building companies—Bellway, Bovis, Countryside, Crest Nicholson, Galliford and Redrow—the collective land bank is a staggering 470,068 plots, yet they completed 86,685 homes between them.

Jack Lopresti (Filton and Bradley Stoke) (Con): I congratulate the hon. Lady on her excellent speech, with which I broadly agree. Does she agree that while, from a moral point of view, we obviously need to build more houses in the public and private sectors, we also need to radically reform the planning system, which takes far too long and is a big roadblock to getting the homes we need for people?

Siobhain McDonagh: I absolutely agree with the hon. Gentleman and would love an opportunity to have a debate about planning law, building on the green belt and other matters. I could speak at great length about them, but I will not because I want to allow other people to get in.

I would like Members to focus their attention on pay. Some of the figures are staggering. Let me be clear: I am new Labour to the core. I have no problem with successful business people earning a lot of money, but what happens in this sector goes beyond earning a fair day’s money. I was furious to see that, almost exclusively on the back of the British taxpayer through Help to Buy, Persimmon awarded its former chief executive Jeff Fairburn a staggering £75 million bonus, despite an appalling record of utterly substandard homes. How can that be right or fair?

Justin Madders (Ellesmere Port and Neston) (Lab): That is a truly staggering pay packet. Does my hon. Friend agree that, given that Persimmon has recently given back the freeholds in Cardiff that it mis-sold to a number of homeowners, it should do that for everyone to whom it has mis-sold in the whole country?

Siobhain McDonagh: I completely agree with my hon. Friend and congratulate him on all the work he has been doing. Without the attention he has given the issue, much would not have happened.

Let us be clear: the money does not flow through the companies. Thanks to excellent new research from the High Pay Centre, I can reveal the quite extraordinary pay packets of the 10 FTSE 350 house building companies. In the heart of our country’s housing crisis, the four FTSE 100 house building companies spent an eye-watering £53.2 million on their CEO pay. David Thomas at Taylor Wimpey earned £2.811 million; Peter Redfern of Taylor Wimpey earned £3.152 million; Tony Pidgley at Berkeley earned £3.128 million; and Mr Fairburn, formerly of Persimmon, got a whopping £38.9 million.

Bob Stewart (Beckenham) (Con): The hon. Lady is making a great speech and I totally endorse everything she has said. I am really worried as to what the heck the shareholders are doing. Do they not question this when they have their annual general meeting? They are meant to bring the companies to account on such matters.
Siobhain McDonagh: Actually, the shareholders are doing quite well as well, because they are getting quite a lot of money on the back of Help to Buy. That could be the subject of another debate.

I have no doubt that those four men work hard and have a grasp and understanding of their industry that few others could provide, but surely high pay is supposed to be about high productivity and high quality of product. It seems to me that the more substandard the properties they build and the lower their rate of productivity, the more they get paid. There seems to be no consequence for poor performance. We are in a housing crisis—is it really appropriate to provide such preposterous pay packets, considering the house building record I have described?

Mr Richard Bacon (South Norfolk) (Con): I agree with almost everything that the hon. Lady has said, but I ought to point out—I declare an interest, because as part of an Industry and Parliament Trust fellowship I spent a day at Berkeley—that the main shareholder of Berkeley is Tony Pidgley, who started that business himself. He left school at 15, unable to read and write, and he has employed thousands of people, created a great deal of wealth for this country and paid a huge amount of tax. Moreover, he would deny—and he would be right to do so, unlike some of the others the hon. Lady rightly mentioned—that Berkeley produces poor quality. It does not; it produces extremely good quality. Berkeley refuses to be a member of the Home Builders Federation because it does not consider itself a volume house builder.

Siobhain McDonagh: I certainly agree with the hon. Gentleman in part. I have had the honour of meeting Mr Pidgley and I give him credit for his career and his actions. His profits do not come from Help to Buy, but, even so, it does seem like a very unequal company. I have no problem with people earning well at the top, but the people at the bottom should not earn badly.

Matt Western (Warwick and Leamington) (Lab): I congratulate my hon. Friend on securing this debate and making an excellent speech. On her last point, as far as I understand it, Berkeley constructed no affordable housing last year, and for Barratt Homes, Persimmon and the others in the top four, the figures are around 18% to 20%. It is a complete scam. The amount of money they are taking out at the top, and not just for executive pay or shareholder pay—I have no problems with shareholders receiving dividends and so on—is at the expense of much-needed social and affordable housing. The whole viability element of the planning system is a complete scam and should be done away with.

Siobhain McDonagh: I absolutely agree with my hon. Friend, and I know that he works really hard on that subject. Just like the issues about the whole planning system, that could be the topic of another debate, to which I am sure we would both want to contribute.

The median pay for FTSE 100 house building CEOs is 228 times that of the typical UK construction worker.

Gareth Johnson (Dartford) (Con): Does the hon. Lady agree that one way forward would be to increase the opportunities for self-build? It is incredibly difficult at the moment. If an individual wants to buy a plot of land and find a builder to construct a house for them, they find so many obstacles in their way. Does the hon. Lady agree that that may be a way forward to improve on the current situation?

Siobhain McDonagh: I think the hon. Gentleman has stolen the words of the hon. Member for South Norfolk (Mr Bacon), who also does loads of work on self-build. It is an issue that small and medium-sized builders have been squeezed out, but unfortunately I do not have time to address that matter today.

Let me return to the matter of pay ratios. At Barratt, the pay ratio between median executive pay and median construction worker pay is a disappointing 113:1. At Taylor Wimpey, it is an awful 126:1. At Berkeley, it is a shocking 331:1. But at Persimmon, it is an absolutely deplorable 1,561:1. Jeff Fairburn, in his final year of employment as chief executive of Persimmon, received more than £38.9 million, yet his average member of staff earnt £37,118. That was for technical staff. We do not know what the company’s subcontracted electricians, roofers or other wet trades people might have received.

How can that be fair?

The vast scale of inequality looks even worse in the light of UK housing prices. Assuming that the average UK house price is £230,630—I assure the House that it is not possible to buy anything in my constituency or in the constituency of the right hon. Member for Enfield North (Joan Ryan) for that price—and that the average UK construction worker pays 10% of their earnings to buy a house, it would take them 92 years to save up and 19 years just to save for the deposit alone. But the average FTSE 350 CEO could buy 28 houses outright in one year, 532 houses over 19 years—the years that the construction worker would be using to build a deposit—and 2,567 houses over the 92 years in which the construction worker would be saving up to afford their home. On no level can this be right or fair. It cannot be right for our society. It cannot be right for us as taxpayers. It is simply wrong. The system is broken. In the main, the market does not reward hard work, endeavour and meeting the housing need. In my view, it certainly should do.

Madam Deputy Speaker (Dame Eleanor Laing): That is 4.4 pm

Mr Richard Bacon (South Norfolk) (Con): That is very helpful, Madam Deputy Speaker.

May I start by congratulating the hon. Member for Mitcham and Morden (Siobhain McDonagh) very sincerely? I realised how strange times are in this particular area of housing debate when I attended a lunch at the Institute of Economic Affairs, where the hon. Lady was the guest speaker. I realised that it is the case not so much that there is political cross-dressing going on, but that many of us are searching for solutions outside the traditional parameters; and that is because, as the title of the White Paper from January 2017 said, we have
[Mr Richard Bacon]

a broken housing market. We might have some differences about the causes of the situation she accurately describes and about the best prescriptions for solving it, but it is absolutely clear that supply does not rise to meet demand. She used the word “market” in her last couple of sentences, which rather implies that we have a market for housing, but we have no such thing; we have a tightly controlled oligopoly, and actually supply does not rise to meet demand, because most suppliers do not wish to damage their own profit margins by oversupplying the market so that prices fall. We would not expect that in any other area of business and we should not expect it in housing.

Fundamentally, we need to change the model. If we have a broken housing market, we need to create a different ecosystem, and one of the fundamental things we need to do is increase choice for consumers. It is by far the single biggest thing people spend money on —whether renting or buying, it is the thing that people spend most of their monthly income on—but it is the thing over which they have the least choice. In any ecosystem in which the consumer had any say, it would be the thing over which they had the most choice.

As well as increasing choice, we have to lower barriers to entry, and that is where I want to bring in my favourite subject, mentioned by my hon. Friend the Member for Dartford (Gareth Johnson), namely self-build and custom house building.

Matt Western: On choice, I totally agree with the hon. Gentleman’s point. One of the critical things, in addition to self-build, is the reintroduction of all the small and medium-sized enterprise builders we lost after 2007-08. Apparently, a quarter of all houses built are built by SMEs, whereas it used to be two thirds.

Mr Bacon: In 1988, it was indeed two thirds. If we increase the regulation and make it more difficult to get hold of land, it is the SMEs that will go, because only the big firms with the big balance sheets can afford it. It is a very risky enterprise, and actually local planning authorities prefer dealing with a small number of large companies because it is easier for them. That is one of the other things we have to change.

I am accused of wanting everyone to learn how to be a builder and build their own house. It has nothing to do with doing it yourself. It is very important to stress that. It is about self-commissioning and giving the customer more power. I will be briefing the Minister next week on the terms of the Self-build and Custom Housebuilding Act 2015, which commenced three years ago in April 2016, and the way it was augmented successfully by the Housing and Planning Act 2016, so that now the more people who are on the local register, the greater the legal obligation on a council to provide suitable planning permissions.

The point about having individuals and associations of individuals under the terms of the legislation is that it could apply to anybody. It could be used by school governors wishing to use the provision of a serviced plot of land as a recruitment and retention tool; by local social services directors trying to recruit social work managers in parts of the country where it is difficult to find the right calibre of social worker; by NHS trusts trying to accommodate staff, whether young junior doctors, paramedics or ambulance staff; by local Army commanders trying to retain that very expensively trained staff sergeant with 20 years’ experience; by the Royal British Legion and other veterans groups trying to accommodate veterans; by probationers and ex-offenders trying to make sure that ex-offenders coming out of prison have accommodation that is not the drug dealer’s sofa; and by the homeless themselves—I have seen just outside Berlin, in Potsdam, homeless single mums building their own accommodation for an affordable rent.

That brings me to my next point: it has nothing to do with tenure. One can use self-build and custom house building both for private ownership and for all kinds of affordable accommodation models, including mutual housing co-operatives and various other types of social landlords.

I am keen to keep my remarks brief, but I want to say a few things to the Minister about what the Right to Build Task Force, which I have been involved with for some years, is now looking for. We had £350,000 of funding from the Nationwide Building Society, and with that we can evidence an additional 6,000 to 9,000 houses added to the pipeline in the last three years. If we can do that with £350,000, think what we could do with some serious money. I would like the Department to talk to the funding for that, but also as part of a help-to-build team installed within Homes England with the task of facilitating the delivery of service plots, buying land and working with local authorities and other public sector partners on public sector land for a range of client groups, especially the young and those who have been most marginalised. That team should also reach out to anybody who wants to get a service plot so that we reach a point where someone can go to the plot shop in the local town hall in their home town and find a plot of land as easily as people can in the Netherlands, where I have seen it done.

We have to put help to build on a level playing field with Help to Buy. The Government are currently planning to spend £22 billion on Help to Buy, subsidising demand, when we should really be subsidising supply. If one wants more of something, then subsidise it and it will happen. I know from many people I have spoken to, including Treasury Ministers, that there is a desire to do something about the growing cost of Help to Buy. The obvious thing to do is to wean people off Help to Buy—a subsidy for demand—and wean them on to a subsidy for supply, thus increasing supply.

We have to remove the regulations that currently allow local authorities to charge people to be on the register each year. Most do not, but Camden and Islington councils charge £350, and people do not get any guarantee that it has become an issue and we should now revoke those regulations. The charge is supposed to recover the cost of keeping a register, but that is really very small—it can be done in an exercise book kept in a drawer or on a spreadsheet.
We need to introduce a series of specific planning reforms, particularly allowing for exception sites where councils are not fulfilling their legal obligations. We need to make it clear that the national planning policy framework has a presumption in favour of sustainable development in circumstances where councils fail to meet their duties under the legislation, irrespective of whether there is a five-year land supply, in terms of providing service plots. We need to introduce changes to the planning system that provide greater predictability to reduce the planning risk—for example, through the compulsory use of form-based codes or through local development orders. We need to take forward the proposals in the White Paper to facilitate land pooling, which has worked very successfully in Germany and elsewhere on the continent.

We do have a broken system, and doing more of the same will not produce a different result. We have to think differently and do differently. I encourage the Minister to take that responsibility seriously.

4.12 pm

Sir George Howarth (Knowsley) (Lab): It is a pleasure to follow the hon. Member for South Norfolk (Mr Bacon), who made a typically thoughtful and interesting contribution to the debate on housing.

I congratulate my hon. Friend the Member for Mitcham and Morden (Siobhain McDonagh) on her survey of the state of the market and some of the negative aspects of it that we need to address. Anybody who reads her speech in Hansard tomorrow or at some later point will consider some of the companies that she named to be a roll call of disrepute.

On that theme, I wrote to the chief executive of Redrow, the developer, about a leasehold scandal following conversations with concerned residents of Summerhill Park in my constituency. Summerhill Park has over 455 houses and 70 flats. There is a two-tier system of ground rents in operation. Residents who purchased their properties early on in the development pay ground rents of £150 a year, while those who purchased homes in the later phases pay £250 a year. My constituents want to be enfranchised. They want to purchase their freeholds and are willing to pay a fair price. They believe—and I agree with them—that a fair price would be 10 times the annual ground rent, which they think is fair and reasonable and are willing to pay. Redrow, however, is asking for 26 times the annual ground rent, which I think, frankly, is unfair and unreasonable.

In the light of the Government’s reform proposals and the Law Commission’s ongoing work on leasehold reform, I approached Redrow to arrange a meeting to discuss the residents’ ideas further. Redrow contended in its response that the lease agreements are fair and transparent, which my constituents strongly disagree with, as do I. Its business model is considered by many—including, as I am sure the Minister will confirm, the Government—both unreasonable and unjustifiable. The offer of giving residents the opportunity to purchase the freehold at a fixed price of 26 times the annual ground rent is not, in my view—and, I hope, in the Government’s view—reasonable or fair.

In response to my letter, Redrow said: “it would be inappropriate to move away from the practice that has been adopted over the last two years, with all Redrow households, including those who have already acquired their freehold at Summerhill Park.” I wrote back to say that I did not agree and I would still like a meeting. Surprise, surprise, Redrow said, “There is little point in a meeting.” All Members of this House have a reasonable expectation that if they request a meeting with an organisation or company in the private or public sector to discuss an issue that is of concern in their constituency, they will get that meeting. Redrow arrogantly—not to me, but to the people I represent—declined to hold such a meeting. I deplore that, as I hope others do.

It is unjustified and unfair, and I fail to see how pressing on with that policy is either reasonable or acceptable. Redrow is doing this simply because it can and because it can continue to make money out of the residents I represent in this House. The leasehold scandal has caused a great deal of distress for homebuyers across England, particularly in the north-west, with many homebuyers trapped in their current properties, some unable to afford to purchase their freehold and others even unable to sell their property. Redrow is not unique in this. Other developers are just as involved in this scandal.

Mike Amesbury (Weaver Vale) (Lab): I have a situation in the Winnington part of my constituency of Weaver Vale, where resident Emily Martin and many others are caught in this leasehold trap. In terms of the next phase, people have benefited from the reforms that we in this place have campaigned for, and the properties then become unsellable.

Sir George Howarth: That adds to the unfairness of it. Redrow is not unique in this, and all these companies need to look at themselves, the business model they are adopting and the ethics involved.

I will conclude by asking the Minister three questions. First, may I invite her to join me in condemning Redrow and the other companies that are still involved in this practice? Does she agree that the freehold purchase cost of 10 times the ground rent is fair and reasonable, whereas 26 times is sheer daylight robbery? Finally, does she agree that it is desperately important that we have legislation to curtail the naked greed of those developers engaged in this disreputable practice?

4.18 pm

Mr Mark Francois (Rayleigh and Wickford) (Con): May I begin by congratulating the Minister on her appointment? It is good to see her in her place at the Dispatch Box.

The house building market in the United Kingdom is highly oligopolistic, dominated by very few very large players, some of whom are extremely unresponsive to the needs of local communities, as the hon. Member for Mitcham and Morden (Siobhain McDonagh) laid out so well in her speech. They can have an adverse impact on communities in the long term, but they can also have an adverse impact in the short term, while their houses are being built.

We had an example of that in Rayleigh on Monday morning. The schools came back, so clearly the traffic increased, but it was massively exacerbated by three contraflows all in operation at the same time on three different housing developments: Barratt David Wilson at Hullbridge, where a nearby key road called Watery Lane...
has been closed for many weeks because of the works; Countryside at Rawreth Lane in Rayleigh, which has a contraflow in place; and Silver City, a lesser known, smaller developer which has a contraflow on the London Road in Rayleigh. The cumulative effect, made worse by a road traffic accident that morning, was that the town was in effect gridlocked, and many of my constituents were extremely frustrated as they were simply trying to get to work.

I have remonstrated with the county council’s highways department for granting permits to work on the highway to all these developers at the same time. It has a strategic overview of the highways network, and I think it should look at that again. I have also contacted all the developers directly and encouraged them to get this work done as fast as possible and then get out of the way, and the responses have been instructive. The smallest, Silver City, has promised that it will be finished by the end of the week and that it will be off the highway network. Countryside, an Essex-based developer, has said that it will no longer operate its contraflow in the morning and evening rush hours, thus considerably easing the congestion.

Barratt David Wilson, the major national house builder, has been the least responsive of all. It has been on site since February, and my constituents in Hullbridge are just about sick and tired of it. As the hon. Member for Mitcham and Morden has pointed out, its chief executive, Mr David Thomas, is on a nice little earner. According to its 2018 annual report, he earned a total package of just shy of £3 million—some 20 times the salary the Prime Minister earns for the responsibility of running the country. I suspect that Mr David Thomas could not find Hullbridge in my constituency with a TomTom.

Barratt David Wilson has now, under pressure, contemplated extending the hours of its work to try to finish the job, but it still will not give me a firm date for when its works will be completed, Watery Lane can be reopened and it will get out of the way. In short, it is a bad neighbour in my constituency, and I think it is about time that this large, unresponsive, uncaring national house builder, run by a fat cat on £3 million a year, was held to account. My constituents deserve better than this, and these developers should put more people on the job, get the job done quicker and get off the roadway.

We are tight for time, but in my last minute I want to mention Sanctuary Housing, the largest housing association in my constituency. I had an Adjournment debate on 18 July about what is wrong with it, so I shall not reiterate it all now, suffice it to say that I had a meeting with its chief executive, Mr Craig Moule, and its outgoing chairman, Mr Jonathan Lander, yesterday. It was a deeply unsatisfactory meeting. Basically, it had promised to build 50 affordable houses a year, but it got nowhere near that. It had no clear plan or strategy to achieve the target. I am afraid the outgoing chairman of the board clearly did not take the meeting seriously. In fact, his attitude was patronising. If he had said, “I hear what you say, Mr Francois” one more time, I think I would have screamed.

There is a governance issue at Sanctuary. It is badly run and badly governed. It is not properly accountable to the tenants it serves, which is why it was slated by “Dispatches” a few months ago. My plea to the Minister is that we need tighter regulation of the registered social landlords market. Some of these are very large organisations indeed. They are not properly regulated by the Government, and Sanctuary is most certainly not properly regulated by its rather useless board.

Several hon. Members rose—

Madam Deputy Speaker (Dame Eleanor Laing): Order. We really do need to keep aiming for the limit of five minutes, because I am sure that people will want to hear what the Minister has to say. She has been asked many questions, and the answers must be heard, too.

4.24 pm

Stephen Timms (East Ham) (Lab): We are in the grip of a major housing crisis. You will not remember, Madam Deputy Speaker, but I can just remember “Cathy Come Home”, and the determination of our predecessors in the 1960s—this picks up on some of the points made by my hon. Friend the Member for Mitcham and Morden (Siobhain McDonagh) in her excellent opening speech—that the lives of families should not be destroyed by housing misery. Today, lives are being destroyed again. One day—sooner, I hope, rather than later—we will again need a major national programme of council house building to give those families a chance.

Last month, I had the privilege of hosting a visit to my constituency by members of the Archbishop of Canterbury’s Commission on Housing, Church and Community. We had “Faith in the City” in the 1980s, “Unemployment and the Future of Work” in the 1990s, and both those Church reports caught the mood of the times and profoundly influenced the policies of Governments. I hope that the archbishop’s housing commission report will do the same when it is published. We visited a family in my constituency—mum, dad and a young son—who are essentially living in one room in a ramshackle property above East Ham High Street. There is serious damp and a rat infestation. They have been there for five years, and both of the couple have been employed and were working in the NHS. Recently, a second child was born and, tragically, very soon died, probably because of the conditions in the home. That is how it is for thousands of people. After the visit, one commission member emailed me and commented, quite rightly, that our society should not tolerate people having to live in such conditions.

I was delighted to take the commission members to the Didsbury site, where Newham Council’s own developer, Red Door Ventures, which was set up in 2014, is building new homes on council land that was previously occupied by a community centre. It is committed to building 50% of its homes for social rent, and 50% at market rent, and it plans to build hundreds of homes over the next few years—thousands, I hope, before too long.

As my hon. Friend reminded the House, after world war two, social housing was built at a rate of well over 100,000 homes a year. The crisis today is just as bad as it was then, and we need that scale of ambition to deliver such a programme again. There is no time to lose.

4.27 pm

Andrew Lewer (Northampton South) (Con): I draw the House’s attention to my entry in the Register of Members’ Financial Interests, and I thank the hon. Member...
for Mitcham and Morden (Siobhain McDonagh) for securing this debate. I have spent much of my working life taking an interest in this core topic, and after becoming a Member of Parliament, housing has continued to be a passion of mine. I have been involved with the housing sector since I served on a planning committee for 12 years, and then as leader of Derbyshire County Council and director of a housing association. As an MP, I serve on the Housing, Communities and Local Government Committee, and I chair the all-party group for SME house builders. In both roles, I have had the pleasure of working with people from across the private and social housing sectors. In particular, my hon. Friend the Member for South Norfolk (Mr Bacon) has made fantastic progress in championing self-build homes, and I hope he has continued success in that area.

Another area of success can be seen in the excellent work of Northampton Partnership Homes. Its chairman, David Latham, and chief executive, Mike Kay, have laid out ambitious plans for the future of social housing and tackling homelessness in my constituency, but national support from the Government, and local support, will be required to get those plans advanced. I have been encouraged by the Government’s commitment of £1.2 billion funding to tackle homelessness through to 2020, and by the introduction of the Homelessness Reduction Act 2017. I know that has been hugely beneficial in Northampton, and I hope it can help to get people back on their feet and with a roof over their head.

I was pleased to meet Sir Edward Lister, in his then head. Is there more to do? Of course there is, and I look forward to hearing about that from the Minister.

I was pleased to meet Sir Edward Lister, in his then capacity of chairman of Homes England, at a recent meeting of my all-party group. I was thoroughly impressed by what he said and I was encouraged by the approach he had been taking. It felt like there has been a shift and by what he said and I was encouraged by the approach he had been taking. It felt like there has been a shift and by what he said and I was encouraged by the approach he had been taking.

I am encouraged by the steps and the commitments the Government have already taken in this area, but I hope my right hon. Friend will make reference to, and address how, money from Homes England will get not only to the private and the social sectors, but to the shared ownership housing sector, a sector with a lot more potential than it has yet been able to realise.

4.30 pm

Justin Madders (Ellesmere Port and Neston) (Lab): Week in, week out, housing problems are the No.1 issue in my constituency surgeries: a lack of affordable housing, poor living conditions, homelessness or landlords not acting to rectify problems. We should not forget that at the heart of this debate are real people facing very real difficulties because over the past nine years the Government have failed to act to tackle the housing crisis. I have too many people coming to see me who are sleeping on couches, in tents or in cars. That situation is becoming far too regular in my surgeries. It is an absolute disgrace.

Since the Government came into power, rents have become increasingly unaffordable, with private renters spending on average 41% of their household income on rent. Shelter reports that a third of low-income renters are struggling to the extent that they have to borrow money to pay their rent and keep a roof over their heads. In those circumstances, putting money aside to save for a deposit so they can eventually own their own home is completely unrealistic. There is a massive job ahead of us to replenish the depleted housing stock in this country and I am pleased to see that, after many years of stagnation, there is now significant house building in my constituency, particularly on brownfield sites. Very few, however, have affordable housing in them—or, as I would like to call it, council housing. That is because permissions were all granted some time ago and the developers have used rules brought in under the coalition Government to plead poverty and tell us that the requirement to build affordable homes means they cannot maintain their 20% profit margins. As a result, there is no affordable housing being built on just about any private development in my constituency.

Most developers sought release from those obligations four or five years ago, but have only started building them in the past couple of years. It is clear that the affordable housing requirements were not what was stopping them; it was greed. As my hon. Friend the Member for Mitcham and Morden (Siobhain McDonagh) set out, it certainly has not harmed their profit margins.

It is greed that has poisoned many of the public’s opinion of the house building industry as a result of the leasehold scandal. As the Chair of the Housing, Communities and Local Government Committee, my hon. Friend the Member for Sheffield South East (Mr Betts), said about the voluntary scheme developers introduced to deal with some of the injustices of the scandal, “Given the evidence we heard from leaseholders during our inquiry, we know it will be difficult for them to trust developers and freeholders to deliver on such pledges.”

The only way trust can be rebuilt is for there to be a full, independent public inquiry to get to the root of the issues. How did developers first dream up the business model of commoditising people’s homes? How did lawyers draw up the onerous terms? How did sales staff present, or not present, the leases? How did the conveyancers, surveyors and lenders all miss the implications of them? How has the Government’s Help to Buy cash propped up the whole scam?

The news this week that Persimmon has reached an out of court settlement on an estate in Cardiff by giving the homeowners the freeholds and repaying the ground rent is welcome, but unfortunately that is just one estate, in one city and one developer. There must be scores of identical scenarios around the country where developers have not been forced to come to the table, so a proper PPI-style compensation scheme is vital. As I have said in the past, this is the PPI of the house building industry and it needs to be treated as such. The admission by Persimmon that people did not know what they were buying should flag up huge alarm bells for every developer involved in leasehold that time is running out for them to put this right.

The National Leasehold Campaign has this week written to all developers involved in the scam to ask for the freeholds back. They should do what is right and start to rebuild trust. As we know from the profit margins we have heard about, they can well afford to do it. The fact that they are still building homes on estates where there
is no leasehold now, but where people who bought them a year or two ago are still in leasehold properties, is an absolutely injustice and a scandal. It needs to end.

It really is time that we had real action from the Government, so that those already trapped in unfair leases can expect to be released from them. I think we all agree that the situation is unfair and a significant injustice, but what are we going to do to force developers to put things right? There are plenty of ideas out there about how we can do that for those stuck with existing onerous and unfair leases. The Government may have lost control of the Chamber, but if they made proposals along the lines set out in my private Member’s Bill, for example, or in my party’s proposals, there is no doubt that there would be more than enough support on both sides of the House to get something on the statute book that would bring real, tangible change to help people get many of the thousands who are stuck in toxic leases free of that obligation at last. Let us make a real difference to people’s lives. Let us pass these laws and get many of the thousands who are stuck in toxic leases free of that obligation at last. Let us make a real difference to people’s lives. Let us pass these laws and build the homes that we need to get this country moving again.

4.35 pm

Ruth Cadbury (Brentford and Isleworth) (Lab): I thank the previous speakers, including my hon. Friend the Member for Ellesmere Port and Neston (Justin Madders) for his excellent speech on leasehold issues. He is such an expert—as ever—because he has such a problem in his area, but that is not unique and we have some of the same issues in London with flatted developments.

I also thank my hon. Friend. Friend the Member for Mitcham and Morden (Siobhain McDonagh) for the excellent work that she has been doing on this important issue and for securing this debate. I am not sure whether it is a relief to discuss something other than Brexit, but this is as much, if not more, of a crisis, certainly for those who are affected.

In my maiden speech, I referred to my forebears, who recognised the importance of good-quality housing for people’s wellbeing, lives and, I have to say, their productivity in their factory. My forebears built good-quality, affordable housing until the state took on that responsibility. From the ’40s onwards, Governments of both persuasions recognised the importance of good-quality housing for people’s wellbeing, lives and, I have to say, their productivity in their factory. My forebears built good-quality, affordable housing until the state took on that responsibility. From the ’40s onwards, Governments of both persuasions built tens of thousands of council homes a year to ensure that the British people were adequately housed, but we have been walking away from that in the last 10 or more years.

For most of my political life, I was a councillor in Hounslow. Even in outer London until about 10 years ago, a family on an ordinary income could afford to buy their own home, so they did not need social rented housing. They did not put additional pressure on council housing. Since house prices have increased, however, people need a household income of £72,000 in Hounslow to buy even a two-bedroom flat, yet the average household income is £40,000.

We need 1.2 million new council and social rented homes in this country because that is the number of households on the housing needs register. That does not count people who are not disabled and working-age adults who have to rent. The number of people in that category has gone up 100% in just over 10 years. Under the right to buy, most councils, including even those that are building housing—Hounslow is building about 400 new council homes a year—are losing council homes faster than they are building them. Right to buy homes are often becoming private rented stock at three times the council rent levels.

Of course, we need house builders to be on our side. As others have mentioned so eloquently, they need to address the leasehold issue. They also need to take responsibility for the shocking faults in many new build properties. There is variation between developers, and they cannot hide behind the fact that there is a skills shortage. There is one and they need to take responsibility for it, but so do the Government, because much of the skills shortage in construction results from the fact that a large proportion of our construction workforce are EU nationals and many are leaving, or are no longer coming in the same numbers because of the uncertainty that has been mentioned many times in this Chamber. They do not feel welcome and do not have security as workers in this country.

I am sure that the Minister will respond with warm and hopeful words, as Ministers always do. The new Government may even intend to do something significant about the housing crisis, although I suspect that they will not be around for long enough to implement anything. I advise them, however, not to fall into having the problems that some previous Ministers have had. This includes the risk of unintended consequences of poorly thought-out policies. I will mention two of them.

Let us have no more schemes, such as Help to Buy, that just give discounts to those who can afford to buy anyway. Let us not rush through planning changes such as those to permitted development rights, which have allowed the appalling chicken coops in old factories and offices, as mentioned by my hon. Friend. Friend the Member for Mitcham and Morden.

4.40 pm

Alex Cunningham (Stockton North) (Lab): I thank my hon. Friend the Member for Mitcham and Morden (Siobhain McDonagh) for securing the debate through the Backbench Business Committee. She is right to highlight these issues. Surely, in this world of inequality, individuals should not be lining their own pockets with millions of pounds in bonuses taken from taxpayers’ money. Our focus needs to be on all our people, not just the few. Other Members raised the issue of leasehold. I invite the Minister to solve the crisis by adopting our approach to leasehold.

A home is at the heart of our lives. It is the foundation on which we grow up and raise our own families—the bedrock for our dreams and aspirations. It helps us to belong and shapes who we are and what we do. Yet, as others have said, we have a housing crisis in our country. We all know it, but successive Ministers seem to have had little motivation to do anything about it. There has been a steady rise in homelessness, in rough sleeping and in hidden homelessness—people or families who are considered homeless but whose situation is not visible—either on the streets or in official statistics, with those forced into the world of sofa surfing, living in make-shift rooms in overcrowded dwellings, or maybe even in a car. That was also highlighted by my hon. Friend. Friend the Member for Ellesmere Port and Neston (Justin Madders). It is not a situation fit for 21st-century Britain.
When Labour left office, housing was at the heart of our decision making: we had just pulled the country back from the cliff edge of the global recession; we had just switched funding from other Departments to deliver the biggest investment in social housing in a generation; and we had just protected people’s homes with Labour’s mortgage rescue scheme, which, along with other actions, meant that repossessions were over a third lower than in 1991, when Tory inaction led to 75,000 homes being repossessed. Over the whole 13 years that Labour spent in power, home ownership soared. Since then the number of home-owning households has fallen under the Tories. Under Labour, the number rose by over 1 million. House building grew. We built almost 2 million homes. After years of high homelessness under the Tories, Labour cut it by 62%. We brought over 1 million homes up to standard as part of our decent homes programme.

Since 2010, however, the number of new social rented homes has fallen by over 95%, and we are now building 30,000 fewer social rented homes each year; house building still has not recovered to the level it was at before the global financial crisis; the overall level of home ownership has fallen since 2010, from 67% to 64% last year; and private rents have risen by £1,900 a year; and—something that should shame us all—in the sixth biggest economy in the world, we have seen rough sleeping more than double over the past nine years.

After nearly a decade of failure, it is clear that the Conservatives have no credible plan to build the number of homes we need. Labour will draw a line under the failings of the past and put building new homes at the heart of government. For the first time ever, a Labour Government will establish a fully-fledged department for housing. Ministers will be challenged at each step by a new Office for Budget Responsibility-style office for housing delivery, which will be an independent auditor of house building projections, delivery plans and progress against Government targets. We will set the new department a target of building at least 1 million new, genuinely affordable homes decade after decade, but we are turning that around.

We will introduce a revolutionary new type of housing, “first buy homes”, with housing costs for new build homes benchmarked at a third of local average incomes so that homes are priced at what local people can afford, not what makes developers the most money. We will also introduce a tough “first dibs” rule on new housing developments to give local people confidence that homes built in their area can be for them and their families. Developers will be forced to market new homes to local first-time buyers first, not to overseas buyers or those with no connection to the area. We will act on those 750,000 empty plots that are sitting doing nothing and bring them into use.

Some may question what exactly we can do to tackle homelessness. Last week, I visited St Mungo’s and learned about its initiatives to help reduce the impact of homelessness, including “no second night out”. I also visited AKT—formerly the Albert Kennedy Trust—and heard directly from some young LGBT+ people who had experienced homelessness and who told me what housing support they needed. Organisations such as St Mungo’s and AKT do excellent work in supporting people who need help, and they truly set an example of what can be achieved with vision and passion. Any Government could learn much from both those organisations.

Ultimately, this comes back to the availability of housing stock. We cannot provide people with decent, affordable homes if we simply do not have the stock. We need to build, and build fast. However, we cannot compromise on quality or affordability. It means very little for thousands of new homes to spring up in an area if the people who live in that area cannot afford them.

Rental costs should not account for two thirds of tenants’ incomes, and it is on social housing that we must focus to address the housing crisis. Labour has already made a commitment to stop the sell-off of 50,000 social rented homes a year by suspending the right to buy and to transform the planning system with a new duty to deliver affordable homes to make more land available more cheaply. Councils are not adequately staffed to oversee planning applications, and the industry does not have the skills and innovation to deliver what we need. Labour will ensure that both councils and the industry have what they require.

Everyone should have a safe place that they can call home, but that is so often not the case. A young person may not be able to return to the family home because he or she is at risk of harm. An older person may not be able to go upstairs safely and may therefore need a different type of accommodation. A survivor of domestic violence may need somewhere safe to rebuild his or her life. A family may be sleeping in a car because it is cleaner, and perhaps safer, than temporary accommodation. I am thinking of some of the destroyed families referred to by my right hon. Friend the Member for East Ham (Stephen Timms).

Successive Tory Governments have failed all those people. It is time that we had a Labour Government putting housing front and centre, putting right the failures and sorting out the crisis that so many face today. As my hon. Friend the Member for Mitcham and Morden said, we have done it before and we will do it again.

4.47 pm

The Minister for Housing (Ms Esther McVey): I thank the hon. Member for Mitcham and Morden (Siobhain McDonagh) for bringing the debate to the Floor of the House and I thank everyone who has contributed to it.

There has been much agreement across the Floor on what we would like to happen, and, more importantly, what we do not like the look of and is not the way forward. None of us can agree with the exorbitant pay packets that some people have received. We are also all agreed that—in the hon. Lady’s words—the market is not working. That is right; it is not. We might have different ways of resolving that problem, but we would say that, if there are not enough houses in the market, it is not working. Various implementation schemes should operate for a short period, until we have ensured that there are more homes in the market, and that is what we are doing.

It has been a scandal how fewer houses have been built decade after decade, but we are turning that around. Let us look at some of the figures. We have delivered more than 1.3 million new homes since 2010, including more than 430,000 affordable homes. In the most recent
year, we have delivered more than 220,000 additional homes, the highest level in all but one of the last 31 years. The latest indicators show that we are on track to meet our 2015 manifesto commitment to add 1 million more homes by 2020.

Those who have talked about homelessness will be heartened to learn that, for the first time since 2010, the annual rough sleeping statistics have shown a decrease in the number of those sleeping rough. That reflects the Government’s substantial investment and support over the last few years. But what we want to see is the right houses being built; choice in who is building them; and an SME market, not just a market of the top four or five in the building sector. We as a Conservative Government want to bring back the SMEs; 30% were lost during the financial crash and never came back. We want those businesses back and, more importantly, as my hon. Friend the Member for South Norfolk (Mr Bacon) said, we want there to be the right to build: we want to be able to make sure there are not just a few companies, building thousands of homes, because there could be thousands of individuals making their own homes. That is what we are about: choice and opportunity as we go forward.

We have said we would deliver 300,000 homes by the mid-2020s. That is my ambition and the ambition of the Conservative party. How will we go about it? I have said that we have been delivering more each year, but we want to bring together a centre of excellence for construction and engineering in the north of the country. We want to have a global leader for construction and engineering, bringing forth those technological solutions we have been talking about such as modern methods of construction and environmental innovations in the housing market.

However, let me pick up on some of the things we do not want to see in our journey. We want to offer an array of choice and opportunity as we go forward. We want people to be homeless; we want them in temporary accommodation. We do not want people to be homeless; we want them in permanent accommodation, and that can only be brought about by fixing the market and making sure we build more homes, which is what we are doing.

Mike Amesbury: Weaver Vale Housing Trust covers my area as well as the Minister’s. It has real concerns about the lack of clarity on funding going forward. She mentioned social housing; the key is to build more social and affordable housing. There is not clarity at present, so we are not building the numbers of homes that we need.

Ms McVey: We are and will be building more affordable homes. We have put in a significant amount—billions of pounds—for affordable homes and have also removed the cap so councils are able to build homes, too. That is what we have to do. We are a party that believes in choice. I come from a council house. I believed in the right to buy in the 1980s to make sure people could be in charge of their own homes. Homes were not being repaired properly. People bought them and looked after them. Now we have to make sure we build more homes, so there is a virtuous cycle and there are more homes.

We are a nation that believes in home ownership. We need to enable people to have their own homes. We know that 80% of people want their own homes. What are we doing? We want to offer an array of choice and support. As my hon. Friend the Member for South Norfolk said, this is also about the ability of individuals to build their own homes.

Alex Cunningham: Home ownership under the Tories in the past nine years has dropped from 67% to 64%. How is the Minister going to put that right?

Ms McVey: Through an array of support. Obviously, I have been heartened by the fact that first-time ownership has increased for the first time in 11 years. People are getting on the housing ladder. We have helped more than 500,000 people through Help to Buy and the right to buy, and we intend to continue to do that.

Mr Bacon: May I draw my right hon. Friend’s attention to the £25 billion a year housing benefit budget, which represents 3% of all public spending? It will be £0.25 trillion over the next 10 years, and it has been £0.5 trillion over the past 20 years or so. The permanent secretary in her former Department, Peter Schofield, who used to be the director of communities in the Ministry of Housing, Communities and Local Government, came with us to Berlin to look at more creative and innovative ways of delivering housing. May I suggest that my right hon. Friend talks to the Department for Work and Pensions about trying to use some of that housing benefit budget—admittedly, it is helping some housing associations, but it is also propping up private landlords—for capital investment in a greater quantity and quality of housing stock?
Ms McVey: My hon. Friend will not be surprised to hear that that is exactly what we intend to do. How do we enable people to get on the housing ladder and to be homeowners in an array of homes they would like and need? How do we best use housing benefits to enable that to happen? As I have said, we have built more homes in this last year than in every one of the last 31 years. We are correcting a market that has been undeniably not supported for the last 31 years. We are getting it right. We have built more houses. Where we see the misuse of leaseholds, we will get rid of that. We will be supporting people with an array of opportunities.

Ruth Cadbury: With due respect to the Minister, I think that the hon. Member for South Norfolk was talking about the housing benefit bill, which is not relevant to people who can buy their own homes. He was saying that that money would be far better spent on building affordable social rent homes for people who will never be able to buy their own homes. Meanwhile, the Help to Buy programme has simply increased the price of flats in London.

Ms McVey: I did understand what my hon. Friend the Member for South Norfolk was talking about. He talked about the £24 billion that was going into housing benefit and asked how we could best use that to help to build more homes, which could include social and council homes. I understand that, but at the same time, we have to ensure that more people can get on the housing ladder.

We are at the start of building 300,000 homes a year. That is not just about the homes; it is about reshaping an industry. At the same time, we want to be a global visionary centre of expertise in building. Let us think about all the jobs that that will provide, if we have the commitment to do it together. That is why we will have a centre of excellence in the north of England to look at the best ways forward for construction and engineering. That is what a determined Conservative party is going to do. We are going to build the right houses, champion home ownership and make a centre of excellence for building.

Siobhain McDonagh: I thank everyone who has contributed to the debate. In the few seconds I have left, I want to ask that we ban the word “affordable” in the context of housing. “Affordable” means 80% of market rent, but the vast proportion of our constituents could never afford 80% of market rent. Let us talk about social housing rent and owner occupation, but let us also clearly address the question of what is affordable, because the “affordable housing” is not affordable.

Question put and agreed to.

Resolved.

That this House notes with concern the ongoing shortage of housing and the housing crisis across England; further notes with concern the number of families in temporary accommodation and the number of people rough sleeping; acknowledges that there are over one million households on housing waiting lists; recognises the Government’s target to build 300,000 new homes each year; acknowledges that this target has been missed in each year that the Government has been in office and that the number of homes constructed by housebuilding companies that are deemed affordable is insufficient; notes the pay ratios between executives and employees in FTSE 370 housebuilding companies; and calls on the Government to tackle the housing crisis as an urgent priority.

Skerne River: Discover Brightwater Project

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

5 pm

Phil Wilson (Sedgefield) (Lab): I want to take this time to talk about a heritage and environmental project in my constituency that will over the next few years restore, reveal and celebrate life along the River Skerne. The river flows through the length of my constituency before reaching the River Tees at Hurworth Place after flowing through Darlington. Unlike the vast majority of rivers, it flows inland instead of running to the sea. The Skerne is not widely known, except perhaps to local people. It is not the Thames, the Wear, the Tees or the Tyne, and it is not the Severn or the Tweed. In parts it resembles a stream and can be seen in geographical terms as a tributary of the Tees, but the Skerne’s significance can be measured in other ways.

The Skerne is the only river to appear on the back of a five-pound note. The note in question was issued in 1993 to celebrate the success of the railway pioneer George Stephenson and includes an image of Locomotion No. 1 travelling across the Skerne bridge over the river. The bridge is almost 200 years old and is the oldest continuously used railway bridge in the world. Historic England called the bridge irreplaceable, along with the Angel of the North and Holy Island off Lindisfarne. The bridge is in the neighbouring constituency of my hon. Friend the Member for Darlington (Jenny Chapman), but the early trains that crossed the Skerne at this point first travelled from Heighington Crossing in my constituency of Sedgefield, of which more later.

That link to the industrial revolution is the reason why the Discover Brightwater project is necessary. The project is a £3.3 million landscape partnership programme supported by the National Lottery Heritage Fund. To date, about £7.6 billion has been spent on improving landscapes and preserving heritage in programmes like this around the country. The Discover Brightwater project focuses on improving the natural and cultural environment endeavours to work with community groups to discover and reveal the history of the area, improve existing environments and create new nature reserves for the benefit of wildlife and land users. The Brightwater partnership includes Durham Wildlife Trust, Durham County Council, Darlington Borough Council, the Environment Agency, the Tees River Trust, the local access forum, and the Architectural and Archaeological Society of Durham and Northumberland—known as “Arch & Arch”.

“Skerne” is an ancient word, which is believed to originate from the old Norse word “skir” meaning "bright” and “clean”, hence the name of the Discover Brightwater project. Many years ago, the Skerne was full of fens and wetlands, hence the name of my constituency and the nearest town of Sedgefield. The wetlands still exist in part, but land has been reclaimed for farming since the start of the industrial revolution and water was pumped away due to the growth of the coal industry. Experts believe that the water table fell as much as 70 metres, so the fens and wetlands are not what they used to be. Names of ancient settlements reveal what the area was like centuries ago. The name Sedgefield is a case in point, as is Bradbury and the Isle,
Great Isle farm, and the term “carr” meaning a boggy area or wood in old Norse, which is why we have Preston Carr and Mordon Carr.

The Brightwater Project is important because it wants to manage the local environment and restore the Skerne to some of its past glory. There are plans to create fenland covering 50 acres, which would include the existing Bishop fen near Bishop Middleham and Hardwick Park, and the Woodham fen near Newton Aycliffe. The idea behind creating a managed fen is to spread biodiversity, mitigate climate change and attract tourism. There is also a potential plan to significantly increase the size of the fen to create a Great North fen. Since the end of the industrial revolution and the coal-mining era, the landscape has wanted to return to the way it once was, and that should be allowed to happen, but obviously in a managed way that has the support of landowners, Government agencies and local people. The project is not only about the past. It is about the present and revealing the natural environment and heritage for residents living in this part of south-east Durham, and it is about the future. It is about making south-east Durham a place to visit. There is so much to see and enjoy but, at present, so much remains hidden, with so many stories untold.

Let me take the House on a journey along the 25 miles of the river, which finds its source near Trimdon, the village where I was brought up, and then flows inland to Hurworth Place, which is also in my constituency and is where the Skerne enters the River Tees. The River Skerne starts in the magnesium limestone escarpment between Trimdon and Trimdon Grange in the north of my constituency, just a few hundred metres from the 12th-century St Mary Magdalene church on Trimdon village green, which is the spot where my predecessor, Tony Blair, made his “people’s princess” speech in 1997 following the tragic death of Diana.

During the 19th century, the population of Trimdon expanded rapidly with the opening of the colliery. The importance of the industry to the area helped turn the Skerne from a bright water to the seventh most polluted river in Europe by the 1970s. That is why the Discover Brightwater project is vital to bringing the river back to its former beauty.

The Trimdons grew from the coal industry and supplied the industrial revolution, with collieries at Trimdon Grange, where a pit disaster in 1882 killed 74 men and boys, and at Trimdon and Deaf Hill, as well as a foundry at a place called, strangely enough, Trimdon Foundry.

From there, the River Skerne flows to the east and Hurworth Burn reservoir before meandering south-west, where it enters fertile fields and farmland. The river flows between the village of Fishburn and the market town of Sedgefield. Fishburn is where my mother was born, and my father worked down Fishburn colliery from the ’40s until its closure in 1973. A coke works also operated in the village from 1919 to ‘86.

At their peak, the collieries in the Skerne river area—at the Trimdons, Deaf Hill, Fishburn, Dean Bank, Bishop Middleham and Mainsforth—employed almost 10,000 people. Again, the growth of the villages led to pollution of the river, and phosphates used by local farmers washed from the farmland into the river, causing further pollution.

On the opposite bank from the old colliery is the north-east technology park—NETPark—which is one of the country’s premier science, engineering and technology parks for the commercialisation of cutting-edge research and development. It is home to 32 innovative companies, providing over 450 highly skilled jobs. By 2025, NETPark will be not only the destination of choice but the destination of necessity for universities and blue chip companies.

This area on the banks of the Skerne has the remains of a once great industry on one side and flourishing future industries on the other. It is the centre of the constituency.

As part of the Discover Brightwater project, there have been archaeological digs involving 126 dedicated volunteers on the outskirts of Sedgefield, where remains of a Roman village and pottery have been discovered—the first Roman pottery to be discovered in the north-east. The Discover Brightwater team has been working with DigVentures of Barnard Castle at the East Park Roman site in Sedgefield and at the ruins of the Bishop’s castle in Bishop Middleham a couple of miles away. The discovery of further structures at the site of the Bishop’s castle, which was used by the bishops of Durham, has led archaeologists to believe there were once more substantial buildings than previously thought. This is making archaeologists think again about what was originally at the site of the castle.

From Bishop Middleham and Sedgefield, the Skerne flows through Bradbury and the Isle, an area of wetland through which the A1(M) and the east coast main line travel between Durham and Darlington. It is the geographic heart of my constituency. Because of the wetland, the motorway actually floats on the land.

From there, the Skerne travels past Newton Aycliffe and through Ketton, an ancient area of my constituency that is a broad valley created by the small Skerne river. One feature of the Ketton landscape is a 17th-century packhorse bridge, which stands alone because centuries ago farmers straightened the river, moving its flow from under the bridge. It stands alone as a listed structure. There is written evidence of a bridge at the site since 1294.

The area is also famous for the Durham ox, a massive beast that in 1810 sold for £1,000 and weighed 271 stone. It was a bit of a celebrity in its day and travelled 3,000 miles around the country to be exhibited.

The Discover Brightwater project has improved the River Skerne in the Ketton area from Aycliffe to Skerningham, with the help of volunteers and local communities. The project also wants to improve access to Ketton Valley, so that people can enjoy the beauty of the landscape and the heritage of the Skerne and learn of the many local historical stories that go unheard.

From Ketton, we reach Newton Aycliffe, which is the largest conurbation in my constituency. It is a new town with a population of around 28,000 people, and is home to the Discover Brightwater headquarters. Newton Aycliffe business park is the biggest in the north-east of England, with 10,000 to 12,000 employees.

Newton Aycliffe also played a crucial part during the second world war. It was the site of a Royal Ordnance factory known as ROF Aycliffe. Opened in 1941, at a cost of £7 million, the munitions factory was home to the famous Aycliffe Angels, one of whom was my...
grandmother. The 17,000 strong workforce of almost entirely female employees worked around the clock turning out 700 million bullets, as well as shells and mines for the allied war effort. Their work was dangerous, with numerous accidents and deaths at the factory, including one explosion that killed eight girls. However, those incidents went unrecorded and unacknowledged because of the secrecy of the site. The Aycliffe Angels finally received the recognition they deserved for their commitment and bravery in 2000, with a memorial service and a permanent memorial, which now rests in Newton Aycliffe town centre.

However, the factory’s essential and invaluable work produced pollutants that ended up in the Skerne.

On the very edge of the business park sits Heighington Crossing and beside it a building that was once a pub called the Locomotion, now closed for several years. The pub was called the Locomotion to commemorate the fact that it was at Heighington Crossing in September 1825 that George Stephenson assembled Locomotion No. 1 to enter service on the Stockton and Darlington railway. The route would eventually take the latest invention on the Skerne bridge over the Skerne river, marking the start of the railway age, which would eventually be celebrated on the reverse of the £5 note. The pub the Locomotion is the original ticket office and waiting room. The original very short platform is still there today, and the route of the railway line from Heighington down into Darlington is still used.

On the other side of the railway line, Hitachi has built its new train manufacturing facility. From the original Locomotion No. 1 to the latest high-speed intercity Azuma train, train manufacturing has come full circle, back to the birthplace of the railways.

The length of the River Skerne is steeped in history. Much of it might be unknown, but the Brightwater project provides the opportunity for that history to be known. It also provides the opportunity for the river to return to its original meaning of “bright water”. There are signs of that happening, with sightings of otters and trout in parts of the river where they have not been seen for a long time.

After decades of the industrial revolution, the landscape is starting to return to how it once was. Obviously, that process must be managed. However, the benefits of such a project speak for themselves: biodiversity, the mitigation of climate change, the potential for tourism, the preservation of our heritage, with benefits for the local area and the country and the coming together of our communities as Brightwater engages with them. The Skerne has perhaps been neglected for centuries, but it could now be about to tell its story again. I wish the Discover Brightwater project the best of luck in its endeavour.

5.13 pm

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Rebecca Pow): It is an honour to respond to an Adjournment debate under your auspices again, Dame Eleanor.

I thank the hon. Member for Sedgefield (Phil Wilson) so much for bringing the debate to the Chamber. It struck me how much we learn about our nation and our colleagues through the things that are said in this Chamber. I was fascinated to hear all about the Skerne river. The hon. Gentleman took us on a great journey down a river that I knew little about before he started, but I now know a great deal about it—and about the hon. Gentleman’s life and roots. I am very pleased to be here talking about the subject today.

I have been to Sedgefield because my son is at Durham University and we stayed in Sedgefield only recently. If I had only known about the pub, I would have gone for a beer. I would say that most people know Sedgefield only for the racecourse, but now we will be talking about the river.

As Minister for arts, heritage and tourism, it is of real interest to me to talk about the Discover Brightwater project, which will restore an important area of the north-east and bring wealth and benefits to the surrounding communities. Although it is still at a relatively early stage, it highlights how important projects that build on tourism and heritage can be to the local economy.

Let me say a little about tourism, which is a huge industry for the nation. As Minister, I see it as one of my roles to make sure it becomes even more important, and I know I have support on the Government Benches in that respect. Tourism already contributes £68 billion directly to the UK economy each year. Inbound tourism has risen in the past three years, and in 2018 more than 37 million people visited the country and spent a phenomenal £22 billion. That is not to be overlooked.

Visitors are spread far and wide throughout the country and travel to all parts of our nation—all regions and areas—so tourism is a good way to spread wealth.

Whichever they go to England’s coast, to historic cities, to the highlands of Scotland, to the glens of Antrim or to castles in Wales, there is all sorts to attract them. Indeed, there are also our natural landscapes, whether it is the Somerset levels in my constituency of Taunton Deane, the Yorkshire dales or the North York moors national park just beyond the boundaries of the hon. Gentleman’s constituency.

Tourism creates jobs in every local authority in the country, and the money that visitors spend directly supports local economies and benefits communities. It also creates great opportunities for investment and growth.

Indeed, in the north-east the benefits have already been felt, to a great extent: international visits have hit new heights in the past five years, and visitors have spent a great deal of money, with £300 million spent in 2018. That is not insignificant.

I am of course fully aware of the importance of the UK’s unique and far-reaching heritage offer and the key role it plays in attracting visitors up and down the country, helping to drive tourism. Visitors travel in their thousands to see outstanding heritage sites such as Fountains Abbey and Belsay Hall—both in the north-east—or Wells cathedral and Glastonbury tor, both down in Somerset. There is a plethora of wonderful sites to choose from.

Heritage makes a big contribution to the economy: the heritage sector alone brings in £29 billion of the £68 billion that tourism attracts, and it employs 450,000 people.

Heritage makes a big contribution to the economy: the heritage sector alone brings in £29 billion of the £68 billion that tourism attracts, and it employs 450,000 people. Heritage tourists made more than 230 million visits in 2018. I am well aware of the part that heritage plays, and we heard from the hon. Gentleman lots of examples of how heritage is part of the Discover Brightwater project.

If one builds around heritage, pride rises in the community. I recently responded to a debate in Westminster Hall about Hull, which has been a city of culture...
All the investment in the culture and heritage in that city has meant that pride in the city has risen, and three out of every four people in Hull are now very proud to live there. Apparently, that was not the case a few years ago. A lot of that is because of the work to build on the projects in which people have been engaged.

For all those reasons, I was very interested to hear about the Discover Brightwater project, to which the National Lottery Heritage Fund, with which my Department enjoys a close relationship, committed £2.64 million of spending in spring 2018. As we have heard, the project brings together a partnership of local bodies and charities, all working to restore and reveal the considerably rich industrial and agricultural heritage along the length of the river. I was really interested to hear about the collieries and that side of things, as well as the armaments factory and the archaeological digs.

I wish to touch on a couple of the treasures that are already in this patch. One is the Stockton and Darlington railway, which was the first public railway in the world to use steam locomotives. It was opened in 1825 and connected the collieries with the port of Stockton-on-Tees. It crossed the River Skerne at Darlington on the impressive Skerne bridge, which is the oldest continuously operated railway bridge in existence—I have definitely learned something there. It was indeed on a stamp, and because the bridge was on the stamp, so too was the river, so it is already quite famous.

Then there is that amazing beast, the Durham ox, which we have heard about—an early example of the shorthorn cattle breed that helped to establish breed standards in the dairy industry. This matter is close to my heart, as I was brought up on a dairy farm where my father bred Ayrshire cattle, which I used to show with him at the local shows. Such examples are a really important part of our history that went on to influence our agricultural industry. The Discover Brightwater programme will build on that project to help interpret and share those stories, and I think it will be very popular.

I was pleased to learn about the wider community involvement and traineeships that are part of this project, increased to short heritage skills courses and lots of community-led research. All these things chime very well with the tourism sector deal that we launched recently. I will mention that a bit more in a minute.

As a great lover of the great outdoors, I was especially glad to hear that the project will open up access to green spaces. I was also pleased to hear about the community involvement. Of course, access to green open space provides rewards for our mental health and physical wellbeing. There is a lot of data to show that access to green space can really help in those areas. The project is near some quite deprived areas, which often do not have such good access to green space, so I see it as being really beneficial there.

In a world where sustainability and the environment are increasingly important, I was glad to hear about the wider environmental benefits of the project, particularly with regard to improving water quality. We heard how terribly polluted the river was before, and that the situation has really been turned around. I was very interested to hear about the former wetland and the work to alleviate flooding and strengthen the nature-rich habitats. All this work will be a draw to visitors, as I know from experience because I come from the Somerset levels area—one of the world’s most famous international wetland sites. The area is really popular for tourists because of all the nature and wildlife it attracts. We have already heard that the otters and trout have returned to the River Skerne, which is absolutely wonderful, especially when one thinks of how polluted it was before. There has been a real turnaround and I think it will be a big draw.

I gather that the project will also open up better access, as well as cycle routes, walkways and walking routes, all of which I am sure will be popular. For lots of those reasons, I commend the Discover Brightwater project and other similar examples around the country, because they build on strengths such as heritage, working with communities and developing our already attractive areas, and make a great deal more of them. Tourism is a growing industry, with the number of international visitors set to rise, and we need to be ready for them with a good offer once we attract them here. That offer has to be of the highest calibre, and that means not just the attractions, but the accommodation—places for the people to stay, just as I stayed in Sedgefield—as well as the provenance of the food and drink. All these things can be built into the project, together with working on the prized landscape. The River Skerne project offers all this potential.

The £40 million Discover England fund, which was launched in 2016, demonstrated that this Government are committed to investing in the country’s visitor offer, making it as easy as possible for travellers to discover the variety and range that England has to offer. I will give a couple of examples. The England’s Coast project allows visitors to build itineraries and experiences based on England’s glorious coastal offer. We have a fabulous coast and fabulous beaches. In the north-east, that includes the Durham heritage coast—I am sure the hon. Gentleman knows it well—and the historic seaside resorts of Redcar and Saltburn-by-the-Sea. The Discover England fund is not the only way the Government have invested in tourism in the north-east either. Earlier this year, the coastal communities fund awarded £1.3 million to the Durham heritage coast partnership to create a visitor and events hub at Crimdon beach.

Those projects, and indeed all those supported by the Discover England fund and other funds in the past three years, illustrate the Government’s commitment to tourism in regions all around the country. I particularly welcome the Chancellor’s announcement yesterday, which I was pleased to play a small part in, of another £5.5 million for the Discover England fund, which will enable it to carry on for the next year and, we hope, for a long time into the future. These projects demonstrate how well they work and what they can generate for the economy.

The Chancellor also announced an excellent deal yesterday for our arm’s length bodies, which include the Arts Council, which dispenses funds around the country for projects, and all our museums and galleries, all of which play a part in our visitor and heritage offer and attract many visitors. That was a really welcome announcement in the spending round yesterday.

The tourism sector deal, which was launched in June, is a clear demonstration of the Government’s commitment to the tourism industry and its potential for boosting productivity and ensuring that we are ready for the extra visitors we are expecting. It was the 10th sector deal
that the Government have announced, and it includes a raft of measures that the whole industry came to agree were important to grow the industry. Those measures include a £250,000 conference centre broadband competition so that events and conference centres can bid for money to improve the connectivity of their conference centres. That is a big and growing sector with a lot of opportunity. I am not sure if there are any opportunities on the River Skerne for a conference or a centre, but you never know.

The sector deal also includes an ambition to build another 130,000 hotel rooms across the UK and to build in apprenticeships and mentoring schemes with business, all of which will help to strengthen this and make the whole industry increasingly professional. I was pleased, therefore, to hear from the hon. Member about the skills and the training in relation to the Skerne project. It will be very important to upskilling locals and keeping them in the area to earn their living.

To sum up, tourism is vital to the UK economy, and of course heritage is a big part of that, as well as all the things we have mentioned today, such as landscapes, access, places to stay—all the suggestions and ideas going into this project, not least the Durham Ox. I do not know if that is going to be a museum about the ox or a model being built of the ox, but I will be fascinated to find out what happens. I really hope that the hon. Member keeps the Department posted about how it is going. I wish him all the best of luck with it. Such projects always deserve a champion, and the House of Commons is just the right place to raise it, to get a bit of attention for the project and to entice more people up there. As the arts, heritage and tourism Minister, I would like to commend it and celebrate it. We need to celebrate and showcase these great things about our nation that will benefit the economy, bring local communities together, make them proud of where they live and make the rest of us proud of our glorious UK.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): On a point of order, Madam Deputy Speaker. I apologise for the unusual nature of raising a point of order at this time of day, after the Adjournment debate, but I wonder whether you have had any notice of a possible statement at some point by the Home Secretary to explain why the Prime Minister is currently attending a clearly party political electioneering stunt in Wakefield with what appears to be upwards of 50 police officers surrounding him for the benefit of the media and the Prime Minister’s clearly political speech. This is clearly entirely inappropriate.

I am a member of the Home Affairs Committee and we have regularly raised concerns about the lack of police resources. Many of us are often pictured with police officers—I am sure you have been yourself, Madam Deputy Speaker—when they are doing hard work in our communities, as they should be. Serious questions need to be asked about the use of police time in this way and the potential politicisation of the police. I wonder whether you have had any notice of the Home Secretary coming to explain why on earth this is going on.

Madam Deputy Speaker (Dame Eleanor Laing): I thank the hon. Gentleman for his point of order. It is a somewhat unusual point in the proceedings for a point of order, but I understand why he wished to bring it forward at this moment, its having presumably only just come to his attention. I have had no notice of any forthcoming statement or debate from any Ministers on this matter. However, the Home Secretary and Home Office Ministers are certainly very careful to make sure that the House is always kept informed about matters concerning security—security for Members of Parliament, security for Ministers, and also, one would presume, the security of the Prime Minister. I am sure that if any further explanation about what is currently happening is required, Ministers will keep the House informed. I thank the hon. Gentleman for his courtesy.

Question put and agreed to.

5.30 pm

House adjourned.
Oral Answers to Questions

EDUCATION

The Secretary of State was asked—

Leaving the EU: Tertiary Education

1. Patrick Grady (Glasgow North) (SNP): What assessment he has made of the potential effect on tertiary education of the UK leaving the EU without an agreement. [912309]

20. Alan Brown (Kilmarnock and Loudoun) (SNP): What assessment he has made of the potential effect on tertiary education of the UK leaving the EU without an agreement. [912329]

The Secretary of State for Education (Gavin Williamson): Leaving the European Union with a deal remains the Government’s top priority. We will work in an energetic and determined manner to get the very best deal, and a better deal than has previously been put to this House. We are supporting the sector to manage the transition through Brexit, including providing reassurance on participation in EU-funded programmes, future migration arrangements and access to student support.

Patrick Grady: The right hon. Gentleman was always energetic and determined when he was the Government Chief Whip and we worked together. What reassurances can he provide to the University of Glasgow in my constituency, which is having to issue emergency advice to conduct inventories of their materials in case it is not possible to pre-order perishable goods such as gases. It is reminding staff and students “that, in the event of a no-deal withdrawal, EU countries may not admit individuals with passports which are due to expire within six months of the date of travel.”

This is the kind of debilitating effect it is having. Would it not be better to accept the inevitable, and rule out no deal and ask for the extension now?

Gavin Williamson: We have worked and will continue to work closely with higher education institutions, including the University of Glasgow, to ensure, if we do leave without any deal with the European Union, that all mitigations are put in place. I very much look forward to working with the hon. Gentleman in this role as I did when we were both Chief Whips together.

Alan Brown: Some 96% of EU students who study at Scottish universities enrol on courses that are longer than three years. Does the Secretary of State agree that Scottish universities cannot but be adversely impacted by the Home Office’s current temporary leave to remain scheme, which allows for students being here for three years, as in Scotland they would then need to apply for a tier 4 visa? Does he agree this is unfair?

Gavin Williamson: The hon. Gentleman raises an important point. I know this matter has been raised with me by a number of Scottish Conservative and Unionist MPs and it is certainly something I am looking at closely, but I thank him for taking the time to raise it in the House.

Maggie Throup (Erewash) (Con): Will my right hon. Friend reassure the House that as well as ensuring our great universities—such as Derby and Nottingham near my constituency—can continue to educate overseas students from the EU, he is working towards reciprocal agreements so that young people in my constituency of Erewash can continue to study in EU countries?

Gavin Williamson: We are having such discussions with European member states, and we are making very good progress on this. It is very important that we ensure the United Kingdom remains a destination that EU students want to come to study in, and we have big ambitions to ensure we continue to deliver on that, but also that our students from our constituencies have the opportunity to study abroad.

Carol Monaghan (Glasgow North West) (SNP): There have been alarming reports that the Department for Education is considering an Erasmus+ replacement programme for England only, with potentially no consequential funding for the devolved Administrations. Will the Secretary of State admit that this would amount to a complete abandonment of students across the UK, and will he take this opportunity to confirm that an England-only scheme is not something this Government will consider?

Gavin Williamson: We think that it is important for us to look at the interests of all students across the whole United Kingdom.
Carol Monaghan: I am not sure that that was an answer. Last Thursday, my hon. Friend the Member for Glasgow Central (Alison Thewliss) asked the Under-Secretary of State for Exiting the European Union about the status of Erasmus students who are currently in Scotland, specifically if they go home, for example at Christmas, whether there is a guarantee that they can return in the event of a no-deal Brexit. In response to her question, the Minister stated, “Yes.” Will the Secretary of State detail how that process will work, given that those students are not applying for settled status?

Gavin Williamson: I am very happy to write to the hon. Lady with more details and give her the reassurance that she seeks. We recognise how important it is for the UK as a whole to remain an attractive destination for people who wish to study, and that is vital in every component part of the United Kingdom, including Scotland.

Angela Rayner (Ashton-under-Lyne) (Lab): Well, well, well. The Secretary of State has had quite a start. Rumour has it that he forgot to appoint a Skills Minister, and we are now waiting for our fifth Higher Education Minister in just two years. Will he tell us the fee status of European students after 2020, and will our universities still benefit from Horizon, Erasmus, and the European University Institute or not?

Gavin Williamson: We continue our negotiations and discussions with the European Union to ensure that we have access to these schemes.

Angela Rayner: Well, I am sure that the Secretary of State would like me to shut up and go away, but I am not going to do that. He has to try harder with his answers. Will he publish officially his no-deal impact assessment and contingency plans, and tell us how much his Department is spending on no-deal preparations? Can he give us a clear guarantee that his no-deal plans do not include suspending or weakening food standards in our schools?

Gavin Williamson: I can give the hon. Lady that assurance, yes.

Funding Educational Facilities: Dudley

2. Ian Austin (Dudley North) (Ind): What plans the Government has to allocate funding to educational facilities in Dudley.

The Secretary of State for Education (Gavin Williamson): Dudley will benefit from the substantial additional investment in education, including £14 billion for schools across England over the next three years, and £400 million for 16-to-19 education next year, on top of additional money provided to cover pension costs.

Ian Austin: It is my job to stand up for Dudley, so I am absolutely delighted that our campaign for a new university-level technical skills and apprenticeship centre has paid off, with the announcement on Friday that we were getting £25 million from the stronger towns fund. Is this not exactly what is needed to bring good, new, well-paid jobs in high-tech industries such as advanced autonomous electric vehicles and healthcare to replace those that the Black Country has lost in traditional industries?

Gavin Williamson: I take this opportunity to pay tribute to the hon. Gentleman and to my hon. Friend the Member for Dudley South (Mike Wood) for all the work they have done in campaigning to deliver this for Dudley, and for the work they have done to deliver the institute of technology in Dudley as well. That will all go towards generating the right skills and the right educational outcomes not only for the whole town of Dudley but much more widely. I very much hope to visit Dudley. Hopefully, the hon. Gentleman will be able to join me to discuss how we can do more for Dudley and the surrounding area.

Margot James (Stourbridge) (Ind): Following the deeply regrettable closure of Stourbridge College earlier this summer, will my right hon. Friend consider meeting the principals of all the Dudley colleges—Dudley College, Halesowen College and King Edward VI College—with a view to discussing their wish to continue to provide vocational skills training, particularly adult education, in my constituency of Stourbridge.

Gavin Williamson: I would be very happy to meet my hon. Friend to discuss that in detail with those stakeholders.

Further and Higher Education: Quality and Choice

3. Mary Robinson (Cheadle) (Con): What steps his Department is taking to improve (a) quality and (b) choice in (i) further and (ii) higher education provision.

The Secretary of State for Education (Gavin Williamson): We are increasing the funding for 16-to-19 participation through T-levels, and providing support for college improvement. The Office for Students and Ofsted hold HE and FE providers to account for delivery quality and successful outcomes. The teaching excellence and student outcomes framework and new digital tools provide data support in student choice.

Mary Robinson: Last week, at the invitation of sixth-former Anna, I visited Cheadle Hulme High School to speak to students. I welcome the announcement that sixth forms across Cheadle will benefit from the £120 million increase in spending. How will the Secretary of State ensure that that funding will help students in Cheadle to access the widest variety of course, opening up opportunities in areas such as high tech, technology, construction, creative industries and so many others that will benefit the Greater Manchester economy?

Gavin Williamson: As part of the funding increase for 16 to 19-year-olds, a key element is to ensure we are able to deliver those high-value courses that are sometimes more expensive to put on for students. A key element of the funding is preserved for that. I very much hope it will support my hon. Friend’s constituents. I look forward to continuing to work with her. She has campaigned long and hard to deliver this extra money for the colleges in her constituency.
22. [912331] Nic Dakin (Scunthorpe) (Lab): Will the Secretary of State build on that good start by raising the rate for 16-to-19 education to £4,760 per student, which would deliver what is being asked for?

Gavin Williamson: Mr Speaker, I feel as though I have to make an apology to the House. Last time I was at the Dispatch Box, I forgot to mention that the hon. Gentleman had been the principal of a college. I said he was lecturing at a college, so I apologise for demoting him.

I am more than happy to continuously look at how we can give the maximum amount of support for our further education colleges and the 16-to-19 sector. We saw one of the largest increases in the base rate with the announcement last week. That is a good foundation on which to build.

Mr Speaker: The Secretary of State ought to be able to detect the hon. Gentleman’s status and his intellectual distinction from a radius of approximately 1,000 miles.

Julia Lopez (Hornchurch and Upminster) (Con): The extra money for post-16 providers is extremely welcome. It has been warmly welcomed by Havering Sixth Form College in my constituency. However, it appears to be a one-year funding deal, rather than the three-year settlement that five to 16 education providers received. Will the Secretary of State look at giving colleges more long-term certainty by delivering future increases in line with inflation and raising the overall rate for 16 to 18-year-olds?

Gavin Williamson: My hon. Friend raises a very valuable point about the importance of long-term certainty for all parts of the education sector. That was very clearly explained in the report from the Select Committee chaired by my right hon. Friend, the Member for Harlow (Robert Halfon). We will continue to look at it. It was a one-year settlement for 16 to 19-year-olds. We made sure we gave as much certainty in the schools sector as possible. We continue to look at what more we can do to give confidence to the further education sector on how to invest in the future of our young people.

Mr Speaker: Another cerebral intellectual, Dr Roberta Blackman-Woods.

Dr Roberta Blackman-Woods (City of Durham) (Lab): Will the Secretary of State tell the House what plans he has to implement the recommendations of the Augar post-18 education review?

Gavin Williamson: We will be looking at updating the House later on this year on our response to the Augar review. I met Philip Augar just a few weeks ago to discuss it in some depth. We will continue to keep the House updated over the coming months.

Jack Lopresti (Filton and Bradley Stoke) (Con): What conversations has my right hon. Friend had with the Secretary of State for Housing, Communities and Local Government, specifically to talk about continuing the process of devolving further education to our locally elected mayors?

Gavin Williamson: This is something we are taking a lead on. We are already in the process of devolving many responsibilities to locally elected mayors. I will be having further discussions with my right hon. Friend the Secretary of State for Housing, Communities and Local Government on how we can make that work as efficiently and as well as possible to deliver the skills that are needed for our urban areas.

Apprenticeships: Quality

4. Peter Aldous (Waveney) (Con): What steps his Department is taking to improve the quality of apprenticeships.

The Secretary of State for Education (Gavin Williamson): We have fundamentally changed what apprenticeships involve. We have new high-quality standards developed by industry for industry. Apprentices are now getting more off-the-job training, while endpoint assessment ensures they are fully competent. Our new quality strategy will ensure that all apprenticeships are of the highest quality both in design and delivery.

Peter Aldous: I am grateful to the Secretary of State for that answer. Will he work with and support the New Anglia local enterprise partnership in setting up its levy pool, which will ensure that more SMEs in Suffolk and Norfolk obtain funding for training and apprenticeships?

Gavin Williamson: My hon. Friend raises an important point. We have already increased the amount of the levy being directed in that way from 10% to 25%. We will very much look at working closely across the whole region of East Anglia on how best we can support this important initiative that makes sure that young people who want the training and people who are retraining have the right skills to be competitive in the jobs market.

Rachel Reeves (Leeds West) (Lab): Last Friday, I met graduates of the Forging Futures scheme at Kirkstall Forge in my constituency. Those young people, who were previously not in education, employment or training, now have a bright future to look forward to, but because that is a pre-apprenticeship scheme it gets no Government funding. Will the Government look again at funding such schemes to give young people, such as those I met on Friday, a better future to look forward to?

Gavin Williamson: I would be very happy to look at the details of the scheme that the hon. Lady outlines. It is important for everyone on both sides of the House that we do everything so that those who need the maximum amount of support always get it.

Anne Milton (Guildford) (Ind): Will my right hon. Friend ensure that the apprenticeship programme has the year-on-year cash that it needs to continue to deliver the life-changing opportunities that it does to people of all ages, without restriction?

Gavin Williamson: I take this opportunity to thank my right hon. Friend for all the work that she has done for this sector. Much of the work that we have inherited is down to her close attention to detail in delivering for a sector that she is so passionate about. I also thank her for the work that she did as a Deputy Chief Whip, when she was slightly less friendly, but equally effective.

I will certainly look at how we ensure that we have the right funding for apprenticeships. Apprenticeships have been one of the greatest successes of the Government.
We have achieved so much over the last nine years, encouraging so many young people to take up the opportunity to train in an apprenticeship and have the skills that they need to succeed in future. We will be determined to build on that success.

Mr Speaker: I think the Secretary of State is rehearsing for his conference oration. That has to be what it is—we are grateful to him.

Gordon Marsden (Blackpool South) (Lab): This Government are making a complete hash of the apprenticeship levy in quality and quantity. It is running out of money, so the trainers who provide 70% of all apprenticeships cannot meet the demand from small businesses, such as the two I met recently in Blackpool that have had no money from the Department for Education. There was nothing new in the spending review for providers or for small businesses for apprentices. Starts for 16 to 18-year-olds are down 23% on the pre-levy numbers. There was nothing for the 800,000 young people who are stagnating in the NEET category, as my hon. Friend the Member for Leeds West (Rachel Reeves) pointed out. There is not even a dedicated day-to-day Skills Minister to tell them, or us, why they are in this mess. Has anyone in this disappearing Government left the lights on?

Gavin Williamson: We have seen a change in attitudes as to what apprenticeships are able to deliver. After a decade and more under the Labour party, when we saw apprenticeships devalued and reduced, we have seen a seismic change in what we are doing, driving up the quality and status of apprenticeships. I know that colleagues on the Conservative Benches take great pride in what has been achieved, but we are always conscious that so much more needs to be done.

Funding Increases for Schools: Timetable

5. Bambos Charalambous (Enfield, Southgate) (Lab): What discussions he has had with the Prime Minister on the timetable for increasing the level of funding for schools.

7. Helen Whately (Faversham and Mid Kent) (Con): What plans the Government has to increase the level of funding for schools.

The Minister for School Standards (Nick Gibb): In August, the Prime Minister announced an extra £14 billion for schools in England over the next three years. That will bring the school budget to £52.2 billion in 2022-23. This will allow funding increases for all schools. In particular, our pledge to level up pupil funding means that every secondary school will receive a minimum of at least £5,000 per pupil next year, with every primary school getting a minimum of at least £4,000 from 2021-22. This is the largest cash boost in a generation, and that has only been possible because of our balanced approach to public finances and careful stewardship of the economy since 2010.

Mr Speaker: The Department for Education is no doubt very illustrious, but it is not well versed in the application of the blue pencil.

Bambos Charalambous: The Chancellor’s promise to increase school funding is welcome, but he has given no extra money to schools for this year. School budgets are at breaking point, so will the Minister acknowledge that he is leaving schools on the brink?

Nick Gibb: What the hon. Gentleman says is not actually true. We have given extra money to fund employer pension contributions this year and to partially fund the pay grant over and above the 1%, and now the 2%, that is affordable, so we have provided schools with extra money this financial year.

Philip Davies (Shipley) (Con) rose—

Mr Speaker: We have got to hear the voice of Shipley. I call Mr Philip Davies.

Philip Davies: Thank you, Mr Speaker. I congratulate the Minister and the Secretary of State on securing the extra funding from the Chancellor in the spending review. As the Minister knows, I have been arguing for this for some time. Can I urge him to front-load this money, because we know that school costs have been outstripping their incomes? They need this money as soon as possible. And while he’s there, as the Secretary of State is Bradford educated, will the Minister encourage him to return to Bradford district in order to visit some schools in my constituency?

Nick Gibb: I pay tribute to my hon. Friend for his conference oration. That has to be what it is—we are grateful to him. I pay tribute to my hon. Friend for the work and campaigning he has done to secure extra funding for schools in his constituency. He has been successful in ensuring we have the most generous schools settlement in a generation, and that is in part a tribute to his work, as well as that of my right hon. Friend the Secretary of State, who has heard his request for a visit to Bradford and I am sure will comply.

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): Not that I would ever wish to appear ungrateful to the unmoveable Schools Minister, but he will be aware that there is a funding shortfall of £1.2 billion for children with special needs and disabilities. In Hull alone, the shortfall is £4 million. Will he please ensure that all our children can have their needs met by urgently addressing this funding shortfall?

Nick Gibb: We take this issue as seriously as the hon. Lady does, which is why we have announced within the £14 billion a £700 million increase for special needs. That is an 11% increase. We absolutely understand the pressures that local authorities have been under and we are addressing it.

Helen Whately: I welcome the extra £14 billion of school funding that the Government have committed to. Will my right hon. Friend ensure that some of that money goes to schools in my constituency, some of which have been historically underfunded? They are fantastic schools but could do even better with more money.

Nick Gibb: My hon. Friend has been a redoubtable campaigner for school funding in her constituency. Thanks to her efforts and the balanced approach we have taken to the public finances, the school funding
settlement will mean that every school in her constituency will attract an increase in funding and that 75% of secondary schools there will benefit from our pledge to level up school funding to at least £5,000 per secondary school pupil.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Could I suggest to the right hon. Gentleman that it does not cost any money at all to save children’s lives in a measles epidemic by making every school see a certificate of MMR vaccination before they get to the school? Will he take on board another point? My schools tell me that after all these years of deprivation—since 2010—in schools it will take a long time to come back, even with the quick fix of the money he is now throwing at them.

Nick Gibb: The Institute for Fiscal Studies has said that this funding represents a large increase in per pupil spending and reverses the reductions to real-terms per pupil funding for five to 16-year-olds. The hon. Gentleman is right about MMR. It is very important that parents vaccinate their children. There is a lot of information available about the safety of the MMR vaccine from the NHS, and we would encourage parents to look at that information before making a decision.

Sir David Evennett (Bexleyheath and Crayford) (Con): I warmly welcome the recent education financial settlement, which is good news for all schools across our country. Does the Minister agree that such resources will help to make schools and education provision even better so that all children across the country can benefit?

Nick Gibb: My right hon. Friend is absolutely right. This funding will mean that we can continue our education reforms and continue to drive up standards—standards of reading and maths in our primary schools and in the whole range of the curriculum in our secondary schools.

Mike Kane (Wythenshawe and Sale East) (Lab): They say that faith is the substance of things hoped for over the evidence of things not seen. At the time of her resignation, the right hon. Member for Hastings and Rye (Amber Rudd) said “Judge a man by what he does, not what he says.” The Secretary of State has been part of a Government who have slashed £1.9 million from the school in his own constituency in the last four years. Codsall Community High School has lost £700,000, and Staffordshire has had to slash £60 million from its budget. The electoral promises are not worth the textbook that they are written on, are they?

Nick Gibb: I wish that the hon. Gentleman had cited the figures in my constituency, given that he is asking me the question although it was pre-prepared for the Secretary of State.

As I have said, the IFS has stated that this funding fully reverses cuts in funding for five-to-16-year-olds. We have only been able to deliver such a large increase in school funding because of the way in which we have managed the public finances since the banking crisis in 2008. That is why we can do this today, and why we have been able to announce the three-year spending package that all schools, including schools in the hon. Gentleman’s constituency, have been seeking.

Children with Higher Needs: Stoke-on-Trent

6. Gareth Snell (Stoke-on-Trent Central) (Lab/Co-op): If he will hold discussions with Stoke-on-Trent City Council on its plans to fund services for children with higher needs.

The Parliamentary Under-Secretary of State for Education (Mrs Kemi Badenoch): Next year local authorities, including Stoke-on-Trent City Council, will share in an increase of more than £700 million in higher-needs funding. We will hold separate discussions with the authorities that have raised specific issues with us.

Gareth Snell: The Minister will be well aware that, as part of its higher-needs recovery plan, Stoke-on-Trent City Council proposes to plunder classroom budgets by £14.5 million over the next four years. The headteachers in the city are opposed to the plan, which will require a sign-off from the Department in order to go ahead. Will the Minister make a commitment today that rather than signing it off, she will convene a meeting of the headteachers in Stoke-on-Trent, so that alternative arrangements can be found that do not necessitate robbing Peter to pay Paul?

Mrs Badenoch: We are aware of the issues that have arisen in Stoke-on-Trent. The commissioner is due to submit a report to the Department today, and officials will review it and submit recommendations to me in due course. Once a decision has been made, the report will be published.

Karen Bradley (Staffordshire Moorlands) (Con): A number of children with higher needs in Stoke-on-Trent attend Horton Lodge Community Special School in my constituency, where there is great concern about the provision of funds for residential care and the possibility that the school will become unviable. Will the Minister meet me, and perhaps consider visiting Horton Lodge, to see what we can do to ensure that that wonderful, special place continues to operate for many years to come?

Mrs Badenoch: I am grateful to my right hon. Friend for raising this case in her constituency. Yes, that is something that we should be able to do for her.

Ruth Smeeth (Stoke-on-Trent North) (Lab): The Minister has just referred to a report which is currently under way, and which relates to children’s social services rather than the high-needs budget. The cuts proposed by Stoke-on-Trent City Council will cost every secondary school £100,000 and every primary school £50,000. That is money we cannot afford to spend. Will the Minister undertake to accept the request from my neighbour and hon. Friend the Member for Stoke-on-Trent Central (Gareth Snell), and convene a meeting of headteachers before the Secretary of State signs off a deal?

Mrs Badenoch: We are aware that local authorities are facing significant pressures. That is why we are making an additional investment of more than £700 million, which will help them to manage those pressures next year. The Department has been looking at this matter, and we will be in touch with Stoke-on-Trent in due course to decide on the best possible actions to be taken in the future.
Mr Steve Reed (Croydon North) (Lab/Co-op): I welcome the new Minister to her post. As she will know, children with special needs rely on help with speech and language and on counselling support, but the Children’s Commissioner has published research showing that the severe underfunding of those services is seriously damaging children’s lives and futures. Even after the spending review and the additional funding to which the Minister has referred, we still face a £1 billion shortfall in special educational needs services by 2021. Given that the Government could so easily find £1 billion to bribe the Democratic Unionist party, will the Minister agree, here and now, to find the same amount to fully fund the services that the country’s most vulnerable children so desperately need?

Mrs Badenoch: I met the Children’s Commissioner last week, and discussed this issue among many others. We welcome her report. However, I remind the hon. Gentleman that the Government are spending £7 billion on special educational needs, and are adding an additional £700 million. That is part of the extra £14 billion that the Government are spending £7 billion on special educational needs, and are adding an additional £700 million. That is part of the extra £14 billion that we are spending over three years, and I think that it is to be welcomed.

Mr Reed: The hon. Lady will have been here last week when the spending round was announced and she will know that there is a £66 million increase in early-years funding.

Jim Shannon (Strangford) (DUP): Has there been any discussion with counterparts in the devolved Assemblies to bring in a UK-wide strategy? If no discussion has taken place, when will it take place with the Department of Health in Northern Ireland to ensure that this does happen?

Nick Gibb: I will be very happy to meet the hon. Gentleman to discuss these issues further, but as he knows we on these Benches are responsible for the education system in England.

Specialist Maths Schools

10. Mr Ranil Jayawardena (North East Hampshire) (Con): What recent assessment his Department has made of children’s progress in specialist maths schools.

The Minister for School Standards (Nick Gibb): In 2019 King’s College London mathematics school reports that 100% of its students achieved a grade A or A* in A-level maths and 90% achieved an A* in A-level maths. The school also reports that more than 25% of its students in 2019 have secured Oxbridge places. This school and Exeter mathematics school are spectacular examples of the success of this Government’s free school programme, a programme that the Labour party wants to abolish.

Mr Jayawardena: I thank my right hon. Friend for that reply and commend the Government for what they are doing to level up funding, which I understand will mean another £2.9 million per year for schools in North East Hampshire, but will he expand that excellent specialist maths schools programme so that we can do even more for every child across this country?

Nick Gibb: Given the success of the two maths schools so far, we are committed to opening more maths schools as we continue to drive up academic standards and social mobility. There are four more in the pipeline, including the Surrey mathematics school, which should benefit young people in North East Hampshire. My hon. Friend will also be pleased to know that, due to the large increase in school funding announced last week, 100% of secondary schools in his constituency will benefit from the new minimum of at least £5,000 per pupil.

College Spending: Effect of VAT

11. Layla Moran (Oxford West and Abingdon) (LD): What assessment he has made of the effect of VAT applied to college spending on the financial sustainability of those institutions.

The Secretary of State for Education (Gavin Williamson): We have announced a £400 million increase in 16-to-19 funding in 2020-21; this is the biggest year-on-year increase since 2010 and will have great benefits for FE and sixth-form colleges. Colleges are independent organisations and are responsible for managing their own financial sustainability, which includes their liability for VAT.
Layla Moran: I thank the Secretary of State for his response, but does he believe, as I do, that no matter where a 16 to 19-year-old student studies they should have the same funding, resource and status, and if he does why do school sixth forms and 16-to-19 academies get their VAT refunded and the teacher pay grant but FE institutions, such as the brilliant Abingdon and Witney college in my constituency, do not?

Gavin Williamson: I am very conscious that this has been a long-running issue, and I remember from when I was a governor at a further education college the impact that this has. We are always looking at how we can reduce the impact, and that is why we have the funding settlement that we have achieved this year of £400 million plus £100 million for pension liability costs.

Mrs Anne Main (St Albans) (Con): These funding announcements are extremely welcome in my constituency, and I have lobbied hard at all levels for these funding increases. Does the Secretary of State share my concern, however, that the Labour party has threatened to vote down the Queen’s Speech, which would mean that all these funding improvements would fall by the wayside?

Gavin Williamson: I should like to pay tribute to my hon. Friend’s campaigning to deliver better funding for schools and post-16 education in her constituency. Many of the actions of Labour Members and their reckless approach give me great concern as they seem unwilling to listen to the will of the British people.

Leaving the EU: Higher Education

12. Jeff Smith (Manchester, Withington) (Lab): What assessment has he made of the effect on higher education of the UK leaving the EU without a deal.

Gavin Williamson: My hon. Friend makes the important point that there is an ability to access such schemes outside the European Union. This has been demonstrated in the past, and I am sure that it can be done in the future.

Private Higher Education Providers: Financial Sustainability

13. Matthew Pennycook (Greenwich and Woolwich) (Lab): What recent assessment he has made of the financial sustainability of private higher education providers.

The Secretary of State for Education (Gavin Williamson): To be registered under the new regulatory framework, all higher education providers must demonstrate that they are financially viable, sustainable and well-managed organisations that deliver high quality education. The Office for Students has currently registered more than 380 providers, which means that it has assessed those providers to be financially sustainable looking forward over a five-year period.

Matthew Pennycook: I thank the Secretary of State for his answer. Greenwich School of Management is unlikely to be the last private higher education provider to go bust in a system where market forces are the ultimate determinant of success, but it is of course the students and staff who pay the price. Can he tell me how many of the 3,500 GSM students—who are overwhelmingly mature, on low incomes and from minority groups—have found a place at a new institution to date and have the financial support to finish their courses?

Gavin Williamson: I thank the hon. Gentleman for raising this important question. We have been working closely with GSM and the administrators to ensure that as many students as possible are transferred on to new courses if they are mid-course. At the moment, I do not have the data to answer his question, because how many accept this will come down to student choice, but as soon as we have the data I will of course write to him. The key focus has been to ensure that all those students get a place with an alternative provider.

Funding Allocation to Schools in Congleton

14. Fiona Bruce (Congleton) (Con): What steps he has taken to increase the level of funding allocated to schools in Congleton constituency.

The Minister for School Standards (Nick Gibb): The Prime Minister has announced a £14 billion increase in investment for schools in England, including for schools in Congleton. This means that by 2022-23, core schools funding will increase by £4.6 billion more than a real-terms protection, and we will be announcing further school-level details in October.

Fiona Bruce: I welcome this announcement, but what has concerned parents and teachers in my constituency and the wider Cheshire East area has been the historical underfunding of our local schools compared with those in other areas. So, to ensure truly fairer funding, will Ministers ensure that the Government’s schools budget
boost specifically targets the biggest funding increases at schools in those areas that have been historically relatively underfunded?

Nick Gibb: I pay tribute to my hon. Friend, because it was as a result of her intervention that we introduced minimum per pupil funding into the national funding formula. She and her constituents will be pleased to know that, as a result of last week’s funding announcement, all seven of the secondary schools in her constituency will benefit from our pledge to level up per pupil funding to at least £5,000 per pupil, and that 16 primary schools in her constituency will benefit from the new level of at least £3,750 per pupil.

Disadvantaged Schools: Per Pupil Funding Increase

15. Judith Cummins (Bradford South) (Lab): What assessment he has made of the benefit to disadvantaged schools of increasing the base unit of per pupil funding to (a) £4,000 in primary schools and (b) £5,000 in secondary schools.

The Minister for School Standards (Nick Gibb): Minimum per pupil values benefit the historically lowest-funded schools. We recognise that schools with more disadvantaged pupils require additional resources, and the national funding formula and pupil premium allocate additional funding in relation to disadvantaged pupils, so that schools with a higher proportion of disadvantaged pupils are the highest funded.

Judith Cummins: Pupils in disadvantaged areas are significantly less likely to pass crucial GCSEs such as English and maths. School funding must reflect different needs in different places, but the Government’s recent funding announcement will do exactly the opposite and sees more money going into affluent schools in the south of England while many schools in Bradford South will continue to lose out. How can the Minister justify that disgraceful situation?

Nick Gibb: Under this settlement, all schools will receive more money, at least in line with inflation, and schools with the highest proportions of children from disadvantaged backgrounds will receive the highest level of funding. Since 2011, we have closed the attainment gap by 9.5% in secondary schools and by 13% in primary schools.¹

Mr Philip Hollobone (Kettering) (Con): I thank the Schools Minister for the particular attention he has given to raising educational attainment in Northamptonshire and welcome the increase in funding for all schools, in particular the 14 primary schools and four secondary schools in Kettering, which have been historically the most underfunded.

Nick Gibb: I am grateful to my hon. Friend for his question. It has been a pleasure working with him and other colleagues from Northamptonshire to raise standards of education in the area. I am sure that he and his constituents will be pleased about the funding settlement for schools in Northamptonshire.


Children with Special Educational Needs and Disabilities

16. Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): What plans he has to improve the provision of services for children with special educational needs and disabilities in schools.

The Parliamentary Under-Secretary of State for Education (Mrs Kemi Badenoch): I am grateful to the hon. Gentleman for his question, which gives me another opportunity to let everyone know that the Government have announced an additional £14 billion for schools over the next three years, including the £700 million of high-needs funding for special educational needs and disabilities that we have been discussing.

Luke Pollard: Pupils with SEND account for nearly half the 41 pupils excluded from schools every day, which is contributing to the increase in the number of pupils being home schooled. What support is being given to pupils with SEND who are being home schooled?

Mrs Badenoch: We are going to be looking at that as part of a review into special educational needs and disabilities, and I refer the hon. Gentleman to the written ministerial statement that we laid before Parliament today.

Robert Halfon (Harlow) (Con): Around 100 children in Harlow are without an education today as the Aspire Academy, run by TBAP, has closed yet again. Despite numerous meetings with Ministers and the academies commissioner, no action has yet been taken. Will my hon. Friend commit to the re-brokering of this school, so that a new academy can take it over and allow the children to return to their learning and the teachers to teaching? Mismangement by the TBAP academy chain has gone on long enough.

Mrs Badenoch: An Ofsted inspection of the Aspire Academy in June 2019 rated the academy as inadequate and requiring special measures. The regional schools commissioner for east of England and north-east London issued a termination warning notice letter to TBAP, but a decision is yet to be made about the Aspire Academy and whether it will remain in the trust.

Ofsted

17. Justin Madders (Ellesmere Port and Neston) (Lab): What recent assessment he has made of the effectiveness of Ofsted.

The Minister for School Standards (Nick Gibb): As the independent inspectorate, Ofsted plays a vital role in providing a rounded assessment of school and college performance, and that role has helped to raise standards in our schools. Ofsted’s latest statement on its performance was set out in its annual report and accounts presented to Parliament in July, which reported solid operating performance across all areas of work.

Justin Madders: Two secondary schools in my constituency have had recent inspections, and both headteachers, whom I respect greatly, are appalled at how those inspections have been handled. We complained
to Ofsted, and we had one side of A4 on the investigation into those complaints. Can we have a system in which Ofsted does not effectively mark its own homework?

Nick Gibb: I know the hon. Gentleman has been concerned about those inspections, and he met Ofsted’s north-west regional director. Ofsted is directly accountable to Parliament, and the vast majority of inspections go without incident. Ofsted has a quality assurance process and a complaints procedure to deal with those rare instances where it does not go according to plan.

Alberto Costa (South Leicestershire) (Con): At the last Ofsted inspection, Red Hill Field Primary School was marked as good. The school is celebrating its 35-year anniversary this Friday. What message does the Minister have for that excellent school, for Mr Snelson, the headteacher, and for all the staff on their excellent work over 35 years?

Nick Gibb: I congratulate Mr Snelson, the head of Red Hill Field Primary School, on achieving a good grading in the Ofsted inspection, and I pay tribute to Ofsted, and we had one side of A4 on the investigation into those complaints. Can we have a system in which Ofsted does not effectively mark its own homework?

Gavin Williamson: I promise my right hon. Friend that we will bring plenty of vim and vigour to this, and I will be looking at it closely.

Tracy Brabin (Batley and Spen) (Lab/Co-op): At long last, after years of calls from the Labour party, settings, academics and even Select Committees, last week the Government finally offered some new funding for the 30-hour childcare policy. Sadly, predictions say it is only 10% of what is required to plug the funding black hole.

May I push the new Parliamentary Under-Secretary of State for Education, whom I very much welcome to her place, on how this funding will be spent? Will it be targeted to support outstanding providers that are struggling, to increase the amount of high-quality provision in disadvantaged areas and to reverse the disturbing trend of experienced staff leaving the sector?

The Parliamentary Under-Secretary of State for Education (Mrs Kemi Badenoch): Members on both sides of the House care very much about this area. The Government continue to support families with their childcare costs, and we are now spending more than £3.6 billion on support to 2021.

T3. [912336] Stephen Hammond (Wimbledon) (Ind): I welcome the extra funding. Can my right hon. Friend confirm that each primary and secondary school in Wimbledon will benefit, and will he commit to writing to me on the revised settlement for each and every secondary and primary school in Wimbledon?

Gavin Williamson: I assure my hon. Friend that we will be writing to him in due course with full details of the national funding formula—we hope this will be in early October—and the impact this will have on individual schools.

T4. [912337] Mr Jim Cunningham (Coventry South) (Lab): As a result of the introduction of universal credit in Coventry, 25,000 children are below the poverty line. What is the Secretary of State doing, or what are other Ministers doing, to fund school meals properly—not just in the holiday period, but generally?

Mrs Badenoch: I thank the hon. Gentleman for that question. There are 50,000 more pupils eligible for free school meals at the moment. There is much that this Government are doing, and we will continue to look at ways in which we can improve circumstances for disadvantaged children.

T5. [912338] Craig Tracey (North Warwickshire) (Con): Schools in rural constituencies such as North Warwickshire and Bedworth have long suffered from receiving lower levels of funding than their urban counterparts. The fairer funding initiative will go some way to rectifying that, but what more can be done to ensure that no matter where someone lives they will have equal access to the same resources?

Gavin Williamson: The announcement we made just the other week goes a long way towards rectifying the issue that my hon. Friend has highlighted. The national funding formula will ensure that all schools start to really benefit from the increases in funding, wherever they are in the country. This is making sure that the

needs of pupils are the focus, as against where they happen to be in the country. May I pay tribute to him for the campaigning he has done for the schools in his constituency to secure the settlement?

T8. [912341] John Spellar (Warley) (Lab): I am sure Ministers are aware of the widespread concern in local government at the escalating costs of childcare, much of it driven by private fostering and care companies, often now owned by private equity, and of a tendency to put children into care at an early stage and not as a last resort. Do Ministers share that concern? If so, what are they going to do about it?

Mrs Badenoch: We are spending £3.6 billion on early educational entitlement, and the Government have provided free childcare for children aged three to four years. I am not sure that I heard the right hon. Gentleman’s question properly, but I think that if he writes to me, I will be able to provide him with a more comprehensive response.

Gavin Williamson: May I take the opportunity to pay tribute to my hon. Friend for such a kind invite. I know that he has campaigned hard and vigorously to get a better settlement for schools in his constituency and right around the country. I would be more than delighted to join him in his constituency, and I hope to make the figures available for all schools in the coming weeks.

Justin Madders (Ellesmere Port and Neston) (Lab): My constituent Bella has Down’s syndrome and started primary school last week. What was supposed to happen to this school in the too-distant future.

The Minister for School Standards (Nick Gibb): The hon. Gentleman will be aware, from the funding settlement, that we are increasing funding for high needs—for special needs—by £700 million. That is an 11% increase, and it is because we absolutely recognise the cost pressures that schools and local authorities have been under when it comes to special needs. We hope that the funding announcement made last week by my right hon. Friend the Secretary of State will go some way to addressing those concerns.

David Morris (Morecambe and Lunesdale) (Con): I thank the education team for giving £5.5 million for upgrades in secondary schools in my area. Recently, however, there has been a disturbing turn of events. Skerton Community High School was closed down by the Labour county council, but it is being hypocritically targeted for an erroneous campaign to reopen it by the Labour party. The school has been closed for five years.

Will my right hon. Friend the Secretary of State write to me to tell me what is going to happen to this school in the future and whether it could be used for an academy?

Gavin Williamson: May I invite him to meet headteachers in my constituency, and possibly his constituency and right around the country. I would be very happy to follow it up.

Mrs Badenoch: If she would be kind enough to forward those concerns.

It is a legal requirement for all schools to make water available. If she would be kind enough to forward those concerns.

No child should ever be expected to pay for water, and I am sure that I heard the right hon. Gentleman’s question properly, but I think that if he writes to me, I will be able to provide him with a more comprehensive response.

Gavin Williamson: I can absolutely assure the hon. Gentleman that that is very much the case. It is very important that we teach children about the Britain we live in today.

Jeremy Lefroy (Stafford) (Con): I welcome the additional revenue funding for schools in Staffordshire. Will the Secretary of State outline the plans for capital funding, of which there is an urgent need in Staffordshire and in many other schools across the country?

Gavin Williamson: I always recall that when my hon. Friend and I were first elected to the House we, as constituency neighbours, campaigned very hard to get a better funding settlement for Staffordshire, but also for all schools across the country. We are working on the capital settlement, and we will be working with the Treasury to bring forward announcements in the not-too-distant future.

Mrs Sharon Hodgson (Washington and Sunderland West) (Lab): For pupils on free school meals, buying water at lunchtime can cost up to 80p of their allowance, which is often more than the fruit juices and milkshakes available. Does the Secretary of State agree that free water should be available, with cups and bottles, for all pupils in all our schools?

Gavin Williamson: The hon. Lady is absolutely right. No child should ever be expected to pay for water, and no school should ever deny a child access to fresh water. It is a legal requirement for all schools to make water available. If she would be kind enough to forward details of where water is not available, we will be sure to follow it up.

Peter Heaton-Jones (North Devon) (Con): May I thank the Minister for listening to all our lobbying about the need for North Devon schools to have their funding equalised fairly? That investment will make a huge difference. Will he now come back to North Devon to see what a difference it will make, and to thank staff and students for all their hard work?

Gavin Williamson: My hon. Friend is always campaigning for his constituents, whether to save Royal Marine bases or to get more money for his schools. I would be
delighted to join him in visiting the schools in his constituency that will receive the extra money that he has campaigned for and delivered.

Marsha De Cordova (Battersea) (Lab): In the summer of 2019, Wandsworth food bank handed out 1,024 emergency food parcels to families, which was a 40% increase on last year. It has reported to me that families are having to choose between buying food and buying school uniforms. Will the Minister now publish the estimated figures for the number of children who have gone hungry this summer?

Mrs Badenoch: I thank the hon. Lady for that question. We do not collect that information, but the Department has other schemes that are seeking to address the issue, including our holiday activities and food programme, which has supported children from disadvantaged families over the past two summers.

Maria Caulfield (Lewes) (Con): Female students at Priory School in Lewes were excluded on Friday simply for wearing skirts, which goes against the school’s new uniform policy. They are excluded today and will continue to be excluded until they wear trousers. What support can the Minister give to the families and pupils affected?

Nick Gibb: Decisions about school uniform are made at school level by headteachers and governing bodies. In formulating a uniform policy, a school must consider its obligations not to discriminate unlawfully. I would be very happy to meet my hon. Friend to discuss her work to try to resolve the issue locally.

Several hon. Members rose—

Mr Speaker: I am sure that if I did not call a retired headteacher, I would be subject to the most condign punishment imaginable. I call Thelma Walker.

Thelma Walker (Colne Valley) (Lab): Thank you, Mr Speaker—10 out of 10.

I recently spoke on BBC Radio Leeds about the number of young people who suffer trauma and bereavement just before sitting exams and who often do not get the appropriate support and bereavement counselling. Will the Secretary of State meet me to discuss adequate counselling provision for those going through such a difficult time?

Nick Gibb: Yes. The awarding organisations have protocols in place for such issues, but I am very happy to meet the hon. Lady to discuss the case that she is concerned about.

Neil O’Brien (Harborough) (Con): I really welcome the extra money for special educational needs. Will my right hon. Friend look closely at improving school transport for 16 to 19-year-olds with special needs so that we can further improve conditions for the most needy children?

Nick Gibb: My hon. Friend makes a very important point. It is important that we allow opportunities to be widely available to children and to young people, regardless of their special needs. Bursaries are available for particular children, and that funding can be used for transport. I would be very happy to meet him so that we can take this issue forward together.

Laura Smith (Crewe and Nantwich) (Lab): A quarter of people in my constituency are now reported to be living in in-work poverty, so is it no wonder that I know of desperate families unable to pay for their children’s school uniforms. Will the Minister consider introducing a statutory duty for schools to prioritise cost considerations and value for money for parents when deciding uniform policy and a ban on compulsory branding if this means families incurring additional costs?

Nick Gibb: The Department’s current guidance on school uniform does place an extra emphasis on the need for schools to give the highest priority to cost consideration. No school uniform should be so expensive as to leave pupils or their families feeling unable to apply for or to attend a school of their choice due to the cost of the school uniform. If the hon. Lady has examples of schools that are not abiding by that guidance, I would be very grateful if she let me know.

Several hon. Members rose—

Mr Speaker: I have called a distinguished headteacher to speak, so I must call a distinguished nurse. I call Anne Milton.

Anne Milton (Guildford) (Ind): The correlation between good education and good health has long been known, not least by Professor Sir Michael Marmot in his 2010 report. With that in mind, surely it is now the time to give further education the long-term funding that it needs.

Gavin Williamson: I know that my right hon. Friend is passionate about this matter and has campaigned on it. By setting out a three-year deal for schools, I appreciate that that has raised everyone’s expectation right across the education sector for three-year deals for everyone. It is something that we continue to look at. It was vital that we got the extra £400 million for 16 to 19-year-olds, and we continue to have discussions about how we can set out a longer-term future for all sectors in the education market.

Several hon. Members rose—

Mr Speaker: Order. I shall come to points of order in due time and I shall bear all those hon. Members in mind.
**Speaker’s Statement**

3.37 pm

Mr Speaker: Colleagues, I would like to make a personal statement to the House.

At the 2017 election, I promised my wife and children that it would be my last. This is a pledge that I intend to keep. If the House votes tonight for an early general election, my tenure as Speaker and MP will end when this Parliament ends. If the House does not so vote, I have concluded that the least disruptive and most democratic course of action would be for me to stand down at the close of business on Thursday 31 October. [Applause.] The least disruptive, because that date will fall shortly after the votes on the Queen’s Speech, expected on 21 and 22 October. The week or so after that may be quite lively, and it would be best to have an experienced figure in the Chair for that short period. The most democratic, because it will mean that a ballot is held when all Members have some knowledge of the candidates. This is far preferable to a contest at the beginning of a Parliament, when new MPs will not be similarly informed and may find themselves vulnerable to undue institutional influence. We would not want anyone to be whipped senseless, would we?

Throughout my time as Speaker I have sought to increase the relative authority of this legislature, for which I will make absolutely no apology to anyone, anywhere, at any time. To deploy a perhaps dangerous phrase, I have also sought to be the Back Benchers’ backstop. I could not do so without the support of a small but superb team in Speaker’s House; the wider House staff; my Buckingham constituents; and, above all, my wife Sally and our three children, Oliver, Freddie and Jemima. [Applause.] From the bottom of my heart, I thank them all profusely.

I could also not have served without the repeated support of this House and its Members, past and present. This is a wonderful place, filled overwhelmingly by people who are motivated by their notion of the national interest, by their perception of the public good and by their duty—not as delegates, but as representatives—to do what they believe is right for our country. We degrade this Parliament at our peril.

I have served as a Member of Parliament for 22 years, and for the last 10 years as Speaker. This has been—let me put it explicitly—the greatest privilege and honour of my professional life, for which I will be eternally grateful. I wish my successor in the Chair the very best fortune in standing up for the rights of hon. and right hon. Members individually, and for Parliament institutionally, as the Speaker of the House of Commons. Thank you. [Applause.]

You really are a very, very, very generous bunch of people indeed. Thank you, on both sides of the House, for the expressions of support, which I richly appreciate. I love this place, you love this place, and we look forward to the future with interest, anticipation and enthusiasm.

**Points of Order**

3.46 pm

Jeremy Corbyn (Islington North) (Lab): On a point of order, Mr Speaker. I want to put on record my thanks to you for being a superb Speaker of this House, my thanks to you as a colleague in Parliament, and my thanks to your family for the way in which they have supported you through often very difficult times when many of the media have been very unfair on you. Your two sons are getting good at football. I did some kicks with them in Speaker’s Court the other day and I was very impressed, actually; they are coming on well. And I know you support the same club as me.

In your role as Speaker, you have totally changed the way in which the job has been done. You have reached out to people across the whole country. You have visited schools, you have visited factories, you have visited offices; you have talked to people about the role of Parliament and democracy. I have never forgotten coming to City and Islington College in my constituency and spending the morning with me talking to a group of students, all of whom had learning difficulties, and we discussed with them the roles of democracy and Parliament.

You have taken absolutely on board the words of Speaker Lenthall that you are there to be guided by and act on behalf of our Parliament. This Parliament is the stronger for your being Speaker. Our democracy is the stronger for your being the Speaker. Whatever you do when you finally step down from Parliament, you do so with the thanks of a very large number of people, and as one who has made the role of Speaker in the House more powerful, not less powerful. I welcome that. As somebody who aspires to hold Executive office, I like the idea of a powerful Parliament holding the Executive to account; it is something I have spent the last 35 years doing myself.

So, Mr Speaker, enjoy the last short period in your office, but it is going to be one of the most dramatic there has been. I think your choice of timing and date is incomparable and will be recorded in the history books of parliamentary democracy. Mr Speaker, on behalf of the Labour party I thank you for your work in promoting democracy and this House. Thank you.

Mr Speaker: Thank you. I just say to the right hon. Gentleman, the Leader of the Opposition, that he is very much more experienced and senior than I, but I think that as Back Benchers in our respective parties we did have quite a lot in common. Certainly, speaking for myself, as a Back Bencher, and frequently as an Opposition Front Bencher, I found that I had a relationship with my Whips characterised by trust and understanding—I didn’t trust them and they didn’t understand me.

The Chancellor of the Duchy of Lancaster (Michael Gove): Further to that a point of order, Mr Speaker. I would like, perhaps for the first time, to associate myself wholeheartedly with the comments of the Leader of the Opposition. Since you entered the House of Commons in 1997, it has been clear to everyone who has seen you work as a diligent constituency MP; an effective Back Bencher, and also a tenacious Front Bencher in your House, that you love this House of Commons, you love our democracy, and your commitment to your principles and your constituents is unwavering and an example to others.
This evening I shall vote with many of my colleagues for an early general election. I hope you will not take that personally, Mr Speaker, because I have no wish to prematurely truncate your time in the Chair. However controversial the role of a backstop may be in other areas, your role as the Back Benchers’ backstop has certainly been appreciated by individuals across this House. I have spent much, though not all, of the last 10 years as a member of the Executive, but I have also been a Back Bencher in this House, and I have personally appreciated the way in which you have always sought to ensure that the Executive answer for their actions. History will record the way in which you have used the urgent question procedure and other procedures to hold the Executive to account and have restored life and vigour to Parliament, and in so doing, you have been in the very best tradition of Speakers.

From time to time, those of us on the Government Benches might have briddled at some of the judgments you have made, but I have never been in any doubt that you have operated on the basis that the Executive must be answerable to this House in the same way as this House is answerable to the people. You have done everything in your power to ensure not just the continued but the enhanced relevance of this place. Your love of democracy is transparent in everything that you say and do, and as such, I want, on behalf of myself as an individual and on behalf of the Conservative party, to thank you. As a fellow parent of pupils at a distinguished west London comprehensive, may I also say how important it is that discipline is maintained in this House? Your energetic efforts to do so are appreciated even by those of us who may not always be the best behaved in class.

Mr Speaker: I thank the right hon. Gentleman. That was characteristically generous and gracious of him. At the risk of inflicting some damage upon his otherwise flourishing political career, I have on more than one occasion paid public tribute to the quality of the right hon. Gentleman. One of the reasons why he does not complain about urgent questions being granted, to which occasion paid public tribute to the quality of the right hon. Gentleman. One of the reasons why he does not complain about urgent questions being granted, to which he has at short notice to answer, is that he is quick enough, bright enough, sharp enough, fair-minded enough, articulate enough and dextrous enough to be able to cope with whatever is thrown at him. I do not want this to become a mutual admiration society, because I am not sure whether it would be more damaging to him or me, but I thank him for what he said, for the way in which he said it and for the spirit that his remarks embody.

Hilary Benn (Leeds Central) (Lab): Further to that point of order, Mr Speaker. I would not seek for a minute to challenge your decision, not least because you would rule me out of order, but I have to say that I regret it and respect it. I say that for this reason. When the history books come to be written, you will be described as one of the great reforming Speakers of the House of Commons. You have indeed been the Back Benchers’ friend and supporter, but in every decision you have made, you have put one consideration above everything else: your wish to enable the House of Commons to discuss matters and to express a view.

There have been occasions when some in the House have taken umbrage at decisions that you have reached, but you have stood by your beliefs and principles, and many Members of this House are eternally grateful to you for having stood up for our rights, enabling us to debate and then to vote on something. The fact that the Speaker decides that something should be debated is not the Speaker saying that the House should agree to it; it is the Speaker saying that we should be able to cast our vote. That is why we will regard you in that light for many, many years to come. Thank you very much indeed.

Mr Speaker: Thank you.

Several hon. Members rose—

Mr Speaker: I call my very loyal and brilliant next-door neighbour of over 20 years in constituency terms, Mr David Lidington.

Mr David Lidington (Aylesbury) (Con): Further to that point of order, Mr Speaker. May I—as an elector in the Buckingham constituency, not least—offer an expression of thanks to you for your work as a constituency Member of Parliament over the past 22 years? Talking to neighbours and acquaintances in all parts of the Buckingham constituency over the years that you have represented it, I have been struck by the fact that men and women of very different political persuasions, and indeed those of no particular party affiliation, are united in their appreciation of the fact that you have never allowed your considerable duties as Speaker of the House to detract from your responsibility to represent their interests in Buckingham and to respond to the concerns that they raise with you. Colleagues in all parts of the House will speak about your record as Speaker, but those of us in Buckinghamshire will know how you have continued to speak on and champion local interests and local issues.

I know, too, that you will be missed among the somewhat eclectic team of hon. and right hon. Members representing the county of Buckinghamshire. It is perhaps a good measure of the fact that in this place, despite frequent clashes and disagreements, we can still manage to get on. Those Buckinghamshire parliamentary meetings bring together not just you and me but my right hon. Friend the Member for Chesham and Amersham (Dame Cheryl Gillan) and both my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve) and my hon. Friend the Member for Wycombe (Mr Baker) in a spirit of harmony, at least on county matters.

I thank you for what you have done for us locally and, if I may say so as a former Leader of the House, for what you have done to communicate more to people, particularly to schoolchildren and students around the country, about how this place works and the constitutional significance of Parliament in defending the liberties and debating the interests of the next generation.

Mr Speaker: I thank the right hon. Gentleman for what he has said. I want to observe—others will bear testimony to this, in the light of what he has just said—that the right hon. Gentleman was, frankly, an outstanding Leader of the House of Commons. He is one of the most co-operative and collaborative colleagues whom one could hope to meet. He gets things done, he is extremely personable, and I think it is fair to say that he works based on periodic political difference but continuing personal amiability. If others of us were able to model...
ourselves on the way in which he has gone about his work over the last 27 years as a Member of Parliament, we would probably be doing better. I thank him for what he has said.

Several hon. Members rose—

Mr Speaker: We must proceed before too long, but I do apologise very sincerely to the right hon. Gentleman—the leader of the third party in this House—for failing to see him at an earlier point, which I should have done.

Ian Blackford (Ross, Skye and Lochaber) (SNP): Further to that point of order, Mr Speaker. On behalf of those of us on the SNP Benches, may I say that we will be sad to see you leave office at the end of October? It is fair to say that you have shown considerable grace and purpose—not just to us, but to Members across this House. We are eternally grateful for the way in which you have conducted yourself, particularly over these last few months—at a time, let us be honest, of constitutional crisis for all of us—and for the way you have facilitated Back Benchers, in particular, in being able to hold the Executive to account and, indeed, in making sure that those of us whom people send to this place are able to do our job to the best of our endeavours in representing their interests.

Like the Leader of the Opposition, we are grateful that you will be with us until the end of October, and we look forward to the guidance and supervision you will give to our affairs over the coming weeks. You have been a great friend to many of us in this House. We wish every good wish to you and your family for the coming period. You will always get a friendly welcome in Scotland, and indeed we would love to see you up in Ross, Skye and Lochaber. Mr Speaker, thank you very much on behalf of all of us.

Mr Speaker: Thank you.

Dame Cheryl Gillan (Chesham and Amersham) (Con): Further to that point of order, Mr Speaker. As you know, at the beginning of this Parliament, you asked me if I would propose you for the Chair, and I was very pleased to do so. I made the immortal statement: “I think he annoys Members on all the Front Benches from time to time, which is probably testament to his even-handedness.”—[Official Report, 13 June 2017, Vol. 626, c. 4.]

I think there was not a dry eye in the House, because that was true.

I have to add my voice to that of my Buckinghamshire colleague, my right hon. Friend the Member for Aylesbury (Mr Lidington), for the simple reason that, as a colleague in Buckinghamshire, you have been absolutely superb. Speaking as the only female representative of a constituency, I sometimes find it necessary to keep some of you boys under control, because you do not always quite see eye to eye—with me.

I rise to my feet to say a big thank you to you for something else you have done in your time as Speaker. You have hosted events for more than 1,000 charities in Speaker’s House. You have been a true champion of people with autism. Today, as the all-party parliamentary group publishes a report on the 10 years since the Autism Act 2009, I pay tribute to everything you have done, particularly for charitable works, but also for people and families with autism.

I have one great regret, knowing that you are going to stand down. I will lose a great champion in my fight against HS2, and I very much hope that when you retire from the House, whatever you do, you will continue to join me in the fight against HS2 and continue, most importantly, to champion those people with autism and their families.

Mr Speaker: I thank the right hon. Lady for what she said, and for all the good fellowship that she and I have enjoyed over the 22 years I have been in the House with her.

Several hon. Members rose—

Mr Speaker: It is as matter of seniority as well as a magnificent tie. I call Mr Barry Sheerman.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Further to that point of order, Mr Speaker. I remember that when I first met you I went home to my wife and said, “I’ve met this really bumptious, self-opinionated, right-wing, objectionable character.” I could say that you haven’t changed, but the fact of the matter is that you have been an exemplary Speaker. You have been Parliament’s Speaker. I have been here quite a long time, so I have seen people organising the Speaker’s election—usually the Whips. You broke that tradition—we broke that tradition, cross-party. We wanted you, and we denied the Whips their choice, and we got you. Those of us who have been around this place for some time do not regret for a moment that we got Parliament’s Speaker. You have proved that we were right in our choice.

You have been magnificent in the way you have gone around the country. I remember the occasion—we planned it well in advance—when you chose to come to Huddersfield for the whole day. Unfortunately, it was the day after the referendum. It was quite an interesting atmosphere. I remember you getting to Huddersfield and saying, “This is an awfully long way, isn’t it, Barry?” However, you did get about, and you saw how constituents worked. You came to the University of Huddersfield, and you did the job well.

You also, as Speaker, have been the champion of the Back Bencher. The people on the Front Benches—the Whips—love to have their own way. You were determined to let people like me—a Back Bencher—and other Back Benchers have their say. There has been a renaissance of Parliament under your speakership. I hope only that we get someone half as good as you when we single-mindedly, happily, diversely, and democratically choose your successor. Thank you for everything you have done for parliamentary democracy.

Mr Speaker: Bless you, Barry, for what you have said. [Interruption.] Will hon. Members forgive me? I call Mr Dominic Grieve.

Mr Dominic Grieve (Beaconsfield) (Ind): Further to that point of order, Mr Speaker. As another Buckinghamshire MP, I could not fail to rise to say words of thanks to you for what you have done.
You may recall—it is perhaps worth recalling—that when you were first elected Speaker I think I was the only person in the Chamber who did not stand to applaud you. That was for two reasons. First, I rather disapprove of these displays and, secondly, my preferences lay elsewhere. I think I also indicated to you subsequently that I would do my very best to support you. As the years have gone by, I have come to appreciate that in the extraordinary times in which we live, your leadership of this House has been, in my judgment, exemplary in the tumultuous times you will look back with satisfaction on the role you have played, because you deserve to do so. You have been an outstanding Speaker and I wish to add my thanks to the spontaneous tributes we are hearing now. Thank you.

Mr Speaker: I thank the right hon. Lady. Put simply, I have been very lucky. If you do for a living something that causes you to jump out of bed in the morning looking forward to the day ahead, then frankly you are blessed.

Mr Peter Bone (Wellingborough) (Con): Further to that point of order, Mr Speaker. You have been an extraordinary Speaker—an outstanding Speaker. Over the past few weeks, I have very much disagreed with your interpretation of certain Standing Orders, but for the 14 years I have been here you have transformed this place. You used to sit behind me on the Opposition Benches heckling the Government like mad—and then I hear the nerve, Sir, of you telling us off for heckling! I hope, when we forget the Brexit period, you will be remembered for completely transforming this place and allowing Back Benchers to do their job, and for allowing new Members the opportunity to fulfil a career as a Back Bencher while not necessarily wanting to be a Minister.

Mr Speaker: The hon. Gentleman speaks from personal experience as a parliamentarian who is always ready to speak truth to power. I identify with him. What he says, not least in the light of some of his recent disagreements with me, is big of him.

Lucy Powell: Further to that point of order, Mr Speaker. I want to associate myself with everything that has been said so far, except perhaps the remarks about HS2.

May I just add a couple of points that have not been mentioned? First, without your family-friendly reforms to this place, particularly the opening of the nursery, your willingness to introduce proxy voting, and allowing babies and young children into the Lobby, I and many others in this place, mothers and fathers alike, would not have been able to carry out our duties and to carry on being Members of Parliament. I thank you enormously for those changes and reforms.

In your time as Speaker, probably the most difficult event was the murder of our friend, Jo Cox. You gave leadership to this whole place, to our collective grief and to the grief of her community and her family, visiting her constituency the day after her terrible murder. I know her family would want me to thank you from the bottom of their hearts for your leadership at that very, very difficult time for this House.

Mr Speaker: Thank you. As everybody here knows, Jo was very special, and she will remain in our hearts for as long as we live.

Mr Steve Baker (Wycombe) (Con): Further to that point of order, Mr Speaker. As a Buckinghamshire colleague, it has been a huge pleasure and privilege to work alongside you to further the interests of our constituents—I say “our constituents” because I fondly remember occasions on which I have needed to speak in this place on your behalf, and it has been my privilege and pleasure to do so. It would be graceless of me, of course, to refer to anything where I might possibly have disagreed with you, but I just say that it is perfectly plain to me that you love this place and this Parliament, and I am grateful for all your service.

Mr Speaker: I thank the hon. Gentleman; he is a conviction politician, and that deserves respect.
Jo Swinson (East Dunbartonshire) (LD): Further to that point of order, Mr Speaker. I express thanks from those on the Liberal Democrat Benches for your decade of service in the Chair.

Very often, to those outside, Parliament can appear stuffy and out of touch. Some of the initiatives that have come in on your watch, including the Wright reforms, with topical questions, and your willingness to grant urgent questions have meant that when people talk about issues outside this place we can discuss them in a timely way in the House, and that has been important.

I was very moved by your tribute to your wife and children, because the families of all of us in this place put up with a lot for us to do the jobs that we do. I echo the comments of the hon. Member for Manchester Central (Lucy Powell) about the reforms that you have made possible, including the parliamentary nursery, because no Member has ever asked Lobbs—indeed, your forbearance in not asking me to leave when I brought baby Gabriel into this House—and the proxy voting reforms, which have already made such a difference for Members with small babies during these rather intense few months of parliamentary debate. Those reforms have been truly important and you have been a truly modernising Speaker. As I am sure you would agree, there is much more to do, and I hope that whoever is your successor will continue in that tradition.

Finally, you have been an absolutely unstinting guardian of parliamentary democracy at a time when people feel the need to take to the streets to argue to defend our democracy. I think back to my first term in this place, between 2005 and 2010. If you had asked me at the time to pinpoint the most important vote that I cast in those five years, I am not convinced that I would have chosen that vote in 2009, but choosing you to be Speaker of this House was arguably the most important vote cast for the future of our country and our parliamentary democracy. I am very glad that I and others in this House made that choice.

Mr Speaker: Thank you.

Sir Edward Leigh (Gainsborough) (Con): Further to that point of order, Mr Speaker. So far, we have mainly heard from distinguished Members on the two Front Benches or immediately prior Members, but I speak on behalf of the permanent, or semi-permanent, Back Benchers, who either by their own wish, or in my case because nobody has ever asked Lobbs, have not joined the Front Bench team in recent years. Although I have not followed you in your political journey and on many occasions you have absolutely infuriated me, I have to say, on behalf of Back Benchers, that there is one thing that nobody can ever take away from you: you have been determined to give a voice to those people in this place who want to ask real questions of the Executive. For this, we will always be grateful.

Mr Speaker: I am grateful to the right hon. Gentleman. He was, of course, a talented Minister but I have always thought, because I know that his career came to a premature end, that he suffered from the notable disadvantage, as a member of the Government, of not only holding opinions, but feeling inclined, with notable frequency—which we would not manage and few of your predecessors achieved. You have made this place far more interesting than it would have been without you. But there is something else that is rarely said about you, and it is this. I fully recognise your sensitivity and humanity. There are countless acts of kindness that you have shown Members of this House that are never publicised—because they would not be by their nature—and to which it is only fair now to draw attention. When Members have had difficulties of one sort or another—the

Jim Shannon (Strangford) (DUP): Further to that point of order, Mr Speaker. I would like to add our party’s thanks to you. You have always been the Back Bencher’s champion. You have called me as often as the hon. Member for Huddersfield (Mr Sheerman). You often chastise me gently for saying “you”, but can I say that you have done excellently for Back Benchers? I will try hard not to use that word on other occasions. You have called me to order a few times, but gently, with your humour, kindness and goodwill, have enabled me to learn the protocols of this House in a way that I hope will stay with me for some time to come. Even with my Ulster Scots and my accent, you always seem to understand me.

You mentioned Sally and your children. The most important thing for us all in the House is the sanity we get when we go back to our families. They are incredibly important. As you know, I turn up for the Adjournment debate every night, and you are always here as well. I will miss you when you are not here. Whatever you do in this world, I know that you will do it well. I wish you well. I wish your family well. Godspeed and God bless.

Mr Speaker: Colleagues, I hope you will forgive me if I say this very publicly to the hon. Member for Strangford (Jim Shannon). I bet others have noticed it—I certainly have, ever since he came into the House and we got to know each other. The hon. Gentleman is a person of strong religious faith. As it happens, I am not. I have always been proud of my Jewish roots and my Jewish identity, but I am not a practising religious person. What I admire about the hon. Gentleman—and it makes him a most lovable figure in the House of Commons—is that he radiates warmth, empathy and compassion. He is one of those people of faith who do not spend time preaching it but live it.

Sir John Hayes (South Holland and The Deepings) (Con): Further to that point of order, Mr Speaker. Such is the length of our relationship and our friendship, which has been long suspected and about which I think we can now come clean, that I rushed here from Lincolnshire when I heard the news of your imminent departure. In an age of technocratic turgidity and mechanistic mediocrity, you have brought colour and style to this place. No one could deny your eloquence or your extraordinary, encyclopaedic grasp of facts, of which we are all envious. I do not know how you manage to remember not only facts about our constituencies but our birthdays, wedding anniversaries, children’s names—what don’t you remember, Mr Speaker?

You have given life to this place in a way that few could ever have managed and few of your predecessors achieved. You have made this place far more interesting than it would have been without you. But there is something else that is rarely said about you, and it is this. I fully recognise your sensitivity and humanity. There are countless acts of kindness that you have shown Members of this House that are never publicised—because they would not be by their nature—and to which it is only fair now to draw attention. When Members have had difficulties of one sort or another—the
trials and tribulations which are the inevitable consequences of life here—you have always been there for them. That work as our Speaker needs to be recorded and celebrated, and acknowledged today. I will miss you not only for your indulgence, of which I have been a frequent beneficiary, as you well know, but for your character and style, and that will last long after you leave the Chair, as I hope our friendship will.

Mr Speaker: Let me say to the right hon. Gentleman that our friendship will endure for a long time to come. Among other things that we have in common, we share a passion for, and a slightly obsessive preoccupation with, historical statistics relating to tennis.

By the way, I have never lost any sleep over a work-related matter, because it is not worth doing. The nights without sleep that I have tended to experience over the years, and doubtless will do so in the future, have ordinarily been during either the US Open or the Australian Open, when, as the right hon. Gentleman knows, my normal practice is to forgo sleep if the alternative is the opportunity to watch my all-time sporting hero, Roger Federer.

Anna Soubry (Broxtowe) (IGC): Further to that point of order, Mr Speaker. You and I first came across each other well over 40 years ago, when we were both members of the Conservative party as students. I could not possibly repeat the language of the hon. Member for Huddersfield (Mr Sheerman), but I do endorse the “right-wing” bit. I, of course, was what was known then as a proud wet, and was certainly on the pink liberal wing of the Conservative party. Although our journey and our route have been somewhat different, I rather suspect that we are back together in our new place, and that will be interesting, as will all that follows. But I remember that when you were a student, you had a huge passion for politics and for Parliament, and, of course, you were hugely eloquent even then. All those things have served you well for many years, in your role as a Member of Parliament but also in your role as Speaker, but, most important, they have served this place hugely well.

I will not repeat, but will just endorse, all the fine tributes about the great reforms that you have made to this place, especially on behalf of women, but also on behalf of all the young people in my constituency and the children who have come to this place in a way that previous generations certainly did not, who have learned so much and who have felt engaged.

Finally, I want to apologise on behalf of the small group of us who, by virtue of our appalling behaviour, found ourselves founder members of the “Three Bs”. When I come back, as I think I will, at some stage— [Interruption]—yes, that is right, if we have any such general election—I will bring you the little badge that I have with the three Bs, which stand for “Bollocked By Bercow”. I am very proud of my membership of that club. But, on behalf of my merry band—and, indeed, all of us—I thank you for everything that you have done, and the great service that you have given to this place.

Mr Speaker: As the hon. Gentleman says from a sedentary position, we have got until October, but first of all we must hear from Mr David Lammy.

Mr David Lammy (Tottenham) (Lab): Further to that point of order, Mr Speaker. Much has been said, obviously, by Members of Parliament in this place, but I want to put on record what I suspect are deep thanks in huge parts of the country, and to echo absolutely what has been said by, in particular, my hon. Friend the Member for Wallasey (Ms Eagle).

I was in the House after the riots of 2011, and I thank you, Mr Speaker, for helping to recall the House to debate that very important subject. I also thank you for, most recently, after a scandal that involved people with Caribbean backgrounds, granting my urgent question that allowed the revelation of that scandal. So many issues concerning minorities in this country could so easily have remained on the fringes, as has been the case during previous decades in our country—thank you for putting them at the centre of the action in this Parliament.

Thank you, also, for appointing Rose Hudson-Wilkin as the Chaplain when the establishment might have preferred a different choice. Yes, the role of Speaker is to be part of the establishment, but it takes a giant—and, of course, you are not a giant—to stand up to that establishment and never be cowed. The next Speaker will have very, very big shoes to fill.

Mr Speaker: That is extraordinarily eloquent and generous. I do not want to comment on anything the right hon. Gentleman has said about me but I want instead to endorse in triplicate what he has just said about the Right Rev. Rose Hudson-Wilkin, Chaplain to the Speaker of the House of Commons, a great servant to Parliament, in her place in the Under Gallery now, a source of comfort and inspiration to me for the last nine years. There has not been a single day when I have not felt delighted and reinforced in my insistence, and it was my insistence, that Rose should be appointed to that role. There is always scope for legitimate difference of opinion, but there were people—part of what I have to say outside of this place I will call the bigot faction—who volunteered their views as to what an inapposite appointment I had made with all the force and insistence that allowed the revelation of that scandal. So many more, including the right hon. Gentleman, have done in the House. In the Stonewall list of LGBT+ employers, Parliament has moved up now to 23rd; the House loves her. [Applause.]

Dawn Butler (Brent Central) (Lab): Further to that point of order, Mr Speaker. I want to say a huge thank you for all that you have done for Back Benchers and for democracy, especially throughout this time as we discuss Brexit. I also want to thank you for all the firsts you have done in the House. In the Stonewall list of LGBT+ employers, Parliament has moved up now to 23rd; I think we were down in the 70s and 80s before. Parliament has been ranked as one of the best 100 employers at the race equality awards; that is because of your guidance and leadership, Mr Speaker. And thank you for appointing Rev. Rose; I think she is in the corner crying, with the rest of us. Thank you so much, Mr Speaker; she has been amazing, as have you.

Mr Speaker: Bless you, and thank you.

We are running out of time—

Peter Kyle (Hove) (Lab): We have got until October.
[Dawn Butler]

We have also had the first Muslim Serjeant at Arms and the first female Clerk Assistant of the House, and young people being allowed to debate in this Chamber has come under you, Mr Speaker. There are also all the charity events that you have held in Speaker’s House—such as for British sign language and the Windrush—and being able to raise the flag for International Women’s Day outside Parliament for the first time, and Black History Month. I could go on about all that you have done to modernise this place, and I thank you from the bottom of my heart, Mr Speaker.

I hope you can just bear with me, Mr Speaker, because equality is a theme that you have championed. Following last week’s resignation, I am deeply concerned that the position that I shadow, Minister for Women and Equalities, remains vacant, and that, with more than half of the current Cabinet opposed to equal marriage, this brief has been undermined deliberately to roll back the hard fought-for rights and protections. Mr Speaker, being a bit of a “girly swot”, I have calculated that when the next person is appointed they will be the 10th to be appointed to the brief since 2010. The post has moved Departments four times, and a new Minister would be the fifth I will have shadowed in just two years.

Trump recently described Boris Johnson as Britain’s Trump and he was grinning like a Cheshire cat. In the United States we have seen what can happen when a racist and sexist is placed in charge of a country: implementing a Muslim ban on people arriving and leaving the country, banning trans people from serving in the military, pushing to allow businesses to turn LGBT customers away and making it easier for LGBT people to be sacked, or telling “the squad”, a group of four elected Congresswomen of colour, to go back to their countries. Our Prime Minister is modelling his portfolio as a matter of the utmost importance, and one of the encouraging phenomena of recent years has been the emergence of an apparent consensus across the House as to the importance of this set of issues. That is precious, and it should be cherished. It would be perilous if it were lost or put at risk. I very much hope that in the very difficult circumstances that we now face, there will be a replacement Minister soon. This is not a matter for me, but I feel very confident that an appointment will be made before very long.

These issues have to be focused on with a relentless tenacity. You cannot just take them for granted or think, “Job done.” Sadly, all too often, we observe people in very, very, very, very senior positions around the world who do not appear to be adequately conscious—if conscious at all—of the scale of their responsibilities. With power comes responsibility. For example, we do not want to hear and we utterly deprecate the use of language such as “Go back” as a political tool. The Government rightly criticised this; it is unacceptable and it should not be ignored. It has to be called out. We need a focus for these issues, and the existence of a Minister is a part of that focus, mirrored by the Select Committee that scrutinises the Minister’s work. We have an excellent Women and Equalities Committee—it is to the great credit of the Government that they established it—and it is important that it should have a Minister to scrutinise.

Jess Phillips (Birmingham, Yardley) (Lab): On a point of order, Mr Speaker. I am thankful to my hon. Friend the Member for Brent Central (Dawn Butler) on our Front Bench for slightly changing the tone, because I have an actual point of order. I too wish to associate myself with all the comments that have been made. I have been called over the years to criticise you and also to defend you. Had I known what I have found out today about HS2, the latter would have been harder to do. I had no idea that you were against HS2, which will obviously revolutionise the place where I live. Anyway, that is not my point of order.

Mr Speaker, I know because of everything that has been said today that you encourage people like me to stand up and say when we think things are wrong and when we think things can be improved in parliament. I love Parliament just as you do, and I wish for it to be in its healthiest form so that people can once again trust us, because there is a lack of trust in the country of this place at the moment. I wonder if you could help me to understand, in cases where Members of this House are found, and proven, to have committed what I would call, in certain cases, violence against women and girls—regardless of whether they do it on parliamentary time or not—or where a Member of this House is in court for crimes that are violent or abusive, what protections we put in place for the vulnerable people who go to see them in their surgeries? When I worked in the voluntary sector, or if I was a teacher, a doctor or a police officer, I would not have been allowed to see the public during a period in which an investigation was ongoing into me and the potential abuse of vulnerable people. I have deep concerns about the safeguarding of the people of our country and about how the laws around vulnerable people do not apply to this place.

Mr Speaker: I take very seriously what the hon. Lady has said, which bears solemn reflection. Rather than giving some ill-judged response on the hoof, I would prefer to discuss the matter privately with the hon. Lady, which I make the genuine offer in the near future to do.
We do a lot of things much better than we did, but as the leader of the Liberal Democrats pointed out—I nodded vigorously as she made the observation—there is still a lot more to do. I like to view—I say this not least to those who are observing our proceedings—the cup as half full, rather than half empty, but there is a fine line between being proud of what has been achieved and being satisfied. Being proud of what has been achieved is very often justified, and we should not rubbish ourselves. Being satisfied is usually a very, very bad idea, because it is the shortest possible route to complacency, for which there is no justification. We need to do better.

I have come to know the hon. Member for Birmingham, Yardley (Jess Phillips) over the past four years, and I have learned a lot from her. She is one of the most authentic politicians and best communicators that one could hope to meet. Apart from anything else—I hope I carry my colleagues with me in making this observation—she has got guts and character to burn.

Several hon. Members rose—

**Mr Speaker:** The hon. Member for Bristol West (Thangam Debbonaire) was the loudest, and she also has the biggest smile.

**Thangam Debbonaire** (Bristol West) (Lab): On a point of order, Mr Speaker. So many things have been said about you that I hope you will accept that I will make my tributes to you in private. I hope that we can continue to be friends, even though I am a Whip and you have said some rather interesting things about Whips.

I actually wish to make a point of order, which is that I asked the Leader of the House last week to apologise for comparing a whistleblower who felt that it was in the national interest for him to reveal details about the possible impact of a no-deal Brexit on very ill people—I am so sorry for not giving you advance notice of this—with a disgraced former doctor who made up evidence about the MMR immunisation, but he refused to do so. As a result of a decrease in MMR immunisations, herd immunity to measles—a deadly disease—has gone down in this country. The Leader of the House has since apologised in public, but that is of course not on the record. In making my point of order, I hope to put it on record that the Leader of the House has apologised, but I seek your guidance on whether he can be asked to come to this House to put on the record, with equal measure, his apology for what he said about a distinguished man to whom we should be grateful.

**Mr Speaker:** Thank you. That was a very beautiful tribute, and I appreciate what the right hon. Lady has said.

**Ian Paisley** (North Antrim) (DUP): Further to that point of order, Mr Speaker. It would be remiss of me not to say, on behalf of all the Unionist Members of this House, a huge and hearty Ulster thank you for the work you have done in this House, both in chairing these proceedings and, of course, in your 22 years as a Member of Parliament.

We thank you for your kindness outside the Chamber, as well as inside the Chamber. You have called one Member from Northern Ireland more than anyone else in the whole House—he obviously catches your eye better than the rest of us—and I know my hon. Friend the Member for Strangford (Jim Shannon) has already thanked you.

Will you pass on a huge thank you to your staff? You have opened up the facilities of this House to Members of Parliament for charitable groups and for other activities, and your staff have been very obliging in assisting to ensure that issues of importance to them are properly advocated in this House.

Your comments were very Burkean in that you said it is not for us just to give of our industry but of our judgment. Each of us has different judgments on all sorts of matters. You, Sir, have been able to respect those judgments, even though, at times, they are very different from the views you hold and, indeed, very different from the views held by other Members of this House.

I know that nationalist Members from Northern Ireland who sat in this House would also like to be recorded publicly as thanking you. Even though nationalists no longer take their seats here, which is a shame, I know those nationalist Members who previously represented their constituents in this House would also like to say a word of thank you for the work you have done as Chairman of these proceedings.
From your many visits to Northern Ireland, I know you have a soft spot for Belfast and for the people there. I am sure you will receive a rousing reception in some places and a less rousing reception in other places, but you will be welcomed back in Belfast.

The one thing that will probably disappoint you most is that you are not the Speaker who will oversee the restoration and renewal of this building. I know that is a personal passion of yours, but maybe as we enter into a new dispensation, free from Europe, we will have a fresh, new Parliament to sit in.

Mr Speaker: I thank the hon. Gentleman for what he says but, above all, I am enormously appreciative of his remarks about the team in the Speaker’s Office, to whom I referred. They have been steadfast, unwavering, efficient and magnificent, all of them, and I have worked with many of them for several years in succession—a point of absolutely no interest to the bigoted faction who form their view and do not want any facts to get in the way. They will not write about it. They will scribble their bigoted drivel, because that is what they do. When their grandchildren ask, “What did you do for a living?”, they will say, “Well, I scribbled my bigoted drivel for some downmarket apology for a newspaper.”

Calling it a newspaper is probably a breach of the Trade Descriptions Act, but they will not mind—they are probably very proud. Trashy articles by trashy journalists for trashy newspapers. It goes with the turf. It is downmarket, substandard and low grade. There is no intellectual weight to it, but that is what they do. It will always be about ad hominem attacks, because that is what makes their world go round.

But the fact is that the people who work in my office have been outstanding. I know their worth. We know the strength of our relationship, and the person standing on my left is one of several who have worked with me for many, many years and has worked with me throughout the 10 years I have been in post as Speaker. He was in the office for a decade before. He was educated at the university of life. There is not a pompous bone in his body. He would not know the meaning of the word “snobbery” if it hit him over the head, but he is absolutely brilliant, and I am grateful to him—Peter Barratt.

Dr Sarah Wollaston (Totnes) (LD): On a point of order, Mr Speaker. Thank you for being one of the great reforming Speakers; it is you who is trying to take back control for this Parliament, and others should learn from your example. You have also been a great champion of Select Committees, and, as Chair of the Liaison Committee, I would like to thank you for that. You have also been a champion of allowing Back Benchers to hold the powerful to account. That is what my point of order is about now, and it is further to a previous point of order. Not only are NHS staff entitled to raise genuinely held concerns about patient safety, but they have a duty to do so, and they must be able to do this without fear of intimidation or bullying from people in positions of power, including Members of this House. Last week, the Leader of the House made highly offensive comments about Dr David Nicholl. I reiterate: unless the Leader of the House comes to this place to make an apology from the Floor of the House, what message does that send to NHS whistleblowers and what does it mean for patient safety?

Mr Speaker: I thank the hon. Lady for what she has said. She is an extremely distinguished denizen of the House, both in respect of her constituency work and of her chairing of very important Committees—the Health and Social Care Committee and the Liaison Committee. She speaks with considerable authority and gravitas by virtue of those roles and the reputation she has garnered. I do not want to pick an argument with the Leader of the House—he and I get on extremely well—but points have been made and the hon. Lady has underlined them. If she is dissatisfied, my advice to her is the advice I regularly give to Members wanting to know how they can take a matter forward—the word begins with “p” and ends in “t”. My advice is: persist, persist, persist. There is nothing to prevent her from returning to the matter when we come back after the conference recess. On the Conservative Benches, the right hon. Member for New Forest East (Dr Lewis), who is not in this place—I believe he is chairing various Committees this afternoon or attending Committee meetings—taught me decades ago that in politics quantity, persistence and above all, repetition are at least as important as the quality of your argument. It is not good enough to have a good point and make it once—you have to keep going. If I may say so, at the risk of causing some disquiet on grounds of courtesies, I would suggest to the hon. Lady that she should follow the Churchill adage in pursuit of her cause: KBO—keep buggering on—at all times.

Jonathan Ashworth (Leicester South) (Lab/Co-op): Further to that point of order, Mr Speaker. I, of course, associate myself with all the remarks we have heard about your stepping down. I shall not embarrass you by throwing more compliments at you. May I reinforce the point that my hon. Friend the Member for Bristol West (Thangam Debbonaire) and the Chair of the Select Committee, the hon. Member for Totnes (Dr Wollaston), have made? Last week, the Leader of the House was disgraceful and irresponsible in his comments about Dr Nicholl, and he should come to this Chamber to apologise from the Dispatch Box. That would be the courteous thing to do. More importantly, do you agree that if the Government are confident that they have a system to ensure our constituents and patients will get timely access to medicines, they should publish the analysis now, so that we can scrutinise it in this House of Commons in the time we have left?

Mr Speaker: I feel sure that we will return to both issues erelong, if the hon. Gentleman’s legendary indefatigability does not desert him in the weeks and months ahead—it will not, and therefore we will hear more on those subjects.

Tulip Siddiq (Hampstead and Kilburn) (Lab): On a point of order, Mr Speaker. Most Members have served under you for a lot longer than I have, but it would be remiss of me not to thank you now for supporting me at a time when my life was in danger. I will not go into the details, but I wanted to thank you for providing me with a lot of protection during a very dark hour in my life. While we are talking about life and death, I also want to thank you for supporting my constituent Nazanin Zaghari-Ratcliffe by giving her case a lot of priority in the House, by granting urgent questions and allowing debates to come forward. Most importantly, you went to see Richard Ratcliffe when he was on hunger strike outside
the Iranian embassy, and you also saved his life at the time. Throughout your career you have looked after Parliament and democracy, but along the way you have also saved lots of lives, which people might not know about.

Mr Speaker: I appreciate what the hon. Lady has said. I had not met Richard Ratcliffe before. Visiting him and spending a little time with him was an honour, as anyone who has met him will know. He is a quite remarkable human being. The sooner that Nazanin is freed so that she can be reunited with her daughter, husband and wider family, so much the better. It is intolerable beyond words that she has been denied her freedom by an act of dictatorial barbarity. We will go on and on about this for as long as it takes for humanity to prevail over barbarism. It would be good if this message was repeated much more widely, and not just in this place by conscientious politicians but in parts of the media that, frankly, are not terribly interested—it is about time, if they have any sort of moral compass, that they took an interest.

Rushanara Ali (Bethnal Green and Bow) (Lab): Further to that point of order, Mr Speaker. May I thank you for all that you have done to give us the opportunity to hold to account not only our own Government but other Governments, in respect to human rights violations and standing up for democracy? One example is when you, at the request of the then Leader of the House and mother of the House, my right hon. and learned Friend the Member for Camberwell and Peckham (Ms Harman), to host the Women MPs of the World conference in this House. We heard incredibly moving contributions from women who have risked their lives and lost family members in order to stand up as parliamentarians in their countries. The power of this House to do good, and not only in this country but around the world, remains undimmed, despite and notwithstanding our current difficulties. It is important that we remember that this House, at its best, is a source of inspiration around the world, and that is in no small part thanks to all that you have done. Thank you, Mr Speaker. We will miss you, and we wish you the warmest regards for the future.

Mr Speaker: I think that the right hon. and learned Member for Camberwell and Peckham (Ms Harman) has done huge and invaluable work on this front. She knows the issues and she feels them. She is, of course, as the hon. Lady knows, a stellar progressive change maker, and she has charted that course since she entered the House on 28 October 1982—she came into the House as a very young woman indeed, and she will mark 37 years in the House next month. If I know the right hon. and learned Lady, she will keep pursuing these issues, in whatever capacity, because they reflect her humanity and her attachment to principle, the rights of the underdog and the cause of equality. She, like the hon. Lady, came into politics for all the right reasons. She, like the humanity and her attachment to principle, the rights of issues, in whatever capacity, because they reflect her as a very young woman indeed, and she will mark House on 28 October 1982—she came into the House and she has charted that course since she entered the House knows the issues and she feels them. She is, of course, as Member for Camberwell and Peckham (Ms Harman) about.

Jack Dromey (Birmingham, Erdington) (Lab) rose—

Mr Speaker: I know that the hon. Member for Birmingham, Erdington (Jack Dromey) will be very proud of what I have just said about his wife, and he is looking even happier than he otherwise would. I will come to him, but it would be a pity to squander him at too early a stage of our proceedings when we have only been going for an hour and a quarter or so, so I will come to him momentarily.

Caroline Lucas: Further to that point of order, Mr Speaker. Thank you for breaking one of your own rules—perhaps not a written one—as I have only just come into the Chamber, as you noticed. I want to apologise and explain that I was off the parliamentary estate. I had not known that you were about to make a statement, but as soon as I heard, I came back as fast as I could.

I want to thank you very seriously for your incredibly strong sense of fairness. As an MP from a party of just one in this place, it is very easy to feel somewhat marginalised from time to time, and I have so much gratitude for you that you have always included the Green party, recognising that I may be only one in here, but I represent a party out there. I thank you for your incredibly strong sense of fairness and justice and thank you for your reforming zeal in this place. We still have a long way to go, but thanks to you, we are a long way down that path.

Mr Speaker: The hon. Lady may recall that she once asked me if it would be all right if she included on the dust jacket of a book she was about to publish a tribute that I had paid her. I said to her that I was more than delighted for her to use that tribute on the dust jacket. My rationale was very simple: I had said what I said in public. I said it because I meant it, and I meant it so I said it, and, having meant it and said it, I was more than happy for it to be reproduced. I rather trust that that will continue to be at the hon. Lady’s pleasure. She is a superb parliamentarian and I think that that is recognised across the House. Without a vast infrastructure to support her, she is indefatigable, irrepressible and astonishing in her productivity and in the sheer range of her political interests. She is a fine parliamentarian. Also, because she is the only member of her party at the moment in this House, she is in the happy position of being leader and Chief Whip of her own party and, I think, of invariably agreeing with herself.

I thank colleagues. I know that we have taken a long time, but finally, we have time—frankly, we would have more time if we were not disappearing for a rather excessive period—for Jack Dromey.

Jack Dromey: On a point of order, Mr Speaker. May I echo the tributes that have been paid to you? You are one of history’s finest Speakers with a lasting legacy, and dare I say that, in addition to everything else that has been said, you are one plain, decent man of immense integrity?

I rise on another matter: the truly right hon. Member for Meriden (Dame Caroline Spelman) is leaving this House, because she has suffered shameful harassment and intimidation, including threats against her personal safety and the safety of her staff. Yet, Mr Speaker, there seems to be in this House those who are oblivious to the consequences of their actions. They use language that scars the public discourse—toxic talk of “traitors”, “collaborators”, “conspirators” and “surrender”—that demeans democracy, that fans the flames of hate and
hate crime and that puts the public and Members of this House at risk. Women in particular often suffer shameful treatment. Is it in order in our great Parliament for language—hateful language—ever to be used that can then have tragic consequences, as recent history has told us?

Mr Speaker: There is a fine balance that has to be observed. Free speech is important, and one does not want to suppress the right of Members to hold and express, with considerable force and sometimes ill judgment, opinions very sincerely believed. But each and every one of us has in this place to weigh his or her words and to understand that we are in leadership positions. Words count. Words matter. Words make a difference. Words can cause great personal hurt and also be the trigger for actions by others.

I have become increasingly conscious in recent times—from Members on both sides of the House—of the escalation in hostile communications to Members and sometimes to their families. I underline that we have to call out unacceptable behaviour, including the issue of language that can induce threats or that constitutes a threat in its own right. We have to recognise also that there are some people who are so deprived of a moral compass that they think that, because they believe a particular thing strongly about a Member, that somehow justifies them subjecting that Member and his or her family to vituperation, abuse, intimidation or worse. It does not. It cannot. It will not.

I remember being shocked when the Leader of the House of Commons was faced by aggressive demonstrations outside his home, with people saying to his family, “A lot of people disapprove of your dad.” That could have been deeply frightening to family members and young children. Other Members, on both sides of the House, have also highlighted their experiences or the experiences of their family, or of their constituency or parliamentary staff; and up with this we cannot put. We simply have to say that it is wrong as a matter of principle and that if we need to do more and better, including the investment of greater resources and an improved mindset within the police service and the House authorities, we will do that. I hope that the hon. Member for Birmingham, Erdington (Jack Dromey) will forgive me if I say that I have done my best but not enough and that more will need to be done in the period ahead. Some of the responsibility for leadership on that front will lie with the next Speaker.

It would be a good thing also if those who constantly prate about their rights to free speech—to publish or be damned, and say exactly what they think—were to ask themselves, “Is what we are about to produce likely to spark intimidation, harassment or violence?” and if those who put up pictures of parliamentarians on the front pages as though they are somehow public enemies because they have dared to hold and express a view that differs from that of the newspaper concerned started to realise just how desperately dangerous that is and to exercise a modicum of responsibility. Those people have got to learn to operate at the level of events. Thank you, colleagues.
5.4 pm

Mr Dominic Grieve (Beaconsfield) (Ind): Thank you, Mr Speaker. I hope I may be briefer than that.

The House is about to be prorogued for five weeks. Two weeks after we return is the anticipated date on which we are going to leave the European Union. There is much that is left undebated. In particular, we will not have an opportunity to ask necessary questions of the Government in relation to their own prepared documents under Yellowhammer, which they have prepared for their own use in relation to the risks of a no deal. In addition to that, we will not have the opportunity to ask what I think are the necessary and, unfortunately, searching questions about the Government’s motives in proroguing this House and the potential difference between what they have said in public in this matter and what the evidence suggests is the reality.

For those reasons, I would ask for the opportunity, along with my right hon. and hon. Friends and other Members, to debate this matter under Standing Order No. 24 in the terms set out—I will not read it out here because everybody can have a copy—which include both an opportunity of debate and an Humble Address to enable us to get the documents that otherwise we will have no prospect of seeing before the anticipated date of our departure from the EU. I hope to take the opportunity in a few minutes, if the House agrees, to explain in detail why I think this is necessary. I want to emphasise that in having done an SO24 linked to an Humble Address, I have not taken this matter lightly and certainly not in a partisan way. I will explain exactly why I have the opportunity of developing those arguments. I think they are very serious issues to which this House must give the closest consideration.

Mr Speaker: The right hon. and learned Gentleman asks me to propose a debate on a specific and important matter that should have urgent consideration under the terms of Standing Order No. 24, namely the matter of prorogation with the imminence of an exit from the European Union. I have received the right hon. and learned Gentleman’s written application. I have listened carefully to what he has said on the Floor of the House. I am satisfied that the matter raised is proper to be discussed under Standing Order No. 24. Has the right hon. and learned Gentleman the leave of the House?

Mr Peter Bone (Wellingborough) (Con): No!

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

Mr Speaker: A very large number of Members are standing in support of the right hon. and learned Gentleman. I note that the very, very loud expression of opposition from the hon. Member for Wellingborough (Mr Bone) is testament to the existence of more than enough support. Can I just say—well, whether I can or not, I am going to—that I do know what I am doing in these matters. I do know the Standing Orders, and I do listen to the advice? Sometimes you get these pop-up characters who think they understand these matters on the basis of minimal familiarity with the said Standing Orders and presume to say that the rules have been broken. They are entitled to their opinions, but they suffer from the notable disadvantage of being completely wrong. I know what the rules are and what they allow, and this is absolutely in keeping with the Standing Orders. If there are people who do not like the subject matter and would prefer it not to be aired and judge that it is inconvenient, they are perfectly entitled to their view, but it has nothing to do with the procedural propriety—[Interruption.] Do not tell me, young man, from a sedentary position what I can and cannot say. If the Under-Secretary of State for International Trade is not interested, he can leave the Chamber. I am not remotely interested in your pettifogging objection chuntered inelegantly from a sedentary position. The position is as I have described it, and quite frankly, young man, you can like it or lump it. People will understand that, as far as the Speaker is concerned, his job is to stand up for the rights of the legislature. I never have been, am not and never will be in the business of being bossed around by some footling member of the Executive branch.

The right hon. and learned Gentleman has obtained the leave of the House. The debate will be held now, as the first item of public business. The debate will last for two hours, and it will arise on a motion that the House has considered the specified matter set out in his application.
Application for emergency debate (Standing Order No. 24)

Mr Speaker: Before we come to the debate proposed by the right hon. and learned Member for Beaconsfield (Mr Grieve), I call the Leader of the Opposition to make an application for leave to propose a debate on another specific and important matter that should have urgent consideration under the terms of Standing Order No. 24. The right hon. Gentleman has up to three minutes in which to make such an application.

5.10 pm

Jeremy Corbyn (Islington North) (Lab): Thank you, Mr Speaker. I will be brief, because the whole House wants to get on to the important debate that you have just agreed to. I want to ask for a very urgent debate on what I consider to be a matter of overriding importance and seriousness. The motion reads:

“That this House has considered the welcome completion of all parliamentary stages of the European Union (Withdrawal) (No. 2) Act and has considered the matter of the importance of the rule of law and Ministers’ obligation to comply with the law.”

I welcome the passage of the European Union (Withdrawal) (No. 2) Act, which has just received Royal Assent. However, there is deep concern not just across the House but across the whole country at the Government’s commitment to abide by the obligations set out in that Act and the outright statements in some quarters that they will disregard or seek to evade the law that has just received Royal Assent and therefore is an Act of Parliament. I am therefore asking you to grant an urgent debate under Standing Order No. 24, on behalf of the people of this country who want to live in a democratic society where the Government abide by the rule of law, on whether the Prime Minister will obey the law that this House has just passed into law.

Mr Speaker: The right hon. Gentleman asks for leave to propose a debate on a specific and important matter that should have urgent consideration: the welcome completion of all parliamentary stages of the European Union (Withdrawal) (No. 2) Bill—sometimes colloquially known, probably in the pubs and clubs of the United Kingdom, as the Benn-Letwin Bill—and has considered the matter of the importance of the rule of law and Ministers’ obligation to comply with the law.

I have listened carefully to the right hon. Gentleman’s application. Adherence to the law—goodness! Yes, I am satisfied that the matter raised on the last day before the Prorogation of this Parliament is proper to be discussed under Standing Order No. 24. Has the right hon. Gentleman the leave of the House?

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

Mr Speaker: I thank colleagues on both sides of the House. The right hon. Gentleman has obtained the leave of the House. I advise the Leader of the Opposition, his colleagues and the House that the debate will be held today as the second item of public business, immediately after the first SO24 debate in the name of the right hon. and learned Member for Beaconsfield. The Leader of the Opposition’s debate will last for up to 90 minutes and will arise on a motion that the House has considered the specified matter set out in his application.

5.14 pm

Mr Dominic Grieve (Beaconsfield) (Ind): I beg to move,

That this House has considered the matter of prorogation with the imminence of an exit from the European Union and accordingly resolves—

That an Humble Address be presented to Her Majesty, that she will be graciously pleased to direct Ministers to lay before this House, not later than 11.00 pm Wednesday 11 September, all correspondence and other communications (whether formal or informal, in both written and electronic form, including but not limited to messaging services including WhatsApp, Telegram, Signal, Facebook messenger, private email accounts both encrypted and unencrypted, text messaging and iMessage and the use of both official and personal mobile phones) to, from or within the present administration, since 23 July 2019 relating to the prorogation of Parliament sent or received by one or more of the following individuals: Hugh Bennett, Simon Burton, Dominic Cummings, Nikki da Costa, Tom Irven, Sir Roy Stone, Christopher James, Lee Cain or Beatrice Timpson; and that Ministers be further directed to lay before this House no later than 11.00 pm Wednesday 11 September all the documents prepared within Her Majesty’s Government since 23 July 2019 relating to operation Yellowhammer and submitted to the Cabinet or a Cabinet Committee.

I am sorry to have to move this motion, because it ought not to be necessary to do so.

When I was Attorney General, a lot of the work I had to do involved advising on law, but from time to time quite a lot of it was to do with propriety in government. We are very blessed in this country that, as well as obeying the rule of law, there is within government a deep understanding that if our constitution, which is largely unwritten, is to function, there has to be a high level of trust between different parts of government—whether it be Parliament or the Administration—in how our affairs are conducted. I am glad to say that, in my experience, if and when I ever had to step in as Attorney General to point out that I thought propriety might be in danger of being infringed, I always had a positive response from my colleagues in government about the necessity at all times to be seen to be acting with clean hands.

Kevin Brennan (Cardiff West) (Lab): On that point, if the right hon. and learned Gentleman is successful and the Government are obliged to supply these papers, is he confident that the current Prime Minister and the Executive will do so?

Mr Grieve: Seeing that this would be a Humble Address to Her Majesty the Queen for the documents, I very much hope that there could be no question other than that they will be provided, because it is the custom and practice and the convention that such Humble Addresses are responded to positively by the Government.

The reason why we have these rules is to manage difference. They provide a framework for our debates that—because, as I say, there is a high level of trust—
enables us to manage sometimes serious difference, such as we undoubtedly have at the moment, in a moderate fashion. We are able sometimes to say strong words to each other, but to come together in a spirit with a high level of appreciation of the other's point of view and an absolute certainty that one side is not trying to trick the other. My concern is that there is now increasing and compelling evidence that this trust is breaking down and, indeed, that there is cause to be concerned that the conventions are not being maintained.

This of course arises particularly because of the decision to prorogue this House. I do not think I need to go into too much history to point out that, in recent years, the power of Prorogation has been used for only two reasons. The first is to have the short interval, usually of no more than seven or eight days, between one Session and the next, so that a Queen's Speech may take place. It has also been used at times to extend time for a general election in order to maintain a power by which this House could be recalled in an emergency before it is finally dissolved. The use being made of it by the Government in proroguing this House until 14 October is, in current times, unprecedented. It is a long period, and all the more startling because it takes place against the background of what is without doubt—it is a bit more detail the issue of the documents.

That is where the trust comes in. As news emerged of the decision to prorogue, it rapidly became clear that the Government did not appear to be giving a consistent account of their reasons. As the act of proroguing has led to litigation, it has then followed that some, but not all, of the motives for Prorogation began to emerge. We have seen that although on 23 August this year No. 10 Downing Street and the Prime Minister denied considering the idea of proroguing at all, in fact, internal Government documents reveal that this matter was under consideration some 10 days before. Indeed, there is a rather remarkable memorandum from the Prime Minister himself in which he expresses total contentment with this because he finds the September sitting to be an unnecessary and rather contemptible activity. It is perhaps rather typical of my right hon. Friend the Prime Minister that he gets something wrong—as we now know, he suggests that the September sitting is the product of the work of one of his predecessors, Mr David Cameron, whereas it was Mr Tony Blair who introduced it. It is rather noteworthy that when we found what was under the redaction, it turned out he had condemned Mr David Cameron, for his belief in having a September sitting, as a "girly swot", which I supposed was meant to be contrasted with his manly idleness. That seems to be his established practice when it comes to confronting the crisis that threatens to engulf us on 31 October if he cannot get the deal that he promises he is going to achieve, but which it now appears from the resignation statement of the previous Secretary of State for Work and Pensions that he has done absolutely no work even to commence negotiating.

Mr Grieve: My right hon. Friend is right on both points, and I shall move on in a moment to develop in a bit more detail the issue of the documents.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): Will the right hon. and learned Gentleman give way?

Mr Grieve: I will if the hon. Lady will wait just one moment.

The justification that the Government have given for this length of Prorogation is that we were due to adjourn for the purposes of party conferences and to return shortly before the date the Government have chosen, but everybody in this House knows that the nature of the crisis that has been engulfing us in the last two months meant that it was clear the House would not consent to be adjourned because it regarded its continuing sitting as being absolutely essential. My right hon. Friend the Prime Minister knew this very well. Furthermore, it appeared—certainly at the time when he stood for the leadership of the Conservative party and was about to become Prime Minister—that although suggestions had been made about proroguing the House to facilitate achieving a no-deal Brexit, he apparently did not approve of them. Indeed, he said publicly during his leadership bid:

"I'm not attracted to archaic devices like proroguing."
Mr Grieve: No, I can think of no such event. Indeed, it is the Treasury Solicitor’s Department and the Law Officers’ job to make sure that anything the Government say in litigation fulfils their duty of candour and is not misleading.

Then a most remarkable thing happened, Mr Speaker, and this is where it becomes more difficult for me. In the course of the days that followed I started to be given information from public officials informing me that they believed the handling of this matter smacked of scandal—there is no other way to describe it. Of course, that places me in a difficulty, because it is simply the information that I have been given. I want to make absolutely clear that I am not in a position—any more, I think, than any Member of this House—to be able to ascertain whether that information is mistaken. I can only say that I believe those sources to be reliable. Also, in my experience it is extraordinarily unusual that I should get such approaches, with individuals expressing their disquiet about the handling of a matter and some of the underlying issues to which it could give rise.

It is as a consequence of that that I have drafted, along with right hon. and hon. Friends and other Members, the Humble Address concerning the Prorogation documents. I want to emphasise at the outset that in doing so and identifying named individuals, whether they be special advisers, who make up the vast majority, or one in case a civil servant, I am making absolutely no imputation against any single one of them whatever. It would be disgraceful to do so, because I do not have the evidence on which to do it.

Victoria Prentis (Banbury) (Con): My right hon. and learned Friend and I have worked together, originally as master and pupil and then as Attorney General and civil servant. We have a great deal of history in this matter. Does he agree that there are civil service mechanisms and systems for guiding the behaviour of civil servants, and that these matters are ideally best not discussed in the manner in which we are discussing them this afternoon?

Mr Grieve: My hon. Friend is right about our long association. She is also right, of course, having worked in the Treasury Solicitor’s Department, where I am quite sure she maintained at all times the highest standards of integrity. The difficulty, however, is this: 31 October is looming. We are, as a House, about to be prorogued and rendered entirely ineffective until 14 October. This is the choice of the Government. The routes I might have wished to have taken to see this matter properly investigated simply do not match the time available for us to take them. As trust has progressively broken down, I am afraid I have become increasingly concerned that if one were simply to ask polite questions, the Government may not respond in the manner they should.

Mr Ben Bradshaw (Exeter) (Lab): Will the right hon. and learned Gentleman tell the House whether he intends to put on the record any of the details of the information he says he received? The worry is that if he does not and the Government simply ignore his Humble Address, we will never know its contents. The implication of what he is saying is really very serious—that the Queen was misled by the Prime Minister as to his reasons for wanting a Prorogation.

Mr Grieve: The right hon. Gentleman raises some very difficult points. The best thing I can do is simply to state openly the generality of it. He is, I think, correct in what he says: far from this Prorogation being a desire to reset the Government for the purposes of holding a Queen’s Speech, and nothing else, there is available plenty of evidence that what actually happened was a concerted get-together within Government to try to ensure that this House would be prevented from taking action to stop a no-deal Brexit, and that the origins of that long predated the first time the Government mentioned Prorogation. That is, in a nutshell, what we are talking about.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): As the right hon. and learned Gentleman knows, I have been in this House for 40 years. I have never heard of a more serious allegation against a Government: misleading this House and stopping it functioning. Would he agree?

Mr Grieve: I would, but I also emphasise—and that is why I emphasise it—that these are allegations, and in an ideal world, I would have preferred not to make allegations, even within the context of the privilege that this House provides. However, in the circumstances, and with the time available before 31 October and the fact that we are proroguing, there really is no alternative.

Vicky Ford (Chelmsford) (Con): Will my right hon. and learned Friend give way?

Mr Grieve: No, I will make a bit of progress.

What I have attempted to do, distilling the information that has been made available, is to identify people where I think the information may be available. I repeat what I said: I make no imputation whatsoever against individuals. We could have tried to be much broader, but had we been much broader, it might have looked a bit like a fishing expedition throughout Government. It seems only right to ask the questions where we have been directed—by the information that I and others have received—that the answers may be found, hence the list of individuals I have named. I say again that there is not a single imputation against any of them. What is necessary is to establish the information that they possess.

Dame Cheryl Gillan (Chesham and Amersham) (Con): I am grateful to my right hon. and learned Friend for giving way; we have been friends for his entire time in this House. Having been a Minister himself, is he not worried about the collateral damage that this Humble Address is creating? It is important that civil servants have space—a safe space—to speak truth to power, and I think that by his actions today, he is damaging the civil service’s ability to communicate and discuss matters freely with Ministers. Does he not see the damage that he is doing?

Mr Grieve: I understand my right hon. Friend’s point. That was a matter that exercised me very much before I decided to table this motion, but against that, we have to face up to another fact: those necessary protections for civil servants cannot and must not be used as a device to hoodwink this House and the public as to the way the Government conduct their business. The Government have a duty. They can sometimes have a duty not to say something, but they certainly do not have a right to mislead, and this is such a fundamental matter that I
think we are right to pursue the issue. Of course, if it turns out that the information I was given was mistaken, well, in those circumstances, I shall be the happiest person in the lot, but I have to say that I think it is sufficiently serious in its nature and content that I would be failing in my duty as a Member of Parliament if we were not to seek to ascertain whether it was correct.

John Redwood (Wokingham) (Con): Surely all that matters is what was in the Prime Minister’s mind—his reasons for making the decision—and we cannot work that out from the personal testimonies of lots of officials, some of whom met the Prime Minister about this and some of whom did not. The question is what was in the Prime Minister’s mind, and the House has had ample opportunity, which it has already used, to cross-examine him and to satisfy itself as to his true motive. I do not see how knowing what some officials thought helps at all.

Mr Grieve: If I may say to my right hon. Friend, last week, at Prime Minister’s questions, my right hon. Friend the Member for South West Hertfordshire (Mr Gauke) and I asked questions of the Prime Minister seeking to elicit an answer about his motive and state of knowledge, and I was rather struck by the fact that he avoided answering both questions completely. He made not a single attempt—my right hon. Friend should look at Hansard—to answer the question. I am afraid I do not have much confidence that my right hon. Friend the Prime Minister has the capacity—frankly—to answer questions of this kind, because he does not appear to understand how serious they are and appears to treat them with a high level of flippantly.

David Hanson (Delyn) (Lab): Prorogation this evening will deny the Liaison Committee a three-hour session with the Prime Minister this Wednesday—a session the Prime Minister agreed to on 14 August.

Mr Grieve: Yes, indeed, and of course that might have provided another opportunity to ask questions.

I appreciate that this House can sometimes be difficult and irksome to Prime Ministers and Governments, but that is our job. We are here precisely to provide scrutiny to what is, as I have said, an evolving situation and to hold to account. For those reasons, I do not think it would be unreasonable of us to proceed to ask these documents, both so the House can understand and be another of those little inaccuracies that now seem to creep out from No. 10 Downing Street. It was material prepared for the current Administration and Cabinet committees so that they could understand the risks involved in a no-deal Brexit.

We will be prevented over the coming weeks from debating those issues, and when we return we will have almost no time. I fear very much that by the time the Queen’s Speech debate is over we will be mired in a great crisis that I would much rather see avoided. It seems entirely reasonable, therefore, to ask the Government to disclose these documents both so the House can understand the risks involved and so that these can in due course be communicated more widely to the public. Of course, if the documents suggest that no risks are involved, that too will be in need of communication.

Chi Onwurah: There are few in the House who have the right hon. and learned Gentleman’s knowledge of its conventions and protocols, except, perhaps, you, Mr Speaker. Certainly, my constituents do not follow the differences between Prorogation, recess, Queen’s Speech requirements and so forth. However, they do know that my title is “Member of Parliament”, which implies where I should be—in Parliament. Does the right hon. and learned Gentleman agree that at this time of constitutional crisis my constituents expect us to be sitting in Parliament, and expect it not to be shut down? Does he agree that the question of why we are being prorogued goes to the heart of the credibility of me as a Member of Parliament and the credibility of the House in its entirety, and does he agree that, for that reason, the public interest is absolutely involved?

Mr Grieve: I agree wholeheartedly, and I do worry, because this Prorogation is, to my mind, a most regrettable event. It will prevent the House from giving proper scrutiny to what is, as I have said, an evolving situation that has critical importance to the future of our country.

The Chancellor of the Duchy of Lancaster (Michael Gove): I do not know whether my right hon. and learned Friend has had a chance to look at the transcript of the evidence that I supplied to the Exiting the European Union Committee last week. In my evidence I gave some undertakings about publications related to Yellowhammer. If carried out, would those assurances be sufficient for my right hon. and learned Friend?

Mr Grieve: I rather hope that the assurances and the terms of the motion would prove to be entirely identical. I see no reason why not, and such documents that have been revealed so far do not suggest to me that they contain any material that touches on essential issues of national security. It is entirely about the day-to-day life of this country in the immediate aftermath of departure.
Of course, if there were national security implications, I am sure that my right hon. Friend would be able to raise them and they could be dealt with.

Michael Gove: I hope that before this debate concludes my right hon. and learned Friend will have an opportunity to look at the evidence submitted to the Select Committee, and I hope that, on that basis, he will be able to take those assurances as appropriate. I should be very grateful for his indication that he would do so.

Mr Grieve: If I may say this to my right hon. Friend, I think not. I think that the terms of the motion cannot be abandoned unless the House wishes to abandon them. I cannot believe, on the basis of what he so graciously said to the House a moment ago, that the terms of the motion will be significantly dissimilar. In those circumstances, I very much hope that we will get the documentation relating to Yellowhammer, in the way in which it was presented to him and his colleagues, on the basis of which they are taking the decisions that they are taking, which are of great importance to the future of our country, its wellbeing, and the wellbeing of every citizen.

Hilary Benn (Leeds Central) (Lab): May I pursue the point about the evidence presented by the Chancellor of the Duchy of Lancaster to the Select Committee last Thursday? I did indeed ask him whether he would publish the report on Operation Yellowhammer. For the benefit of the House, this is what he said in response:

“What I hope to do is more than that. What I would like to do is to make sure that we have Yellowhammer, once we have done the proper revision and the kicking of the tyres, alongside a publication that details the actions that the Government has taken to inform people of the consequences and allows people to see the mitigations that we have put in place, so people can make a proper judgment about the changes they need to make”.

That, I think, is a full quotation. On that basis, it would seem to me that the Chancellor of the Duchy of Lancaster would have no difficulty whatsoever with that part of the right hon. and learned Gentleman’s Standing Order 24 motion.

Mr Grieve: The right hon. Gentleman is absolutely right. If I may say so, had the House more time I would not have tabled that part of the motion. We could have waited, sensibly, to see but the House will be gone by midnight tonight—or shortly thereafter, depending on how long our proceedings continue—and we will not be back until 14 October. At that stage, because of the way in which the House starts a new Session, the opportunities will not necessarily be there in quite the same way, and I suggest to the House that 14 October is far too close to 31 October for us to be able to accept that. Of course, if we do not vote for this motion in this form we will have no leverage over the Government should, for example, my right hon. Friend the Member for Surrey Heath (Michael Gove) suddenly find that he is overridden by No. 10 advisers and the Prime Minister, who decide that they want to delay a little bit and that these papers might come later on. As I have said, the great difficulty that we now have in this House—and, I must say with great regret, that I have—is this terrible, compelling sense that trust is eroding.

That brings me to my final remark—
The Attorney General rose—

Mr Grieve: And beyond that—

The Attorney General rose—

Mr Grieve: No, I will continue. [Interruption.]

Mr Speaker: Order. We must conduct this debate in a seemly manner.

Mr Grieve: I will give way to my right hon. and learned Friend in a moment.

In addition, it is a question about what this House requests. I am perfectly aware that sometimes I may say that the Government may be acting abusively, so I am the first to understand that there is a capacity for this House to act abusively. However, what is being asked for, and ought to be respected by any self-respecting Government employee, is that if they are asked to look and see whether they have carried out a communication, within the relevant request, that goes to their official work, they ought to be willing to provide it. It should not be a question of coercion; it should be a question of willingness. If we move from that, that will be the destruction of another convention under which this country has been run, and it will be greatly to our detriment.

The Attorney General rose—

Kevin Brennan: On a point of order, Mr Speaker—

Mr Speaker: Order. The point of order trumps the attempted intervention even of an illustrious Law Officer.

Kevin Brennan: Thank you, Mr Speaker. Is it a point of order or a point of information? I point out that the Prime Minister’s special adviser, Dominic Cummings, asked to examine the private text messages on the telephone of a Government employee?

Mr Speaker: The hon. Gentleman has made his own point in his own way, and he may wish to expiate further on that matter if he catches my eye in the course of the debate. Meanwhile, it is on the record and will be widely observed.

Mr Grieve: I give way to my right hon. and learned Friend the Attorney General.

The Attorney General: My right hon. and learned Friend has just refined the Humble Address to confine the request for personal mobile information and personal private accounts only to communications that ought to have been carried out as official business on official accounts. The difficulty with the Humble Address that I invite him to consider is that it is a blunt instrument and that, in truth, what this Humble Address requires is careful refinement so that it complies with legal rules. This Humble Address has no binding legal effect on individuals. It potentially has a binding effect on the Government, if they observe it, but not on individuals. There seems to be a risk that it will trespass upon the fundamental rights of individuals, as it is currently drafted.

Mr Grieve: I am afraid I have to disagree politely with my right hon. and learned Friend the Attorney General. The issue is clearly defined: it relates to the Prorogation of Parliament. That is what it concerns. If I may say so, picking up on the earlier point that he made, I was just a little bit surprised. Of course he may argue that the Government cannot get this information, but No. 10 Downing Street is saying that it will not even seek or try to provide it. This again is absolutely illustrative of the slide we are experiencing towards a Government that will not respect the conventions, without which orderly government in this country cannot take place.

Vicky Ford: Will my right hon. and learned Friend give way?

Mr Grieve: No, I want to finish.

For all those reasons, I believe that, while I am the first to recognise that any attempt at a motion of this kind will have a degree of bluntness that is unavoidable—

Dame Cheryl Gillan: Will my right hon. and learned Friend give way, on a serious point?

Mr Grieve: I give way to my right hon. Friend, whose points will always be serious.

Dame Cheryl Gillan: I am very worried, because I have been looking at the special advisers code of conduct, and it says:

“Special advisers should not disclose official information which has been communicated in confidence in government or received in confidence from others.”

Does my right hon. and learned Friend not realise that his motion today sets all special advisers in conflict with the code that they have signed up to?

Mr Grieve: Not at all! Absolutely not at all! They are entitled, correctly, to say, “I have been asked by the House of Commons in a motion under a Humble Address to Her Majesty the Queen to provide that information”, and they should do so, if I may say so, with a public spirit and, indeed, a degree of pride—that is what I would do—because that request has been made of them.

Mr Speaker, I do not want to detain the House any further. As I said, I am the first to accept that finding a uniquely perfectly tailored instrument to meet the gravity of the situation that has arisen will always be difficult and might be open to some reasonable criticism. However, for all those things, I think the nature of what has happened, the immediacy of the crisis and the fact that we are proroguing require this motion, and I commend it to the House.

5.54 pm

Keir Starmer (Holborn and St Pancras) (Lab): Mr Speaker, may I first associate myself with the many comments about your role as Speaker in this House and the way in which you have performed it, certainly since I have been here? I did not have the chance to speak earlier, but I want to associate myself with those comments.

I rise to support this application in the name of the right hon. and learned Member for Beaconsfield (Mr Grieve). At the heart of the application is the simple principle that the Executive should be honest and open with Parliament so as to enable this House
properly to scrutinise the Government’s policies and decisions. That should be a given, but it is not, and I am afraid that that speaks volumes. Two important decisions underpin this application. The first is the decision to prorogue the House for five weeks, at what should be the most important and intensive part of the Brexit negotiations. The second is the decision to deny the House the assessment of the preparations for a no-deal Brexit—the Yellowhammer analysis.

Catherine West (Hornsey and Wood Green) (Lab): Does my right hon. and learned Friend agree that, at the very least, Members of this House should be aware of the cost of a no-deal Brexit? That information is crucial to understanding whether the cost is £2 billion or £8 billion.


It is regrettable that we are compelled to use this process of a Humble Address, but the reason is obvious. Today’s measure speaks to a wide truth, which has been touched on a number of times by the right hon. and learned Member for Beaconsfield, and I am sad to say that it is the basic lack of trust that now exists between this House and the Executive. That has changed in recent weeks. That lack of trust arises very much from the actions of the Prime Minister over the last weeks, which have contributed hugely to it. That alone should be a profound cause of concern to all Members of this House, because in my experience—only four years plus—this House operates on the basis of trust. That trust is going, day by day, and that is why this application has had to be made. That is a concern to all of us and it should be a concern to the Secretary of State.

Let me take the two issues one by one. At this stage of the Brexit process, the House should be sitting as often as possible. Frankly, we should be sitting every day until 31 October. Instead, we have a five-week Prorogation. The Prime Minister and other Ministers say that this is to allow for a Queen’s Speech and a new legislative agenda. If anybody believes that, they will believe anything. As the Secretary of State is likely to try to make that case—I say “try” because I do not think he will succeed—I have two questions. First, why now? Why prorogue now at such a crucial time? What is wrong with proroguing in November when we know the outcome of the negotiations and have a decision? Secondly, why five weeks? There is no requirement for Parliament to be prorogued for five weeks.

Tom Brake (Carshalton and Wallington) (LD): The right hon. and learned Gentleman may be interested to know that in previous years I have asked the House of Commons Library to provide me with a list of what is going to be in the Government’s Queen’s Speech in advance. This year I have again asked that question, but the Library has replied that it is unable to provide me with any information about what might be in it because it has not detected the Government announcing anything in relation to what is going to be in the Queen’s Speech.

Keir Starmer: That intervention speaks for itself.

I remind the House that in the past 40 years Parliament has never been prorogued for longer than three weeks, so it is extraordinary that this Prorogation should come now and for five weeks. In most cases, the House is prorogued for the purposes of the Queen’s Speech for a week or less, and often just for a few days, so to shut down Parliament for so long a period at this stage of the Brexit process is extraordinary.

Justine Greening (Putney) (Ind): I am thoroughly supportive of this emergency debate and what it seeks to achieve. Many people perhaps do not realise that this is not just closing down the debate on Brexit; it is closing down the debate on everything. For example, were we not proroguing, we would have had Treasury questions tomorrow and I would have asked a question to represent some of those people affected by the 2019 loan charge issue. That issue, along with the NHS, schools and everything else, will now be set on one side, and this House’s voice on behalf of the people will be utterly muzzled.

Keir Starmer: I accept that intervention, because the House is being shut down and we will not be able to do our job. It is not Members of Parliament who are being shut out, but those we represent. Whether in relation to the issues mentioned by the right hon. Lady or any other issue, the people are shut out when Parliament is shut down. It is all very well for the Government to say, “We will produce some documents in relation to our analysis of a no-deal Brexit,” but we are not going to be here for the next five weeks, so when are we going to scrutinise them? Even if the Government do publish something, when do we get to ask questions? Not until it is far too late—two weeks away from the decision. To simply say, “We will publish some documents,” under Yellowhammer or anything else misses the point, which is that there can be no scrutiny if we are not sitting.

There is a wider observation, which is that if the purpose of proroguing is justified by the need to pass a Queen’s Speech, how on earth do the Government think they can now achieve that? I remind the House that the Government now have a majority of minus 40. With Cabinet Ministers and even the Prime Minister’s family resigning the Tory Whip every day, one can only wonder what the number will be by the time the House returns. Surely the Government should now just give up on the idea of a Queen’s Speech and drop Prorogation altogether.

Wayne David (Caerphilly) (Lab): Is my right hon. and learned Friend aware of the recording of the Defence Secretary, in which he states his view as to why Prorogation is really happening? It is somewhat different from what the Prime Minister has put forward.

Keir Starmer: Yes, I have seen that. Why we are being closed down is blindingly obvious. As I said earlier, if anybody believes it is genuinely for the orderliness of the House and the convenience of a Queen’s Speech, they will believe anything. We are being closed down to stop scrutiny and to prevent this House from expressing a view on no deal. The only positive is that it galvanised the House last week to take the necessary action to prevent no deal, and Opposition Members were pulled together and spoke strongly on the Bill that has just received Royal Assent.

David Hanson: I am still mystified as to why, on 14 August, the Prime Minister agreed to go to the Liaison Committee this Wednesday if he already knew that he was going to prorogue the House this Monday to avoid scrutiny.
Keir Starmer: If we were sitting, that would be a question that the Prime Minister could answer, not me. However, we will not be sitting, there will be no questions, and the Liaison Committee will not sit at the very point when we need maximum scrutiny.

Chris Philp (Croydon South) (Con): A moment or two ago, the right hon. and learned Gentleman drew attention to the difficulty of passing a Queen’s Speech with a Government majority of minus 43. In such circumstances, would not a general election be the constitutionally proper thing to settle the matter? Will he therefore be voting for one, as the Leader of the Opposition promised last Wednesday, later this evening?

Keir Starmer: I am sure that we will have a general election soon, but not at the cost of a no-deal Brexit, which will so damage this country.

The second issue addressed in the motion is the Yellowhammer documents. I wrote to the Chancellor of the Duchy of Lancaster on 25 August—a fortnight ago now—calling for the publication of the documents when Parliament returned after the summer recess. I have not yet received a reply. Instead of any publication, we have had an update, with no supporting documents and no significant new information.

Tonia Antoniazzi (Gower) (Lab): The Yellowhammer report has been shared with the Welsh Government on a strictly confidential basis and is subject to the Official Secrets Act. Does my right hon. and learned Friend agree that it is an affront to the people of Wales not to tell them what is in that report?

Keir Starmer: I understand that the people of Wales need that information. This House needs that information. Frankly, to take the country on a route that may well end up with a no-deal Brexit, but without providing the analysis of the impact, is so wrong in principle that we should not be where we are today. We have no documents or analysis to look at, and we are being shut down tonight, so even if some documents are produced, we will be unable to scrutinise them properly. We can only rely on leaks to the Sunday papers that, if right, show that, in the most likely scenario, the Government expect to see the return of a hard border in Northern Ireland—notwithstanding the efforts of many people to ensure that does not happen—which will disrupt the fuel supply and UK ports, will cause severe delays in relation to medical supplies, and cause significant disruption and impediment to the ordinary functioning of British citizens’ lives and businesses.

Several hon. Members rose—

Keir Starmer: I will give way first to the hon. Member for Carmarthen East and Dinefwr (Jonathan Edwards).

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): As the right hon. and learned Gentleman knows, the British Government are planning a £100 million propaganda campaign to sell the virtues of a no-deal Brexit. Could they not save a lot of taxpayers’ money by agreeing to the terms of this motion, which will see the documents published on Wednesday?

Keir Starmer: The Government could save a lot of money by coming here and putting information in the public domain without the money attached. We could have had these documents last week. There is an irony in having a public information campaign when the impact assessments are not being made available to Parliament. The Government are spending millions of pounds on telling the country to get ready, but without the decency to put the documents before Parliament and allowing Parliament to sit so that they can be scrutinised.

Hannah Bardell (Livingston) (SNP): Does the right hon. and learned Gentleman agree that it is reprehensible that this Government have put us and the people of the United Kingdom in a position where we are having to fight every step of the way, through the courts and through Parliament, just to get basic information about the impact of a no-deal Brexit? That information should have been given to the people well ahead of the referendum. We now have brinkmanship and kamikaze-like behaviour from individuals who are going to damage the lives of our constituents—constituents like mine who will not be able to get medical supplies. He mentioned Yellowhammer and medical supplies. A close member of my family and a number of my constituents suffer from ulcerative colitis and are concerned about medical supplies and about their health. It is a disease exacerbated by stress. This Government are putting the lives and health of our citizens under threat. Does he agree?

Keir Starmer: I agree, and this goes to the basic question of transparency. If the Government want to take us down this path, which may end up with a no-deal Brexit, they should have the decency and the courage to put the analysis before Parliament.

Ms Angela Eagle: Does my right hon. and learned Friend agree that the difference between that £100 million that the Government are spending on so-called information and the information that we are seeking the publication of through this emergency debate is the difference between gross propaganda paid for by the taxpayer and factual information that ought to be in the public domain as we approach 31 October?

Keir Starmer: I agree. The Government are telling us to get ready, but they will not tell us what to get ready for. I say that really just to underline that these are not trivial documents. They are critically important, and they ought to be put before Parliament.

Crispin Blunt (Reigate) (Con): I may be missing something here, but if the Labour party values for an early election tonight, all this will be decided on 15 October. If the right hon. and learned Gentleman and his right hon. Friend the Leader of the Opposition have the confidence of people, they could then go and give the necessary notice and stop no deal. Why on earth is Labour baulking at the opportunity to get things settled properly by the people of this country?

Keir Starmer: That is such an unconvincing answer to the question of whether there should be basic transparency and accountability in this House.
Caroline Lucas (Brighton, Pavilion) (Green): I congratulate the right hon. and learned Gentleman on stressing the fact that this is not just a technical debate. The livelihoods and lives of our constituents are literally at stake.

On that subject, does the right hon. and learned Gentleman share my concern that my freedom of information request to the Department for Environment, Food and Rural Affairs on the impact on food supplies and the other risks of a no-deal Brexit was turned down? DEFRA confirmed it had that information on what the impact on food supplies will be, but apparently it would not be in the public interest to reveal it. Does he share my concern about that?

Keir Starmer: I am concerned about that, and I recall that is where we started the journey last time, when we asked for impact assessments because freedom of information requests were not fulfilled.

Dr Philippa Whitford (Central Ayrshire) (SNP): Australia is currently suffering from an appalling flu outbreak, which is worse than any it has seen in many years. The vaccine for under-65s is more complex this year and will not be in place before 31 October. Does the right hon. and learned Gentleman agree that if we have a worse epidemic than in 2017 and do not have the vaccines, which have to be kept chilled, we could grind NHS services across the UK to a halt this year? If we do not have the details from Yellowhammer, how can anybody be prepared?

Keir Starmer: I am grateful for that intervention on a very serious issue, and it makes the wider point. Many members of the public are extremely concerned about the impact of a no-deal Brexit on their lives, which is why this is the right application to be made. The application has been made because Parliament is being shut down and preparations for a no deal are not being scrutinised.

I commend the motion to the House, and I urge Members on both sides to support it.

6.11 pm

Rachel Maclean (Redditch) (Con): I wish to speak briefly on two points, as I was not given a chance to intervene on the right hon. and learned Member for Holborn and St Pancras (Keir Starmer). He mentioned the issue of irony, and there is an irony at the heart of this debate: every Opposition Member who has stood up to warn of the risks of a no-deal Brexit had the opportunity to vote for a deal three times in this House. I did not hear a single one of them, including the right hon. and learned Gentleman, make any kind of convincing argument for why they did not vote for the deal negotiated by the former Prime Minister, except for the fact it was negotiated by a Conservative.

Several hon. Members rose—

Rachel Maclean: I am afraid that I will not give way, because a number of Members want to speak on this matter.

The irony is staring us all in the face. We all want to honour our constituents’ desire to leave the European Union, as expressed in the historic referendum—that is certainly what I was elected to do. I was put in here to honour the mandate expressed at the ballot box. It was not my vote, but I understand it is my duty to carry out their wishes, and not to think that I know better than them. Those people had only one vote, and it is my intention to fight to honour it. That is what I was put in here to do.

My constituents are watching this with astonishment and frustration. The more we go round and round in circles, with these processes that make absolutely no sense to people outside this place, the more angry and frustrated they are, because all they can see is a House of Commons that is completely out of touch with people out there. I am proud to make that point on behalf of my constituents in Redditch, who communicate with me on a regular basis.

My second point is about trust. Again we are talking about trust, which is at the heart of this argument. The trust that people put in us, as representatives of their will, is that we would honour their vote in that referendum, and all they have seen is people in here trying not to honour it.

It is obvious to all of us that this is an issue that cuts across political colours, as I have said many times in this House, and what is happening is that these shenanigans, these motions, are being tabled by Opposition Members and, unfortunately, Conservative Members who actually want to stop this democratic process. They want to stop Brexit, but they are not honest enough to admit it. If they were so sure of their argument—

Anna Soubry (Bromsgrove) (Ind-Cons): On a point of order, Mr Speaker. The hon. Member for Redditch (Rachel Maclean) has said two things: first, that people are thwarting democracy; and, secondly, that hon. and right hon. Members are not being honest in the arguments they advance. Presumably she is referring to the right hon. and learned Member for Beaconsfield (Mr Grieve), who is sitting some three Benches behind her.

Mr Speaker: I hope the right hon. Lady will forgive me, but I was immersed—there is no point in my pretending otherwise—in a Socratic dialogue with an hon. Gentleman, as the Chair sometimes is. Therefore I did not hear what the hon. Member for Redditch (Rachel Maclean) said. I find it hard to credit the notion that she would impute dishonesty to a colleague, particularly to a colleague on her own Benches, and certainly she should not do so. At this stage I have to declare her innocent, because there is no evidence of guilt, but nevertheless it is useful to be reminded of the dictate of “Erskine May” that moderation and good humour in the use of parliamentary language are reliable watchwords in conducting our debates.

Rachel Maclean: Thank you for your guidance, Mr Speaker. I endeavour to follow it and, should my words have been misinterpreted, I of course withdraw them immediately.

I made the point that there are divisions on this issue in the House, and the Members who are trying to bring forward these processes are the Members who are trying to stop Brexit. Some of them are actually quite honest and open about that, which is fine. That is their policy. Labour is now a party of remain, which is fine. It would be clearer if Labour put it to the test in a general election and let us see the public’s verdict, but unfortunately they are too frightened to do that.
Sir Oliver Letwin: I understand the passion with which my hon. Friend speaks. Does she accept that, like her, many of us who are supporting this motion, and who have supported other such motions in this whole endeavour, voted three times for a withdrawal agreement and wish to see a withdrawal agreement? I have assured the Prime Minister, both inside and outside this House, that I will personally vote for any agreement that he brings back from the European Council.

Rachel Maclean: I am delighted to hear that, and I absolutely acknowledge my right hon. Friend’s support for the withdrawal agreement and for any future deal. It is wonderful to hear that.

Special advisers are caught up in this Humble Address. I do not have a lot of experience of special advisers. I am a junior Parliamentary Private Secretary, and I have had the privilege of working with a few special advisers in the Departments I have been honoured to assist, and I have found them all, without exception, to be dedicated and conscientious individuals who do their job to the best of their ability.

David Linden (Glasgow East) (SNP): How many special advisers has the hon. Lady worked with who have been found in contempt of Parliament?

Rachel Maclean: That is a hypothetical point, because we have not yet passed this motion. As I said at the start of my remarks, I have not been here long and I have very limited experience, so I have worked with none.

This would be an unprecedented situation for individuals who came into public life and into politics for the best of their ability. This Parliament and this Government do things properly, and there are strong grounds for suspicion that things have not been done properly in relation to this Prorogation. The dogs in the streets know that the reason this Prime Minister is proroguing Parliament is to avoid scrutiny as he hurtles towards 31 October and a no-deal Brexit. Nobody is fooled that the Prorogation has anything to do with the need to commence a new Session and to have a Queen’s Speech on pressing domestic Bills, which none of us has seen so far. If the litigation in which I and others in this House are involved in Scotland achieves nothing else, it will have shown that something is very much awry with the reasons given for the Prorogation.

Justine Greening: I agree with what the hon. and learned Lady says. Were we able to have a voice on this, many Members of this House would think that we should not even have the conference recess for three weeks and that Parliament should be here doing its job at a time of crisis, speaking on behalf of our communities.

Joanna Cherry (Edinburgh South West) (SNP): I rise to state the Scottish National party’s unequivocal support for this application and to congratulate the right hon. and learned Member for Beaconsfield (Mr Grieve) on obtaining this debate. Unlike the hon. Member for Redditch (Rachel Maclean), I am going to confine myself to the terms of the motion, but I wish gently to remind her that this motion is supported by Members from across the House, some of whom, like her, have constituencies that voted leave and some of whom, like me, have constituencies that voted remain. The will of the people in Scotland is to remain, so I have no shame in having that as my primary motivation. Having said that, I am also very concerned to ensure, for as long as I and my colleagues are here, that this Parliament and this Government do things properly, and there are strong grounds for suspicion that things have not been done properly in relation to this Prorogation.

The memos produced by the British Government showed not only the somewhat distasteful comment about girly swots, with which the right hon. and learned Member for Beaconsfield dealt most ably, but that the Prime Minister had approved a plan to prorogue Parliament on 16 August. Yet, as the right hon. and learned Member for Beaconsfield said in his opening speech, as late as 25 August a No. 10 spokesperson was still denying that there was any such plan to prorogue. Indeed, in the pleadings lodged by the Government in response to the action raised in Scotland by myself and other Members of this House, the British Government referred to our contention that we were in fear of a Prorogation as hypothetical and academic. So there are very real reasons to believe that this Government are economical with the truth.

The memos produced by the British Government showed not only the somewhat distasteful comment about girly swots, with which the right hon. and learned Member for Beaconsfield dealt most ably, but that the reason why the current Prime Minister wants to prorogue this Parliament is because he wants to avoid what he referred to as the “rigmarole” of this Parliament sitting in September. So even if the Scottish case achieves nothing else, it has shown that the Government have not been entirely truthful so far.
Another myth was finally put to rest at the weekend when the right hon. Member for Hastings and Rye (Amber Rudd) resigned. Most of us were not surprised to hear her confirm that there are, in fact, no renegotiations ongoing with the EU. Of course we already knew that from the former Chancellor of the Exchequer and from a number of counterparts in the EU. I noted last week at the Brexit Select Committee that the Chancellor of the Duchy of Lancaster initially tried to give the impression that negotiations were ongoing but when pressed on the matter he conceded that there are no negotiations as such, merely discussions. We heard that from him last week, but it was good to hear it from someone who has so recently been at the heart of government and has had the decency to leave the Government given what she has seen.

The weight of evidence regarding the damage that no deal would do to the nations of these islands is overwhelming. We all know that from the work we have done on Select Committees over the past few years—work that will not be happening in the next few weeks, when Parliament is prorogued. But still the Government will not tell us the truth about the assessments they have made of the impact of a no-deal Brexit and the preparations they are making for that. So it is right that this House seeks the documentation relating to Operation Yellowhammer.

I will now concentrate on the Prorogation case, because myself and a number of other MPs and peers, as well as Jo Maugham, QC, and the Good Law Project, have raised an action in Scotland, in which we argue that Parliament is being prorogued for an unlawful purpose and to prevent democratic scrutiny, and that therefore the courts should overturn the order to prorogue. Although the judge at first instance was not with us, we had a full hearing before Scotland’s Appeal Court last week, and we are awaiting the outcome of that decision on Wednesday. Of course a date, 17 September, has also been assigned to a sworn statement—an affidavit—setting out the way in which the decision was made and that the decision was properly taken and to lodge relevant supportive documentation. What happened last week in Edinburgh was that the Government did not provide any such witness statement. They provided no such sworn affidavit and no official explanation. They simply supplied some documents, heavily redacted, without any accompanying explanation. The absence of such a statement in such litigation is, as David Allen Green says, very “conspicuous”.

Kevin Brennan: I am certainly not a lawyer, but general knowledge leads me to ask: is what the Government are doing here not, in effect, the equivalent, in American terms, of taking the fifth—refusing to give evidence on the basis that it might incriminate them or cause them to commit perjury?

Joanna Cherry: It does rather have the whiff of that. At Prime Minister’s questions last week, the right hon. and learned Member for Beaconsfield asked the Prime Minister why it had proved impossible during the Scottish legal proceedings to find any Government official or Minister who was prepared to state on oath in a sworn statement the reasons for Prorogation. The Prime Minister did not answer the question. As the right hon. and learned Gentleman explained earlier, it has been suggested to a number of Members, myself included, by reliable sources, that Government officials were approached by the Government Legal Service about swearing such statements but refused to do so. I cannot know the reasons why they refused to sign a sworn statement; I can only speculate. I speculate that perhaps they refused for fear of perjuring themselves, or for fear that to tell the truth would be damaging to the Government. The idea that any Government official should be put in a position in which they fear having to perjure themselves before the courts of the jurisdictions of Scotland or England, or indeed any jurisdiction in the United Kingdom, is very concerning.

The same sources that suggested that officials have refused to sign sworn statements have also suggested to me, and to other Members of the House, that key figures in No. 10 and the Government have been communicating about the real reasons for Prorogation not through the official channels of Government emails and memos, but by personal email, WhatsApp and “burner” phones—normally used by people involved in a criminal enterprise to avoid being traced. If that is true, they will have adopted a subterfuge, and there can only really be one reason for that: to conceal the real reasons for Prorogation from the scrutiny of this House and, very seriously, the scrutiny of the courts.

In the course of these proceedings, something curious happened last week. I commend to hon. Members’ attention an interesting article about this in the Financial Times at the weekend by David Allen Green, the distinguished legal commentator, entitled: “The curious incident of the missing witness statement”. In the Scottish case, the petitioners argue that the Government had an improper motive in seeking Prorogation, and we say that the real intention was a cynical effort to close down Parliament so that it could not block a no-deal Brexit. Usually, there is a pretty straightforward way for the Government or the responding party to rebut or refute an allegation of such bad faith. Where somebody is facing such an allegation of bad faith, the normal thing to do in an action of judicial review would be to submit a sworn statement—an affidavit—setting out the truth in which the decision was made and that the decision was properly taken and to lodge relevant supportive documentation. What happened last week in Edinburgh
Joanna Cherry: I agree with my hon. Friend, but I would take the argument further, because the shabby practices of this Government and the creaking of the British constitution underline, in my mind, the need for my country to be independent of this mess.

Even as we have been speaking this afternoon, it has been reported on Twitter—this point has already been alluded to—that unidentified No. 10 sources are saying that if we pass this motion for an Humble Address tonight, they will not comply with it. [Interruption.]

Mr Speaker: Order. I am extremely grateful to the hon. and learned Lady for drawing my remark to a close.

I am a student more of Scottish history than of English history, but our histories are bound together, and I know enough about English history to know that it was secret, unaccountable whispers of poison that brought down Edward II and Richard II. I suspect that this Prime Minister will be brought down by secret, unaccountable whispers of poison, such as those in the unattributable briefings we heard this afternoon. Let us make sure that this House and the courts see the contents of the secret whispers of poison that preceded this Prorogation, so that we can all see the real reasons why the House of Commons has been proroged by an Executive terrified of scrutiny.

Several hon. Members rose—

Mr Speaker: Now, a self-denying ordinance would help. I think that the right hon. Member for North Shropshire (Mr Paterson) can probably deliver himself of his thoughts on this matter within five minutes.

6.35 pm

Mr Owen Paterson (North Shropshire) (Con): I will be extremely brief, Mr Speaker, as I came to the debate with no intention of speaking. I just want to make the point that the hon. and learned Member for Edinburgh South West (Joanna Cherry) talks about “secrets” and “poison”. We are naming nine individuals here, some of whom have never worked for the Government before, and some of whom have been working as special advisers for only a week or 10 days. Bluntly, this whole debate offends my sense of fairness. We have a long tradition that people are innocent until proven guilty, yet the hon. and learned Lady assumes instant guilt on the part of those people. We all know that there are probably two names that she would love to flush out, but there are other individuals listed here. Members should just think about this, because these are junior people who have not worked for the Government for very long.

Christian Matheson (City of Chester) (Lab) rose—

Mr Paterson: No, I will not give way. There are significant figures who could have been chosen, such as the Cabinet Secretary, or learned counsel who advise the Government—Treasury counsel and people like that. I received a very unsatisfactory answer earlier when I asked what criteria the right hon. and learned Member for Beaconsfield (Mr Grieve) had applied for naming these people. Before this witch hunt atmosphere continues, would Opposition Members like to consider that they are talking about nine relatively junior members assisting the Government? There are two names that we know they would very much like to flush out, but can we just think of the impact on these people of having their private emails and phone messages to family and friends inspected?

Who is the omniscient person—this great fount of wisdom—who will judge whether those messages are pertinent to the motion. Before Members vote for the motion, I would like them to consider who that person will be. Who will be the chairman of the committee of public safety who will make those decisions?

Are those Members prepared to put their private communications on the record? I am sure that the right hon. and learned Member for Holborn and St Pancras (Keir Starmer) has had many communications with senior members of the European Commission. Only this afternoon, Mr Guy Verhofstadt gave a great paean of praise to you, Mr Speaker—he is going to welcome you to the European Parliament—but I very much doubt that you will make available to us your private communications with him.

You asked me to be brief, Mr Speaker, and I will be. Could we please just recognise that this motion is invidious and unfair? It chooses nine names arbitrarily. If people were really on a fishing expedition, they could have gone wider and gone for more senior figures. Of course, the person they are really after is the Prime Minister, and he does come to this House, and there will be many opportunities to ask him the questions, because ultimately he is the one they should be after.

Several hon. Members rose—

Mr Speaker: Order. Has the right hon. Gentleman finished his oration?

Mr Paterson: I have, Mr Speaker.

Mr Speaker: We are deeply obliged to the right hon. Gentleman. We now need very short speeches, of no more than four minutes.

6.39 pm

Tom Brake (Carshalton and Wallington) (LD): I will certainly speak within the four-minute limit, Mr Speaker.

I wish to focus on Operation Yellowhammer. The issue with Prorogation is whether the Government deliberately misled Parliament. The issue with Operation Yellowhammer is whether the Government are deliberately withholding key documents from Parliament and the public.

Members of Parliament will have seen The Sunday Times last month when it published the leak of Operation Yellowhammer and said that Britain would face shortages of fuel, food and medicine and three months of chaos at its ports in the event of a no-deal exit. The report
went on to warn that lorries might face delays of twoand-a-half days at ports and that medical supplies might be vulnerable to severe extended delays. It also said that the Government had expected the return of a hard border in Ireland. We have not, of course, been able to see this document, because the Government have not been willing to provide it to us, but what we have had is a series of Ministers touring studios saying, in effect, that there is nothing to see in this document, that there is nothing to worry about and that everything is under control. I am afraid that, at the same time, we see reports that the Chancellor of the Duchy of Lancaster has sought to sanitise it. Having apparently failed to sanitise it, he has simply decided to rely on the fact that the report will not be published at all.

I have sought assurances from the Government that if civil servants were asked to modify this document—in effect to sanitise it—that would be in breach of the ministerial code. I have also asked whether those civil servants would be subject to disciplinary action if they refuse to sanitise it and whether, if they spoke out because they noticed that the documents had been sanitised, they would be covered by whistleblower legislation. When I asked for this information, I was referred to the evidence that the Minister gave to the Select Committee, or was about to give to the Select Committee, last week. After he had given evidence, I went hotfoot, as Members would expect me to do, to see whether he had answered any of these questions, and, of course, he had not. When he replies now, perhaps, rather than sending me a letter referring me to evidence in which he has not answered the question, he would like to answer those specific questions, because we need to have that information available.

Businesses are trying to prepare for no deal. The Government are withholding information from them. At the same time, the Minister in charge of local government is writing to local authorities telling them that they have to provide information to residents and businesses about what preparations they are making in relation to no deal. It does seem that if the Government are seeking local authority leaders to make that information available, there is a duty on them to make that information available. Yet what we have from the Government is the withholding of this critical information that would allow all of us to prepare for a no-deal scenario.

It may be that the Government are worried that putting this information into the public domain might lead to shortages of food. To some extent, I understand that, and, if that is the case, that would be less than perfect. Again, I did suggest to the Minister that the Government might want to release the information on Privy Council terms to Privy Counsellors and allow us to access that information. Clearly, I would prefer all Members of Parliament to be able to see that information, but if that is one way that the Government would feel more confident that the information could be shared, then they could do that.

I hope that, when we get a response from the Minister, he will be quite specific in answering these questions, which have so far been avoided by the Government. We would all like to know the answers to those questions so that we have a degree of certainty about what the impact of no deal will be, so that we can all help businesses and others to prepare for that eventuality.
track of the figures slightly, but we do not have such muscularity of numbers that we can deal lightly with constitutional norms and with this place.

I am concerned that, as was flushed out at the urgent question on Thursday, my right hon. Friend the Secretary of State for Northern Ireland—and, as I understand it, every other Cabinet Minister—has still not received legal advice from my right hon. and learned Friend the Attorney General with regard to Prorogation. We have had the legal advice of the Attorney General published in the past. I am not a lawyer, but I understand that, in normal times, it is perfectly proper for that to be under lawyer-client privilege. However, we all recall that we saw the legal advice of the Attorney General with regard to the amendments that the then Prime Minister, my right hon. Friend the Member for Maidenhead (Mrs May), had secured and how they had affected the legal status of the withdrawal agreement. There is therefore a precedent for the publication of legal advice. As somebody who is concerned to get leaving the European Union right on behalf of my constituents, but also as the chairman of the Northern Ireland Committee, I think that the legislative needs of Northern Ireland, particularly in the scenario of a no-deal exit, are being ridden roughshod over by the fact that the House is being prorogued this evening.

I seek assurance from my right hon. Friend the Chancellor of the Duchy of Lancaster that the needs of Northern Ireland, which he and I hold to be incredibly precious, are not being dealt with in a cavalier fashion. I will be voting against this motion, but the Government do need to think about how they deal with these matters.

Several hon. Members rose—

Mr Speaker: We need to have even shorter speeches, because the Chancellor of the Duchy of Lancaster must have his opportunity to respond. I am sure that a great intellectual colossus such as the hon. Member for Walthamstow (Stella Creasy) can express her thoughts in two minutes.

6.50 pm

Stella Creasy (Walthamstow) (Lab/Co-op): I put my name to this motion for three very simple reasons. I agree with what many Members across the House have said about what our constituents do not understand about what is going on in this place. First, many do not understand the concept of Prorogation. Indeed, one of my constituents thought it was something to do with pierogi—dumplings. They do not understand why, when this country is facing a massive crisis, MPs are upping and downing and going home. When I tell them that it is not of my choosing, they ask “Whose choosing was it?” This motion is about people understanding that process. As the hon. Member for North Dorset (Simon Hoare) said, it is about asking, “Does it pass the sniff test?” The honest truth is that everything we have seen to date says that it simply does not.

Secondly, my constituents do not really understand the machinations of official channels and the civil service code, but they do get that an unelected cabal of people are making decisions about their future without any accountability. To Government Members who are concerned about the concept of being able to look at private emails, I gently say that they might wish to google the concept and revisit some of the situations that the House had to deal with in 2011 and in 2013, precisely regarding civil servants and special advisers using official channels to conduct official business. I am sure that there are Members on the Front Bench who can tell them of that time and of the clarity that was given that such information would be FOI-able. This is not something new; it is simply about the exigency of seeing that information when we are making decisions.

There is a third thing that my constituents would not really understand. They do not know what a no-deal Brexit entails—nobody really does because, thankfully, we have not yet experienced it—but they do know that there are doctors going on the national airwaves to tell them that the Government are stockpiling body bags, and they are then hearing the Leader of the House discrediting those very same doctors.

There is a simple question at the heart of this motion, which is the question that I suspect all our constituents, whether we represent leave or remain constituencies, have been asking us over the last couple of weeks: what on earth is going on? The honest truth, if we want to talk about truth in this place, is that none of us can really answer those questions, because we have not seen the homework on why Prorogation has suddenly appeared and what a no-deal Brexit would actually mean—whether it is true that 85% of lorries travelling across the channel are not ready for French customs or that the supply of fresh food will be disrupted. The simple truth may even be that if the situation is not as far-fetched as the stories in the press, just publishing Yellowhammer will set everybody’s minds at rest. This motion is about us being able to do what we should be able to do best: inform our constituents, and hold the Government and their advisers to account. I urge everyone to support it.

Several hon. Members rose—

Mr Speaker: I am afraid that there needs to be a two-minute limit.

6.53 pm

Ian C. Lucas (Wrexham) (Lab): This motion is about trust. We should understand the people we are dealing with.

As recently as July 2019, the Electoral Commission published detailed evidence upon which it based its finding that Vote Leave committed electoral offences in the immediate lead-up to the 2016 referendum. In March 2019, Vote Leave itself admitted to breaking the electoral law. Electoral law is there to safeguard democracy. Vote Leave’s offences are set out in detail in the July 2019 Electoral Commission findings, which explain that Vote Leave conspired, quite deliberately, to break the referendum spending limits by channelling money to the Canadian company AggregateIQ through an alternative funding stream. Dominic Cummings, working for Vote Leave at the time, explained in evidence disclosed by the Electoral Commission that “there is another organisation that could spend your money. Would you be willing to spend the 100k to some social media ninja who could usefully spend it... in the final crucial 5 days. Obviously it would be entirely legal.”

As we now know from the Electoral Commission—and accepted by Vote Leave—it was entirely illegal. Dominic Cummings said that this spending was “crucial.”
Dr Rosena Allin-Khan (Tooting) (Lab) rose—

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op) rose—

Mr Speaker: What an invidious choice. I call Dr Rosena Allin-Khan.

6.55 pm

Dr Rosena Allin-Khan (Tooting) (Lab): It is an absolute disgrace that tonight we will go home for a number of weeks, after we have already been off for many weeks already.

This Government are playing games. Although I am the MP for Tooting, I am also a Tooting girl, who was voted here to do her job: for the five-year-old boy who is starving and has to go to the local food bank—he has not got time for games; for the mother who is waiting for her delayed cancer treatment—she has not got time for games; and for the family who have been failed by the Department for Work and Pensions, who are starving, cannot pay their electricity bills and face another cold winter—they have not got time for games. We are letting the public down at a time when there has never been greater distrust between them and us in here. The mother in my patch who has to bury her son, and who knows that her other children have no opportunity, does not have time for the games that we are playing in this House. To the people sitting in the Gallery, we are a laughing stock. Leaving without a deal makes the very poorest and most vulnerable in our communities and society even worse off.

So today I say, on behalf of Balham, Tooting, Furzedown and Earlsfield, that this Government are a disgrace and proroguing Parliament is a disgrace. I am here in my capacity as an MP and as a regular, ordinary girl from Tooting, who had never been in this place until she was elected to be here. We deserve better and our communities deserve better. Let us be here to do our jobs.

6.57 pm

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): Like many Members’ constituents, many of my constituents in Cardiff have told me over the weekend that they are simply totally confused about what is going on. They are not interested in the procedures and the chicanery; they are interested in their lives, and what difference the proceedings here make to them.

So why does this motion matter and why am I supporting it? Well, the gag that the Government are going to put on Parliament tonight prevents us from having Treasury questions, Northern Ireland questions, Prime Minister’s questions, Digital, Culture, Media and Sport questions and questions to the Attorney General, whose legal advice is so crucial to this situation. It prevents us from having debates on the battle of Arnhem, in which my grandfather served and was taken prisoner of war; the pension age of our police; sanctions; refugees; climate change; EU citizens; the middle east; fracking; Northern Ireland; chemicals; sexual violence; and children.

Proroguing Parliament will prevent the discussion and agreement of the Agriculture Bill, the Immigration and Social Security Co-ordination (EU Withdrawal) Bill, the Trade Bill, the customs Bill, the Wild Animals in Circuses Bill and, crucially, the Domestic Abuse Bill, yet this Government have carried on with this gag. They tell us it is because they want to set out provisions for a new Queen’s Speech and a new programme for government. Who are they fooling? We know the truth. We know why this is being done—the Prime Minister’s own documents have revealed it.

The Prorogation plot was known well before. How was it that I was able to know about it in the early hours of the morning—before it was announced, before you had been told, Mr Speaker, before the Cabinet had been told and before the country had been informed? How was it that journalists were able to know that night and I was able to know, yet No. 10 Downing Street was still denying that this gag was going to go forward? No. 10 was denying it days before, yet as was revealed, the decision was taken on 16 August. That goes to the heart of this motion.

This is about trust in a Government who cannot be trusted, it is about our constituents’ lives and the issues that matter to them, which go well beyond Brexit, and it is about the national security and safety of this country. The Yellowhammer documents should be made public so that we all know the true risk to this country of a no-deal Brexit.

6.59 pm

The Chancellor of the Duchy of Lancaster (Michael Gove): It is a pleasure to speak in this debate after a number of important, serious and passionate speeches. It is important that we pay appropriate regard to this Humble Address, standing as it does in the name of my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve) and supported as it has been by three distinguished QCs in two of the three jurisdictions of these islands.

Important issues are raised by this Humble Address. There is a request implicit in it for full information for this House about the consequences of leaving the European Union. I would emphasise that the opportunity for not just Members of this House but citizens in this country to make sure that they are familiar with all the consequences—and, indeed, the opportunities—of leaving the European Union is at the heart of the Government’s information strategy. Some have suggested that it is somehow propaganda. Far from it: it is an effort to...
ensure that the facts are laid out in an accessible way to every citizen. So whether it is a simple matter of individuals knowing what their rights might be if they happen to be UK nationals abroad, or businesses who require to know what the customs procedures are in order to export, that is all in the public domain.

Stephen Doughty: Will the right hon. Gentleman give way?

Michael Gove: Not at this point.

Indeed, that is not the only thing that is in the public domain. As a result of a court case that has been brought by the hon. and learned Member for Edinburgh South West (Joanna Cherry) and others, we also have in the public domain the submission that went to the Prime Minister on which he made his decision. Submissions such as this, and Government policy that rests on them, are not ordinarily made public, but, quite properly, following the duty of candour in respect of that judicial review, that information was published. There it is in black and white: the reasons that were put to the Prime Minister on which he made his decision. Submissions following the duty of candour in respect of that judicial review, that information was published. There it is in black and white: the reasons that were put to the Prime Minister for going down this course of action, and indeed the reasons that led him to make that decision. I would say that it is not unprecedented, but rare, that such a degree—

Lady Hermon (North Down) (Ind) rose—

Michael Gove: I am always happy to give way to the hon. Lady.

Lady Hermon: I am very grateful to the right hon. Gentleman for allowing me to intervene on him. He will of course be entirely aware that last Thursday, during an urgent question, the Secretary of State for Northern Ireland, who is a very good appointment indeed, made it quite clear that he had not been consulted by the Prime Minister about the plan for Prorogation; he was told only just before it was publicly announced. Therefore, we have a Secretary of State for Northern Ireland who is facing a perfect storm of the possibility of a no-deal Brexit and no functioning Assembly—and no expectation of one any day soon. How can it possibly be that the Prime Minister did not even share the Cabinet?

Michael Gove: The hon. Lady raises at least two important points. First, we are of course absolutely aware that whatever the impacts of a no-deal Brexit, they are likely to be more acute, in a number of ways, in Northern Ireland. She is absolutely right that that extends not just to the economy of Northern Ireland but to security considerations. Let me take this opportunity to pay tribute to the work of the Police Service of Northern Ireland, who have been very clear about what the risks are and their attempts to mitigate them.

On the broader point, submissions that would go to the Prime Minister would not normally be circulated to the whole of the Cabinet, any more than submissions that go to an individual Minister would. This goes to the very heart of what is being requested. That submission is already there, but we are now being asked to give this House and, indeed, the world not just those submissions but every possible communication that any civil servant might have entertained beforehand in helping to advise the Prime Minister on the correct course of action. It is a basic principle of good government observed by Governments—Labour, Conservative and Scottish National party—that there should be a safe space for the advice that civil servants give.

Anna Soubry: Will the Minister give way?

Michael Gove: No.

The Cabinet Secretary, when he appeared before the Procedure Committee, made it clear that this convention that advice should be private has applied to Governments of all parties throughout the history of the civil service. He said that the Humble Address—the particular procedure that we are debating today—has a chilling effect that is to the severe detriment both of the operation of government and the public record of Government decisions. That is the Cabinet Secretary’s view. It is interesting that my right hon. and learned Friend the Member for Beaconsfield said that of the nine people whom he names, only one was a civil servant. Four are civil servants, including the Cabinet Secretary, and he has been clear, as Administrations of every colour have been clear, that they do not disclose this information.

Indeed, sometimes—I listened with care to what the hon. and learned Member for Edinburgh South said—there are Administrations who say that they do not reveal legal advice even when it does not exist. She told us that if we had an independent Scotland, the rules, procedures and practices in an independent Scotland would set an example to us here. But the former First Minister of Scotland, Alex Salmond, told the BBC that he had legal advice on the impact of Scotland being independent in Europe, and then, when he was asked to publish that legal advice, spent £20,000 of Scottish taxpayers’ money fighting that and saying that no freedom of information requests should be granted. Then eventually, when the court found out what had happened, there was no legal advice at all. So I will take no lectures from the Scottish National party about trust or transparency.

Joanna Cherry rose—

Ian C. Lucas rose—

Michael Gove: No, no—absolutely not. [Interruption.] No—no, thank you.

What is being asked of this House is more than just the publication of advice: private communications of a variety of public servants are about to be published if this Humble Address is published. My right hon. and learned Friend did not ask specifically in this Humble Address—

Joanna Cherry: Will the Minister give way?

Michael Gove: No. [Interruption.] No, thank you.

He did not—[Interruption.] I am not scared of the truth—Alex Salmond was scared of the truth, which is why he spent my mum and dad’s money to hide the truth.

Ian C. Lucas rose—

Michael Gove: No, I will not give way.

If the Humble Address had been shaped in such a way as to say that official advice was requested, the Government would have sought to collaborate that— cooperate, I should say—with my right hon. and learned Friend. But this is a trawl—a fishing expedition in
which every single communication from public servants is being requested if it has anything to do in any way with Prorogation. If there are officials or special advisers who are communicating with one another about personal matters, then that would be within the scope of this Humble Address. It is unprecedented. It takes a coach and horses through our data protection legislation. It is questionable in terms of the article 8 rights that individuals have under the European convention on human rights, and it would, for the first time, say—

Ian C. Lucas: Give way!

Michael Gove: No, no.

It would, for the first time, say that the House of Commons, by a simple majority vote, can say that any individual’s communications should be rendered transparent. Do Members realise what they are doing? No criminal offence is alleged. The sole purpose of this is to determine what may or may not have been the private opinion of civil servants and special advisers. The idea that, in order to discern exactly what they thought, we will trample over data protection law, ECHR rights and the principle of safe space is an unprecedented example of those who claim to revere—

Christian Matheson rose—

Ian C. Lucas rose—

Chuka Umunna (Streatham) (LD) rose—

Michael Gove: No, no, no. [HON. MEMBERS: “Give way.”] Mr Speaker, I reserve the right to take any intervention I wish, and I will in a second. [ Interruption. ]

Mr Speaker: Order. There is so much noise that it would be understandable if the Chancellor of the Duchy of Lancaster were unable to hear the right hon. and learned Member for Beaconsfield (Mr Grieve), who was bidding to intervene. Whether he accepts the intervention is a matter for him, but it is important that attempted interventions are audible.

Michael Gove: Thank you, Mr Speaker. I shall not take any interventions because it is important that I make progress.

I want to underline that these propositions are being put forward by people who say—and I believe them—that they take the rule of law seriously, but in their desire to rifle through the private correspondence of individuals, they set aside legal precedent, set aside the good workings of government, and set aside the rights of individuals.

Let me turn briefly to the particular part—

Ian C. Lucas: On a point of order, Mr Speaker.

Mr Speaker: I hope it is a point of order, not a point of frustration.

Ian C. Lucas: It is a point of order. I wrote to the Secretary of State on 5 August asking him a specific question—when he knew about the illegal payments of Vote Leave. He has not answered my letter, and he refuses to take an intervention. I have raised it in this debate again. How will I get a straight answer, on trust, from the Secretary of State?

Mr Speaker: Persist, man! Persist by asking further questions or sending follow-up letters—keep buggering on at all times.

Michael Gove: In his speech, the hon. Member for Wrexham (Ian C. Lucas) answered his own question. He explained that I had said to Dermot Murnaghan on Sky News exactly when I knew about these payments. He can ask as many times as he likes for me to repeat the answer, but I gave the answer months ago.

Talking of politicians who cannot see what is in front of them, we come to Yellowhammer. The point has been made that it is critical that we share with this House as much as we can, and I am absolutely committed to that. In the evidence that I gave to the Exiting the European Union Committee last Thursday—

Mr Grieve: Will the right hon. Gentleman give way?

Michael Gove: No. In the evidence that I gave, I made it clear—I am grateful to the Chairman of that Committee for allowing me to do so—that we wanted to publish and would publish a revised Yellowhammer document. It is also important to recognise that the shadow Secretary of State for Exiting the European Union, the right hon. and learned Member for Holborn and St Pancras (Keir Starmer), described Yellowhammer as both an “impact assessment” and a “likely scenario”. I was clear in the evidence, which was accepted by the Chairman in that Committee, that it was neither an impact assessment nor a likely scenario. The right hon. and learned Gentleman says that he wants scrutiny of our no-deal assumptions, but when that scrutiny is given and when the facts are in front, he seems not to be interested, not to read it or not to know what has been said. He says he wants scrutiny, but when he gets scrutiny, he cannot be bothered to take account of it.

Mr Grieve: I am grateful to my right hon. Friend for giving way, and I am sorry to take him back on the issue about Prorogation and its origins. Would he like to explain at the Dispatch Box why no affidavit was filed by any official relating to the circumstances in which Prorogation was decided upon? He will understand that the suggestion is that, in fact, the explanation given by the Government is inaccurate, that the decisions and work on proroguing this House to prevent us from scrutinising the Brexit process were taken earlier and that there is evidence of it in the interchange of communications between special advisers and others in government.

Michael Gove: I know what the right hon. and learned Gentleman suspects, and he has been fair in laying it out clearly, but the question that this House has to ask is, are we prepared—[ Interruption. ] The question before the House is this—[HON. MEMBERS: “Answer the question!”] I am answering the question. The question before the House is this. We know what the right hon. and learned Gentleman is concerned about, and we know what his concerns are, but are we willing, in order to satisfy his curiosity on this point, to make sure that data protection legislation, the EHRC and the standard practices of
government are overturned? I should say to the right hon. and learned Gentleman that we have published in unprecedented detail, in conformity with the duty of candour, all the information required.

Mr Nicholas Brown (Newcastle upon Tyne East) (Lab): claimed to move the closure (Standing Order No. 36).

Question put forthwith, That the Question be now put. Question agreed to.

Main Question put accordingly.

The House divided: Ayes 311, Noes 302.

Division No. 444] [7.13 pm

AYES

Abbott, rh Ms Diane
Abrahams, Debbie
Ali, Rushanara
Allen, Heidi
Allin-Khan, Dr Rosena
Amesbury, Mike
Antoniacci, Tonia
Ashworth, Jonathan
Bailey, Mr Adrian
Barron, rh Sir Kevin
Beckett, rh Margaret
Benn, rh Hilary
Berger, Luciana
Bets, Mr Clive
Black, Mhairi
Blackford, rh Ian
Blackman, Kirsty
Blomfield, Paul
Boles, Nick
Brabin, Tracy
Bradshaw, rh Mr Ben
Brahe, Tom
Brennan, Kevin
Brock, Deidre
Brown, Alan
Brown, Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burton, Richard
Butler, Dawn
Byrne, rh Liam
Cable, rh Sir Vince
Cadbury, Ruth
Cameron, Dr Lisa
Campbell, dh Sir Alan
Carden, Dan
Carmichael, rh Mr Alistair
Champion, Sarah
Chapman, Douglas
Chapman, Jenny
Cherry, Joanna
Clarke, rh Mr Kenneth
Clwyd, rh Ann
Coaker, Vernon
Cofey, Ann
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Cowan, Ronnie
Cowell, Tony
Cox, Anna
Craig, Angela
Crawley, Angela
Creagh, Mary
Creasy, Stella
Crudaas, Jon
Cryer, John
Cummins, Judith
Cunningham, Alex
Cunningham, Mr Jim
Daby, Janet
Davey, rh Sir Edward
David, Wayne
Davies, Geraint
Day, Martyn
De Cordova, Marsha
De Paola, Gloria
Debonnaire, Thangam
Dent Coad, Emma
Dhesi, Mr Tanmanjeet Singh
Docherty-Hughes, Martin
Dodds, Anneliese
Dodds, Jane
Doughty, Stephen
Dowd, Peter
Drew, Dr David
Dromey, Jack
Duffield, Rosie
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elliot, Julie
Ellman, Dame Louise
Elmore, Chris
Esterson, Bill
Evans, Chris
Farrelly, Paul
Farron, Tim
Fellows, Marion
Field, rh Frank
Fitzpatrick, Jim
Fletcher, Colleen
Flint, rh Caroline
Forbes, Lisa
Fovargue, Yvonne
Foxcroft, Vicky
Frith, James
Furniss, Gill
Gaffney, Hugh
Gapes, Mike
Gardiner, Barry
Gauke, rh Mr David
George, Ruth
Gethins, Stephen
Gibson, Patricia
Gill, Preet Kaur
Glindon, Mary
Godsiff, Mr Roger
Goodman, Helen
Grady, Patrick
Grant, Peter
Green, Kate
Greening, rh Justine
Greenwood, Lilian
Greenwood, Margaret
Grieve, rh Mr Dominic
Griffith, Nia
Grogan, John
Gwynne, Andrew
Gyimah, Mr Sam
Haigh, Louise
Hamilton, Fabian
Hanson, rh David
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendrick, Sir Mark
Hendry, Drew
Hepburn, Mr Stephen
Hermon, Lady
Hill, Mike
Hillier, Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Holllern, Kate
Hopkins, Kelvin
Hosie, Stewart
Howarth, rh Sir George
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, Diana
Jones, Darren
Jones, Gerald
Jones, Graham P.
Jones, rh Mr Kevan
Jones, Ruth
Jones, Sarah
Jones, Susan Elan
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Killen, Ged
Kinnock, Stephen
Kyle, Peter
Laird, Lesley
Lake, Ben
Lamb, rh Norman
Lammy, rh Mr David
Lavery, Ian
Law, Chris
Lee, Karen
Lee, Dr Phillip
Leslie, Mr Chris
Letwin, rh Sir Oliver
Lewell-Buck, Mrs Emma
Lewis, Clive
Linden, David
Lloyd, Stephen
Lloyd, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Lynch, Holly
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Marsden, Gordon
Martin, Sandy
Maskell, Rachael
Matheson, Christian
Mc Nally, John
McCabe, Steve
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McGlinn, Conor
McGovern, Alison
Mclnnes, Liz
McKinnell, Catherine
McMahon, Jim
McMorrin, Anna
Mears, Ian
Miliband, rh Edward
Monaghan, Carol
Moon, Mrs Madeleine
Moran, Layla
Mordan, Jessica
Moran, Stephen
Morris, Grahame
Murray, Ian
Nandy, Lisa
Newlands, Gavin
Norris, Alex
O'Hara, Brendan
Ohn, Melanie
Onururah, Chi
Osamar, Kate
Owen, Albert
Peacock, Stephanie
Pearce, Teresa
Pennycook, Matthew
Perkins, Toby
Phillips, Jess
Phillipson, Bridget
Pidcock, Laura
Platt, Jo
Pollard, Luke
Pound, Stephen
Powell, Lucy
Qureshi, Yasmin
Rashid, Faisal
Rayner, Angela
Reed, Mr Steve
Rees, Christina
Reeves, Ellie
Reeves, Rachel
Reynolds, Emma (Proxy vote cast by Mr Pat McFadden)
Reynolds, Jonathan
Rimmer, Ms Marie
Robinson, Mr Geoffrey
Rodda, Matt
Rowley, Danielle
Ruane, Chris
Russell-Moyle, Lloyd
Ryan, rh Joan
NOES

Adams, Nigel
Afolami, Bim
Afriyie, Adam
Aldous, Peter
Allan, Lucy
Amess, Sir David
Argar, Edward
Atkins, Victoria
Austin, Ian
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Barclay, rh Stephen
Baron, Mr John
Bellingham, Sir Henry
Benyon, rh Richard
Beresford, Sir Paul
Berry, rh Jake
Blackman, Bob
Blunt, Crispin
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andi
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Braverman, Suella (Proxy vote cast by Mr Steve Baker)
Brereton, Jack
Bridgen, Andrew
Brine, Steve
Brokenshire, rh James
Bruce, Fiona
Buckland, rh Robert
Burghart, Alex
Burns, Conor
Cairns, rh Alun
Cairns, rh Alun
Campsell, Mr Gregory
Cartledge, James
Cash, Sir William
Caulfield, Maria
Chalk, Alex
Chishi, Rehman
Chope, Sir Christopher
Churchill, Jo
Clark, Colin
Clark, rh Greg
Clarke, Mr Simon
Cleerley, rh James
Clifton-Brown, Sir Geoffrey
Coffey, Dr Therése
Collins, Damian
Costa, Alberto
Courts, Robert
Cox, rh Mr Geoffrey
Crabb, rh Stephen
Crouch, Tracey
Davies, David T. C.
Davies, Glyn
Davies, Mims
Davies, Philip
Davies, rh Mr David
Dinenage, Caroline
Djanogly, Mr Jonathan
Docherty, Leo
Dodds, rh Nigel
Donaldson, rh Sir Jeffrey M.
Donelan, Michelle
Dorries, Ms Nadine
Double, Steve
Dowden, rh Oliver
Doyle-Price, Jackie
Drax, Richard
Dudbridge, James
Duguid, David
Duncan, rh Sir Alan
Duncan Smith, rh Mr Iain
Dunne, rh Mr Philip
Ellis, Michael
Ellwood, rh Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Mr Nigel
Everett, rh Sir David
Fabricant, Michael
Fallon, rh Sir Michael
Field, rh Mark
Ford, Vicky
Foster, Kevin
Fox, rh Dr Liam
Francois, rh Mr Mark
Frazier, Lucy
Freeman, George
Freer, Mike
Fysh, rh Mr Marcus
Gale, rh Sir Roger
Garnier, Mark
Ghani, Ms Nusrat
Gibb, rh Nick
Gillan, rh Dame Cheryl
Sirian, Paul
Glen, John
Goldsmith, Zac
Goodwill, rh Mr Robert
Gove, rh Michael
Graham, Luke
Graham, Richard
Grant, Bill
Grant, Mrs Helen
Gray, James
Grayling, rh Chris
Green, Chris
Green, rh Damian
Griffiths, Andrew
Hair, Kirstene
Halfon, rh Robert
Hall, Luke
Hammond, Stephen
Hancock, rh Matt
Hands, rh Greg
Harper, rh Mr Mark
Harris, Rebecca
Harrison, Trudy
Hart, Simon
Hayes, rh Sir John
Heald, rh Sir Oliver
Heappey, James
Heaton-Harris, Chris
Heaton-Jones, Peter
Henderson, Gordon
Herbert, rh Nick
Hinds, rh Damian
Hoare, Simon
Hollingbery, George
Hollinrake, Kevin
Hollobone, Mr Philip
Holloway, Adam
Howell, John
Hudson, Nick
Hughes, Eddie
Hunt, rh Mr Jeremy
Hurd, rh Mr Nick
Jack, rh Mr Alister
Javid, rh Sajid
Jayawardenah, Mr Ranil
Jenkin, Sir Bernard
Jenrick, rh Robert
Johnson, rh Boris
Johnson, Dr Caroline
Johnson, rh Brent
Johnson, rh Joseph
Jones, Andrew
Jones, rh Mr David
Jones, rh Mr Marcus
Kawczynski, Daniel
Keegan, Gillian
Kennedy, Sema
Kerr, Stephen
Knight, rh Sir Greg
Knight, Julian
Kwarteng, rh Kwasi
Lamont, John
Lancaster, rh Mark
Latham, Mrs Pauline
Leadbeater, rh Andrea
Lefroy, Jeremy
Leigh, rh Sir Edward
Lewer, Andrew
Lewis, rh Brandon
Lewis, rh Dr Julian
Liddell-Grainger, Mr lan
Lindsay, rh Mr David
Little, Penny
Lopez, Julia
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Mackinlay, Craig
Maclean, Rachel
Main, Mrs Anne
Mak, Alan
Malthouse, Kit
Mann, John
Mann, Scott
Masterton, Paul
May, rh Mrs Theresa
Maynard, Paul
McLoughlin, rh Sir Patrick
McPartland, Stephen
McVey, rh Ms Esther
Menzies, Mark
Merriner, Huw
Metcalfe, Stephen
Miller, rh Mrs Maria
Milling, Amanda
Mills, Nigel
Mitchell, rh Mr Andrew
Moore, Damien
Mordaunt, rh Penny
Morgan, rh Nicky
Morris, Anne Marie
Morris, David
Morris, James
Morton, Wendy
Mundell, rh David
Murray, Mrs Sheryll
Murrison, rh Dr Andrew
Neill, Robert
Newton, Sarah
Nokes, rh Caroline
Norman, Jessee
O’Brien, Neil
Offord, Dr Matthew
Opperman, Guy
Paisley, Ian
Parish, Neil
Patel, rh Priti
Paterson, rh Mr Owen
Mr Speaker: We now come to the motion in the name of the Leader of the Opposition, to be moved under Standing Order No. 24. I remind the House, although I am sure that colleagues are keenly conscious of every word of it, that the motion is

“That this House has considered the welcome completion of all parliamentary stages of the European Union (Withdrawal) (No. 6) Bill and has considered the matter of the importance of the rule of law and Ministers’ obligation to comply with the law.”

I call the Leader of the Opposition to move the motion.

7.31 pm

Jeremy Corbyn (Islington North) (Lab): I beg to move,

That this House has considered the welcome completion of all parliamentary stages of the European Union (Withdrawal) (No. 6) Bill and has considered the matter of the importance of the rule of law and Ministers’ obligation to comply with the law.

I welcome the decision that the House has just reached, and I look forward to the Government abiding by and accepting that decision, and the necessary documents being released.

I begin by welcoming the cross-party efforts of many Members of the House in getting the European Union (Withdrawal) (No. 2) Act passed into law, particularly those of my right hon. Friend the Member for Leeds Central (Hilary Benn) and the right hon. Member for West Dorset (Sir Oliver Letwin). Parliament has passed a law to ensure that the will of Parliament is upheld. The fact that Parliament is compelled to pass a law to ensure that its will is upheld shows what extraordinary times we live in. The House has rejected no deal. Businesses and trade unions are united in rejecting no deal, and there is no majority for it across the country. The Chancellor of the Duchy of Lancaster, the co-convenor of the Vote Leave campaign, said in March this year:

“We didn’t vote to leave without a deal”.

It is clear—there is no mandate for no deal.

In trying to diminish the Act, the Government’s spin doctors have branded it the surrender Bill, and Ministers have dutifully trotted out that phrase in the media. The Minister who is going to reply has already replied, like Pavlov’s dogs always do.

I remind the House again: we are not at war. The Prime Minister seems obsessed with hyperbole and aggressive language: “surrender Bill”; “do or die”; “rather be dead in a ditch”; and the list goes on. We are supposed to be having negotiations with our European partners. The lives at stake as a result of all this are not here to reply to this debate. I believe he ought to be, as the motion is specifically directed at him. 

Ruth Jones (Newport West) (Lab): Where is he?

Jeremy Corbyn: Indeed. I do not keep the Prime Minister’s diary. He may keep his own, but he is certainly not here to reply to this debate. I believe he ought to be, as the motion is specifically directed at him. 

Ruth Jones: I cannot help with that question, but others may be able to do so. We learned from leaked Government papers that our constituents whose medical supplies are...
at risk from a reckless no deal are very worried, so I urge the Government and Members in all parts of the House to tone down the rhetoric and inflammatory language, and try to heal, not widen, divisions in society. I give credit to those who have worked in a cross-party way, and I have been happy to have meetings with all Opposition party leaders.

A law has been passed by this House and by the other place, and the Government must abide by it. It is not complicated—it is very straightforward and simple.

Ms Angela Eagle (Wallasey) (Lab): Last week, I asked the Prime Minister whether, if the Bill became law, he, as the Prime Minister of our country, would obey the law. He said that he would, and so would the Government. The next day he announced that he would rather be dead in a ditch than obey the law. Which does my right hon. Friend think it is?

Jeremy Corbyn: I do not really wish anyone dead in a ditch, even if that is their own wish. The first answer that the Prime Minister gave ought to have been that he accepted the will of the democratically elected Parliament. This is a parliamentary democracy—we do not have an executive president who can rule over us. We have to make it very clear that we expect the Prime Minister to abide by the details and specifics of the law that has been passed, which makes specific requirements of him.

Ian Blackford (Ross, Skye and Lochaber) (SNP): The Leader of the Opposition is making some very important points. The conduct not just of this debate but of the whole discourse is important. He referred to the Government’s characterisation of the Act as a surrender Bill. Do not the Government bear responsibility for the language that they use? When we hear the language on the streets—he, I and many others have been told that we are traitors, and have sometimes heard much more abusive language—the Government have a responsibility to recognise the impact of their language and actions outside Parliament.

Jeremy Corbyn: The right hon. Gentleman is quite right. Language has consequences, as people trot out what has been said by the Prime Minister and others, and turn it into the most abusive language and the most abusive behaviour against others. Surely we can have an intelligent debate in our society without resorting to the kind of behaviour, language or violence that has been threatened against some individuals.

Mr Peter Bone (Wellingborough) (Con): The Leader of the Opposition is very generous in giving way. When talking about the rule of law, if we get to 31 October and one of the other European countries says that we cannot extend, would he support coming out with no deal, because that is the law?

Jeremy Corbyn: That is an entirely hypothetical question. The question that the Prime Minister has to answer is: an Act of Parliament has been passed, and it requires him to take a specific course of action. He, in his many statements over the past few days, appears to contradict the wishes of Parliament that he carry out those actions. Let us not go down a hypothetical road—let us get an answer from the Government about whether or not they accept the decision of Parliament to pass that legislation into law. It is not difficult, and I am sure that when the Minister comes to reply he will give us an answer—I seriously hope so.

It is not only Conservative Members who are encouraging the Prime Minister to break the law in their numerous WhatsApp groups. Cabinet Ministers are refusing to confirm that the Government will abide by the law.

Ian Austin (Dudley North) (Ind): Will the right hon. Gentleman give way?

Jeremy Corbyn: One second. Even the Prime Minister himself implies that he will break the law.

Ian Austin: Will the right hon. Gentleman give way?

Jeremy Corbyn: No, I will not give way at the moment.

No. 10 has briefed that the Prime Minister will defy the law. Until the Government have abided by that law, I do not believe there will be a majority in the House for what the Prime Minister is proposing later today under the Fixed-term Parliaments Act 2011.

Vicky Ford (Chelmsford) (Con): I would like to go back to the point that was just made about what happens if we reach the end of the October and one or more EU countries do not give an extension. The clock is ticking towards the end of October, and surely we should focus on supporting getting a deal now, rather than kicking the can further down the road. If there is no extension, what does the Leader of the Opposition suggest is done?

Jeremy Corbyn: We have always wanted to get a deal, but what we do not want is the no-deal exit with all the dangers to jobs, living standards and supplies, and the Prime Minister and his chums taking us down the road into the arms of Donald Trump and the trade arrangements he will make with the United States.

Last week, the Prime Minister had several opportunities at the Dispatch Box, but on each and every occasion he failed to give a single detail, in response to numerous questions, about what the Government are aiming to negotiate in terms of a new deal with the European Union.

Mr Bob Seely (Isle of Wight) (Con): Will the Leader of the Opposition give way?

Jeremy Corbyn: For the last time.

Mr Seely: I thank the right hon. Gentleman for giving way. On a point of clarification, he says how important the rule of law is, and I agree. How many paramilitary and terrorist organisations has he supported and how many murders have they committed?

Jeremy Corbyn: I am glad the hon. Gentleman managed to read out his intervention that was given to him earlier.

This is a debate about a Government saying that they will not abide by a law passed by this Parliament. I would have thought it was very straightforward. The Prime Minister should simply say, “This House voted. Of course the Executive must accept the decision.”
This weekend the right hon. Member for Hastings and Rye (Amber Rudd) resigned.

Ian Austin: Will the right hon. Gentleman give way?

Jeremy Corbyn: No, I will not give way any more.

The right hon. Member for Hastings and Rye resigned, saying that she had not seen any intensity of work going into negotiations with the EU. She stated:

“I no longer believe leaving with a deal is the Government’s main objective.”

That is a pretty big statement for a member of the Cabinet to make on resigning. Many of us had suspected that for a month or more, but perhaps a five-week delay is par for the course for the former Secretary of State for Work and Pensions. This week, the Chancellor could give no response to what was being negotiated, and not one shred of evidence that the Government have made any proposals whatsoever. Just this morning the Taoiseach, Leo Varadkar, said he has yet to receive

“realistic, legally-binding and workable”

plans to replace the backstop. The former Work and Pensions Secretary is therefore right to be concerned that only minimal effort, at best, is going into finding a negotiated deal.

It would be unusual for a Prime Minister to lose the confidence of the House so early in his tenure. It is extraordinary that he is already losing the confidence of his own Cabinet Ministers. If his own Cabinet members cannot have faith in his words, it explains why this House has found it necessary to legislate. For all the many criticisms I had of the right hon. Member. For Maidenhead (Mrs May), as Prime Minister she welcomed scrutiny, and, as much as I often disagreed with the policy positions she set out, she saw herself as a public servant. If the Government have a position on Brexit, I hope they will publish it. This House and the people of this country deserve to be able to discuss it, and I am a strong believer that policies are improved by scrutiny.

Ian Austin: Will the right hon. Gentleman give way?

Jeremy Corbyn: No, I will not give way. I have made that clear already.

In her resignation letter, the right hon. Member for Hastings and Rye said the Prime Minister had committed an

“assault on democracy and decency”.

I would go further: the Prime Minister is also threatening an assault on the rule of law. He was asked on Friday whether he would abide by the provisions of the European Union (Withdrawal) (No.6) Bill, as it then was, and said he would rather die in a ditch. I do not wish him any ill. I do, however, wish that he would come to the Dispatch Box, set out his detailed plan for Brexit and confirm that he will abide by the law. More than that, the people of this country deserve, and democracy demands, up-front answers from the Prime Minister. So far, no answers have been forthcoming.

I hope the Prime Minister will live up to the office he holds, accept the decisions made by this Parliament, and carry out the wishes of the Act to ensure an application is made to prevent this country crashing out on 31 October, with all the damage that will do to food supplies, medicine supplies, and industrial supplies, and prevent his longer-term ambitions of heading this country in a totally different direction which many, many people are truly frightened of. The Prime Minister could sort this out very quickly if he just had the courtesy to come to the House and confirm he will accept all the provisions of the Act the House has just passed.

Mr Speaker: I seek a right hon. or hon. Member on the Government Benches, but it is not immediately obvious that any wishes to contribute. [Laughter.] I do not see why that is a source of such hilarity; I am just making a rather prosaic, factual observation. [Interruption.] Order. Was that chuntering from a sedentary position?

Anna Soubry (Bromsgrove) (IGC): On a point of order, Mr Speaker. Is this in order? I think we all want to know who is going to reply for the Government. If it is the Foreign Secretary, many of us will find that surprising. Given the content of the motion, which is all about the rule of law, why is one of Her Majesty’s Law Officers, either the Secretary of State for Justice or the Attorney General, not replying on behalf of Her Majesty’s Government? Mr Speaker, I appreciate that you cannot answer on behalf of the Government, as much as I suppose you would like to, but this is a very serious matter, and a Law Officer should be answering the arguments being put forward in this debate.

Mr Speaker: The right hon. Lady may be flummoxed or irked to discover that the Government do not notify me of their intentions in relation to who might or might not speak. Unless there is a note that lists that, I do not have any intelligence on the matter. I am advised that the Foreign Secretary intends to wind up the debate for the Government. It is open to him, fleet of foot and intellectually dextrous as he is, to leap to his feet and deliver his oration now in substitution for the opportunity later, but he is not under any obligation to do so. [Interruption.] It appears that he does not wish to do so. However, Mr Peter Bone apparently does wish to speak. I call Mr Peter Bone.

Mr Speaker: Thank you, Mr Speaker. [Interruption.] I think it a slightly outrageous suggestion from the shadow Chancellor that I should speak for the Government. I do not know who is more offended, me or the Government.

I rise very briefly to say that I do not welcome the passage of a Bill that has been rushed through the House in a totally outrageous manner without proper scrutiny. [Interruption.] I have no idea whether it has received Royal Assent or not. If it has, it is the law of the land. It still does not make it a good law. It seems to me that every Government would abide by the law. The point I made to the Leader of the Opposition is that the idea we have passed an Act of Parliament that takes no deal off the table is blindingly obviously not true, because we do not have that power. You may say that this Parliament wants an extension—that is one thing—but to say that every single European Union member country has to grant that extension is just wrong.

Mrs Anne Main (St Albans) (Con): Will my hon. Friend confirm that one of the special circumstances in which the European Union would decide to give an
extension is if there is an election? If the Opposition were to vote for an election tonight—we might then have, if they are confident, a new Prime Minister—that would guarantee an extension. What has been done today, however, does not guarantee an extension.

Mr Bone: I absolutely agree with my hon. Friend, and it may well be that tonight the Leader of the Opposition will see the wisdom of her words and the Opposition will vote for a general election. I did a bit of research, and it is interesting that in this House, the Leader of the Opposition has called for a general election 35 times. It seems somewhat surprising that tonight, he is going to show support for the Government by not voting for a general election.

Mr Nigel Evans (Ribble Valley) (Con): Does my hon. Friend agree that, frankly, Members of Parliament should not pick and choose the laws that they obey, just as Members of Parliament should not pick and choose the results of referendums that they obey either?

Mr Bone: On my hon. Friend’s first point, absolutely any Government must obey the law of the land. There is no doubt about that, but it seems to me that this House, by a substantial majority, including many Opposition Members who voted for this—

Barry Gardiner (Brent North) (Lab): Bring back Eric Forth!

Mr Bone: I am sure that Eric Forth was much better. He will probably be looking down, saying, “Oh my goodness, what a shower there is on both sides!” He would do this far better than me and he would wear a much better tie in the process, but alas, he is in a better place—and he will be wearing a better tie than the hon. Gentleman, that’s for sure. The really important point is that this House delegated the decision to the British people, and after three years, we have failed to do it. That is the fundamental difference between this and anything else that we normally debate.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): The hon. Gentleman and I obviously disagree on the Brexit issue, but he would surely accept that since that point, we have had a general election where the Government lost their majority, and the Government have further lost their majority during that time. That is part of democracy. Given that the Prime Minister found time to vote in the last Division—we all saw him scuttling off down the corridor—is the hon. Gentleman not disappointed that neither he nor the Law Officers are here to explain whether or not they will comply with the law of this land?

Mr Bone: Do I think that the Prime Minister should waste his time coming to an Standing Order No. 24 debate—a general debate—about whether he is going to obey the law of the land? Of course he is going to obey the law of the land. Nobody doubts that point. The hon. Gentleman made another important point before that, which I have completely forgotten—sorry.

Vernon Coaker (Gedling) (Lab): This debate is important because it is about the Prime Minister obeying the law. This is not just about the Leader of the Opposition. Is the hon. Gentleman not surprised, as my hon. Friend the Member for Cardiff South and Penarth (Stephen Doughty) said, that the Law Officers of the Government are not here to hear the debate, given, quite astonishingly, that the Lord Chancellor—the chief Law Officer of Her Majesty’s Government—had to see the Prime Minister to seek reassurances about the Prime Minister of the United Kingdom obeying the law passed by the legislature of the United Kingdom? Does the hon. Member for Wellingborough (Mr Bone) not agree that that is astonishing? Frankly, the importance of this debate is reflected in the fact that the Lord Chancellor had doubts about whether the Prime Minister is going to obey the law.

Mr Bone: The hon. Gentleman might want to withdraw that remark, because I have seen no comments from the Lord Chancellor that he in any way doubts the word of the Prime Minister—on reflection, he might wish to withdraw that.

The truth is that this is a general debate that is being held for political purposes. Nobody in this House for one moment thinks that any member of the Government is not going to obey the law of the land. My only reason for speaking in this debate was to say that I do not welcome the Act. It was pushed through in an extraordinarily unconstitutional way, and I say with all sincerity to the Leader of the Opposition that if he sits on this side of the House as Prime Minister, he will regret that constitutional outrage.

7.54 pm

Ian Blackford (Ross, Skye and Lochaber) (SNP): According to Pericles:

“Freedom is the sure possession of those alone who have the courage to defend it.”

Our freedoms, our rights and our democracy are today under threat—under attack from a Prime Minister threatening to ignore the rule of law, ignore the wishes of Parliament and railroad against the will of the people. Today is indeed a historic day—a dark day. It will be remembered as the day that the UK Government obstructed the people and plunged the UK into an unprecedented constitutional crisis.

Let me be absolutely clear: the Prime Minister is not, not ever, above the rule of law. He says that he would rather die in a ditch than write to seek an extension to protect our economy from falling off the cliff edge. If that is the course that he chooses, the Prime Minister must resign. Undermining democracy at every turn, the Prime Minister simply cannot be trusted. The rule book has been well and truly ripped up, and with it, democracy and decency have been shredded by a cult of Brexit fan boys in No 10—unfit to govern, unwilling to govern.

What a despicable state of affairs—that an unelected bureaucrat, the Prime Minister’s lead adviser, is sitting in No. 10 devising and directing an assault on democracy, preventing parliamentary scrutiny and transparency. Should we be surprised? These are the men behind the biggest con in modern times. The co-founders of fake news, who lied to the public during the EU referendum and removed the facts from the table, and here they are
again, ducking and diving the truth, seeking to operate Government using cloak-and-dagger tactics, pretending to protect the right of the people when in reality they are crushing the rights of our citizens, strangling Parliament and gagging the voice of the people.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): Does my right hon. Friend agree with whoever was responsible for writing a front-page article in The Spectator in 2004—at which time the present Prime Minister was the editor—that said “impeachment remains part of parliamentary law, a recourse for desperate times.”?

Are these not desperate times?

Ian Blackford: Absolutely they are, and I say to the Prime Minister: be very careful. Do not obstruct the rule of law.

The Vote Leave campaign in No. 10 does not care about the rules. They did not care in 2016 and they do not care now about the law. We must stop them, because the stakes are frankly too high. The Prime Minister and his Vote Leave cronies are not above the law. The law must stop this dictatorship, and Parliament must stop this Prime Minister acting like a dictator. Even the Prime Minister’s own Ministers cannot trust him.

In her resignation letter, the right hon. Member for Hastings and Rye (Amber Rudd), said that “I no longer believe leaving with a deal is the Government’s main objective.”

It has been confirmed in The Times today that the Prime Minister’s negotiating team has been reduced to just four members.

The truth is that the Prime Minister’s priority is not to get a deal; his priority is to rip the United Kingdom out of the EU on 31 October, no matter the consequences. With the House suspending tonight, it is essential that the papers relating to the advice on Parliament being prorogued are published, and the determination tonight must be delivered on by Wednesday evening.

We cannot allow the UK Government to destroy our democracy and operate unchecked. We need to know the truth—the public deserves to know the truth.

Mr Seely: If the right hon. Gentleman is so concerned about democracy, why does he not vote for a general election this evening?

Ian Blackford: This is a debate about observing the law. If the hon. Gentleman wants to speak in a debate about an election, that debate is taking place later on.

Patricia Gibson (North Ayrshire and Arran) (SNP): Government Members have said time and again that the Prime Minister and the Government will obey the law, and yet we have heard the Prime Minister talk about how he would rather die in a ditch. Does my right hon. Friend share my concern that with backroom shenanigans the Government are looking for a way to evade the law?

Ian Blackford: My hon. Friend says shenanigans; I would perhaps prefer to use some other words that I am prohibited from doing in this place. Let’s just think about a Government threatening to break the law.

What signal are we sending to the citizens of the United Kingdom, when the Prime Minister of this country, the highest office in the land, is telling the people it’s okay to break the law? It is a dereliction of duty and demonstrates he is not fit for the office of Prime Minister.

If the Prime Minister wants an election, he must obey the law and take a no-deal Brexit off the table. The UK Government’s Law Officers and the Secretary of State for Justice must intervene to ensure he respects the letter and the spirit of the law and removes the threat of no deal. They have responsibilities, first and foremost to uphold the law, and if they cannot receive those assurances tonight from the Prime Minister, their positions become untenable. How can they look themselves in the mirror in the full knowledge that nobody, but nobody, is above the law, and remain in office? This sorry saga should lead to more Ministers asking a simple question: are they prepared to remain in ministerial posts in a Government prepared to break the law? That is a fundamental question.

The Government should face reality. This House has legislated to remove no deal as an option at the end of October. They must signal tonight that they will comply with that legislation. Make no mistake—once the threat of no deal is off the table, we will move for an early election. Make no mistake—we in the Scottish National party want an election, but we must first satisfy ourselves that the Government will uphold the law and deliver an extension to remain in the EU. The people should not be shut out or silenced by this Prime Minister. They must be heard, and heard on the right terms, not on the terms of the Prime Minister’s shabby and shady stunts.

8.2 pm

John Redwood (Wokingham) (Con): Of course the Government and all Members of Parliament must obey the law, but Parliament must also pass wise laws and pass them according to our traditions, practices and rules. I wish to concentrate briefly on the question of the wisdom of the law and urge those who sponsored it to think again in the national interest.

This is no normal law. A normal law applies to everyone in the country equally, there are criminal penalties for those who break the law, and we wish to see the law enforced. This is not that kind of a law. This Act of Parliament is a political instruction to our Prime Minister about how he should behave in an international negotiation. Normally, this Parliament takes the view that international negotiations are best handled in detail by the Government, and we the Parliament judge the result by either approving or disapproving of it.

I urge colleagues to think again, because two things follow from Parliament instructing the Prime Minister in the way it has sought to do over this negotiation. The first is that the EU, the counterparts to the negotiation, can see that this Parliament has deliberately undermined the position of the lead negotiator for our country. It will take note of that, and instead of giving things it will say, “There is no point in giving things.” The second thing—even worse—is that the EU will take note that our Prime Minister under this Act is to seek an extension to remain in the EU on any terms the EU cares to dictate. How can anyone in this House say that is good law or justice or makes sense for the British people? Those of the remain persuasion, just as those of the leave persuasion, must surely see
that this is not the way to treat our lead negotiator—putting our country naked into the negotiati ng chamber with the EU. It puts the country in a farcical and extremely weak position.

I thought that the Labour party wanted us to leave the EU. Labour Members did not like the withdrawal agreement—I have sympathy with that—but they do not like leaving without the withdrawal agreement—I have less sympathy with that—so they are looking for a third way. They presumably think they could do some other kind of renegotiation, but they have never explained to us what that renegotiation would be like, and they have never explained how the EU would even start talking about it, given that it has consistently said we either take the withdrawal agreement or just leave.

Adam Afriyie (Windsor) (Con): The Opposition have taken a really bizarre position. They have said that, even if they did manage to negotiate a new deal with the EU, they would campaign against it. It is a really odd position for this nation to be in.

John Redwood: That is even more bizarre. Normally, Governments do their best negotiation and then come back and recommend it to the House of Commons. It would indeed be fatuous if we ever had a Government in this country who negotiated a deal they knew they wanted to reject. They should not waste everybody's time and just say, “Let's leave without a deal.”

We are wandering a little from the point of this debate, which is about the rule of law. This House of Commons should think again. This is an extremely unwise law. It undermines the Prime Minister, but, more importantly, it undermines our country. It makes it extremely unlikely that those remain-supporting MPs who could live with our exit with a variant of the withdrawal agreement will get that because they have deliberately undermined the pressure our Prime Minister may place on the EU in the negotiations he is trying to undertake. Even worse, they have invited the EU to dictate terrible terms for a few months’ extension, and why would the EU not do it? Please, Parliament, reconsider. Parliament has a duty to put through wise laws and to represent the national interest. This miserable Act is an act of great political folly and is undermining our country in a very desperate way.

8.7 pm

Jo Swinson (East Dunbartonshire) (LD): It is astonishing that we are even having a debate about whether a Prime Minister is going to adhere to the rule of law. Let us just think about that for a minute or let it sink in. The Government have let the House of Commons be in genuine doubt about whether they will respect a law that has passed through this Chamber and the other place and received Royal Assent. We have a Prime Minister who thinks the rules do not apply to him. He is acting as though he has a majority, when he has none. His majority dissolved when the hon. Member for Windsor (Mr Bone) said that, normally, Prime Ministers would not be told how to conduct a negotiation; they would bring back what they had negotiated to the House of Commons and seek approval for it. Actually, this law does exactly that. It asks the Prime Minister to request an extension of article 50 to prevent us from crashing out of the EU without a deal. The hon. Member for Wellingborough (Mr Bone) said that it does not take no deal off the table, and I have some sympathy and agreement with the hon. Gentleman on that point. This law is not perfect. This law is what we arrived at, working on a cross-party basis and building consensus in Parliament, but it is not perfect. It is a good step, but it is not a guarantee. As has been said, what happens if the EU does not grant an extension? I, for one, do not put anything past our Prime Minister when it comes to what he might try to engineer.

It was suggested that an extension would be granted for a general election, and I think that that is a fair representation of what the EU has said. The EU has also said that it would grant an extension for the purpose of a people’s vote so that the specific deal could be voted on, and that remains the best way in which to resolve this issue. There is no guarantee of a resolution through a general election, but if there is a people’s vote on the specific Brexit deal, we will know whether that has majority support in our country or whether it does not.

It is important for Parliament to be sitting during the period after the European Council. The right hon. Member for Wokingham (John Redwood) said that, normally, Prime Ministers would not be told how to conduct a negotiation; they would bring back what they had negotiated to the House of Commons and seek approval for it. Actually, this law does exactly that. It asks the Prime Minister to do his job—negotiating in Brussels—and either to get a deal or, if he fails to get a deal, to come back to the House and hold a vote in Parliament to see whether there is approval for what he has achieved.

John Redwood: Is there any limit on the conditions that the EU could impose on us to get the extension that the hon. Lady would find unacceptable? Let us say that it wanted billions of pounds that we need for schools and hospitals in Britain. The hon. Lady wants us to just pay that.
Jo Swinson: That is absolute nonsense. As the right hon. Gentleman well knows, our views on Brexit differ intensely. I think that the EU, in good faith, is likely to respond positively to a request for a genuine extension, such as one for a people’s vote. Ultimately, it will be up to the House to decide, if a recommendation was made, that that should not be taken into law.

Sir Geoffrey Clifton-Brown (The Cotswolds) (Con): Will the hon. Lady give way?

Jo Swinson: I want to make some progress.

If an extension were not granted and we were in the days running up to 31 October, there would be a choice to be made. I am very clear about the choice that I would make, and the choice that the Liberal Democrats would make. If we are on the verge of leaving the European Union without a deal, we should revoke article 50, and that is something that we have the power to do. We have unilateral power in the United Kingdom to do it, because it does not require agreement from the European Union, and that is why we must not dissolve Parliament at this time. If we do so, and we are not sitting at that point, we shall have no reason and no ability to act at that time.

It is no wonder that the Prime Minister wants to shut down Parliament for five weeks, because it is in Parliament that the Prime Minister must answer questions, it is in Parliament that he must be held to account and it is in Parliament that he is found out for having no substance behind his bluster and bravado. The fact that we are having this debate today is astonishing, and it is a sad day for our democracy, but the voice of people in Parliament will not be silenced.

8.15 pm

Michael Tomlinson (Mid Dorset and North Poole) (Con): It is a pleasure to follow the hon. Member for East Dunbartonshire (Jo Swinson). I will start my speech by agreeing with two of the points that she made, although I fundamentally disagree with her points and her stance on Brexit.

First, I agree that it is truly astonishing that we are having this debate today. It is faintly ridiculous that there should be an accusation, an allegation, that anyone on the Government Benches, let alone the Prime Minister, would fail to obey the rule of law. Secondly, I agree that the Act does not take no deal off the table. The hon. Lady was absolutely right to say that and to point to other weaknesses in the Act. She was right to be open and straightforward about a matter on which other Members have been less than straightforward.

Mrs Main: My hon. Friend is making some powerful points, and, like him, I completely agree with those points made by the hon. Member for East Dunbartonshire (Jo Swinson). However, the hon. Lady also referred to a people’s vote on a deal. A deal would have to be negotiated to go to a people’s vote. There would have to be a considerable delay before that could happen if a deal was not secured.

Michael Tomlinson: I am grateful to my hon. Friend for making that point. I was going to mention the people’s vote, because that is where I fundamentally disagree with the hon. Lady. Apparently, the Liberal Democrats want a people’s vote, although we are now hearing that their position may be moving towards straightforward revocation. The irony is that they have said that if there were another vote and that vote was to leave, they would not abide by it: they would not accept it. Is that democratic? Is it democratic for the Liberal Democrats to say, “Let us have another vote, but if we do not like the result, we will not accept it”?

Wera Hobhouse (Bath) (LD): I am astonished by the way in which members of other parties proclaim our Liberal Democrat vision. It is simply not true that we would not abide by the result of a people’s vote if we gave them a vote on the final deal. We would give the people the final say on a deal. That is our line; there is nothing about not abiding by the result.

Michael Tomlinson: I am delighted that the hon. Lady has turned up for the debate. However, she failed to hear a previous Liberal Democrat statement that if the vote was for leave on a second occasion, they would not abide by it and would not accept it.

Sir Desmond Swayne (New Forest West) (Con): It is hardly surprising that we should take that view, since the Liberal Democrats have form for not abiding by the last referendum result.

Michael Tomlinson: I am grateful to my right hon. Friend. There have been questions about why my right hon. Friend the Foreign Secretary is to respond to the debate, and a ridiculous point of order was made at the beginning. My right hon. Friend is the Foreign Secretary and the first Secretary of State. He is, in effect, the Deputy Prime Minister, and it is perfectly appropriate and reasonable for him to respond to an emergency debate under Standing Order No. 24.

Anna Soubry: Will the hon. Gentleman give way?

Michael Tomlinson: No, I will not. I am going to carry on.

The leader of the Labour party stood up and said that the Prime Minister should stick to his word, and I completely agree. It is vital for the Prime Minister to stick to his word. He said that we must leave on 31 October. There has been a breakdown of trust between politicians and the people because we have not stuck to our word.

Tracy Brabin (Batley and Spen) (Lab/Co-op): Will the hon. Gentleman give way?

Michael Tomlinson: I am going to make some progress.

We have said that we are going to leave on 31 October. It is imperative that we do so, and I will be encouraging the Prime Minister to do precisely that.

There is a sense of unreality in the Chamber. We have been having, endlessly, the same debate on Brexit for the past three years, and democrats have not accepted the democratic result of the referendum. The leader of the Labour party says that the Prime Minister should stick to his word, but I invite the leader of the Labour party to stick to his word directly in relation to this Act.

This is what the leader of the Labour party said during last week’s debate.
Michael Tomlinson: I agree entirely with my hon. Friend. So far no one has suggested during the course of this debate that it would be proper to disobey the rule of law, and I agree entirely, but does that prevent the Government from examining precisely what the law does and does not say while still abiding by the rule of law?

Labour’s position on Brexit is entirely incoherent. The shadow Foreign Secretary says she is going to negotiate a deal but then, having negotiated the deal, she is actually going to vote against the deal that she herself has negotiated. The Labour leader has said that he wants a general election to be called as soon as the Bill is passed; the Bill is passed, and he is still running away from a general election.

There is such a sense of unreality in this Chamber. We have had these debates for three years. My constituents are saying, “Get on with it.” That is precisely what we should be doing.

Several hon. Members rose—

Ian Austin: The hon. Lady asks why I don’t go and sit somewhere else. I am sitting here—[Interruption.] I am standing here—[Interruption.]

Liz McInnes: Why?

Ian Austin: I will explain why: I am standing here because I was elected—[Interruption.] Because I think—[Interruption.]

Mrs Main: On a point of order, Mr Speaker. We are having great difficulty hearing the hon. Gentleman, who is making a powerful speech, because he is being barracked.

Mr Speaker: Order. I do not wish to be unkind to the hon. Lady, but she is not entirely averse to making loud noises from a sedentary position, so although I appreciate her important contribution on this, I think I will make the judgment myself, if she doesn’t mind. I am deeply obliged to her.

Ian Austin: The more Labour Members interrupt, the longer it will take: I am going to make these points. The reason I have not moved is that I did not leave the Labour party to join another party; I left the Labour party and am dragging it into the mud. That is the point I am going to make in this debate.

These are people—the Leader of the Opposition, the shadow Chancellor—who have spent their entire time in politics working with and defending all sorts of extremists, and in some cases terrorists and antisemites. We should remember what these people said about the IRA. It might be ancient history to the Labour party’s new young recruits, but many people will never forget how they supported terrorists responsible for horrific carnage in a brutal civil war that saw people blown up in pubs and hotels and shopping centres.

A few weeks after the IRA blew up a hotel in Brighton—murdered five people at the Tory party conference—the Leader of the Opposition invited two suspected IRA terrorists to Parliament, and when the man responsible for planting that bomb was put on trial he protested outside the court. The shadow Chancellor said that “those people involved in the armed struggle”—people he said had used “bombs and bullets”—should be honoured. And they have the brass neck to lecture anybody about the rule of law; what a disgrace.

Geraint Davies (Swansea West) (Lab/Co-op): On a point of order, Mr Speaker. I understand that this debate is about whether the Prime Minister obeys the
rule of law, not whether Members talked to people who allegedly have broken the law; it is about whether we deliver the rule of law.

Mr Speaker: I am extremely grateful to the hon. Gentleman, and his antennae are keenly attuned to the debate. There is a fine dividing line, and the hon. Member for Dudley North (Ian Austin) is dilating on the broad theme of disregard, bordering on contempt, for the law. If I think he has elided into a wholly different subject then I will always profit by the counsels of the hon. Member for Swansea West (Geraint Davies), but for now the hon. Member for Dudley North is all right—just. But I do warn him that I hope his speech tonight is, given that many others wish to contribute, not going to be as long as the speeches he used to deliver at the students union at the University of Essex 36 years ago, when we joustied together; it needs to be shorter.

Ian Austin: Well, Mr Speaker, my speeches then were a lot shorter than yours.

Mr Speaker: That may be, but what I would say to the hon. Gentleman is that, by common consent, mine were considerably better.

Ian Austin: I am not going to argue that point, Mr Speaker.

This is a debate about whether politicians can be trusted to obey the rule of law, and there is not a single Labour figure in the past—not a single one—who would have backed violent street protest, as the shadow Chancellor did when he called for “insurrection” to “bring down” the Government or praised rioters who he said had “kicked the s-h-i-t” out of the Conservative party’s offices. [Interruption.] The hon. Member for Heywood and Middleton (Liz McInnes) might not want to hear it, but I will tell her this—

Liz McInnes: Why don’t you go and stand over there?

Ian Austin: I have explained why I am not going over there, but I will tell the hon. Lady this.

Liz McInnes: You’re not welcome here.

Ian Austin: I am here because voters in Dudley North sent me here to represent them, and none of my views have changed on any of the things I stand up for—decency in politics, the rule of law—and everybody in Dudley knew exactly what I thought of these people at the last election. And I will tell the hon. Lady this: I will make absolutely certain that she is going to have to answer to her voters for these points at the next election.

Liz McInnes: How are you going to do that?

Ian Austin: We’ll see.

Liz McInnes: You’re going to have to answer to yours.

Ian Austin: Don’t worry about that.

No other senior figure in the Labour party’s history would have joked about lynching a female Member of Parliament. These people do not believe in the rule of law abroad, either. They always back the wrong side, whether it is the IRA, Hamas or Hezbollah, who they describe as friends. No previous Labour leader would have supported brutal totalitarian dictatorships like the ones in Cuba or Venezuela that have no regard whatsoever for the rule of law. No previous Labour leadership would have allowed a party with a proud history of fighting racial prejudice to have been poisoned by racism—which is what has happened under these people—against Jewish people to the extent that Members have been arrested on suspicion of racial hatred and the party itself has become the first in history to be investigated under equalities laws by the Equality and Human Rights Commission. These people and the people around them are a million miles away from the traditional mainstream, decent politics of the Labour party. They have poisoned what was once a great party with extremism, and they cannot be trusted with the institutions that underpin our democracy. They are completely unfit to lead the Labour party, let alone our country.

8.29 pm

Geraint Davies (Swansea West) (Lab/Co-op): Our fundamental values are democracy, human rights and the rule of law—those are our fundamental values across Europe—yet we now have a Prime Minister who says he would prefer to die in a ditch than to deliver a law that was developed by our democracy, the mother of all democracies, in order to protect people’s human rights and prevent no deal. We have not seen the implications of no deal, but a lot of it has leaked out. The reality is that nobody in Britain voted for no deal. People did not vote to get out, “do or die”, on 31 October. They do not want to die.

The majority voted to leave, but the people who did so in Swansea say to me that they voted for more money, more jobs and more control. Now they learn that they will not get any of those from Brexit. We see Ford leaving Bridgend, we see Airbus leaving and we see problems with Tata Steel. We see no more control and no more money. Those people who voted leave deserve a final say and a final vote. They certainly did not vote for no deal. It is a bit like people agreeing to go to the cinema to see a love story or a comedy and ending up with a chainsaw massacre. They are being told that they agreed to go to the cinema, but now it is the chainsaw massacre and they still have to go in.

This links me back to no deal. In Wales we are going to see the slaughter of millions of sheep because we will be unable to export them, given the immediate 40% tariffs that will be imposed. We also know that 1 million diabetic people in Britain will be at risk of not having enough insulin. The list goes on, yet the Prime Minister—who has failed to turn up to this debate about whether the Government will deliver the rule of law—is now known not to be negotiating. Instead, he is spending £100 million of taxpayers’ money on delivering propaganda even though he knows from Operation Sledgehammer, or whatever it is called—Operation Yellowhammer—that we face calamitous ruin.

The unfortunate truth is that the Prime Minister is spreading the contagion of nationalist populism: the basic idea that we here are better than the Europeans over there, and that if we have a problem here, it is their fault over there. We have seen it before with Donald Trump talking about the Mexicans, the wall, the Muslims and the blacks. We have seen it in Germany with the Jews. Now we have heard it here, with people talking about the Europeans. Nigel Farage’s narrative has now
been taken on by the Prime Minister when he says, “Oh, they voted leave three years ago and nothing could be simpler: just leave. The reason we’re not leaving is because MPs are corrupt and parliamentary democracy is rotten.”

It is easy for everyone here to agree to leave. The difficult business is getting us all to agree where we are going to. It is no surprise that a lot of parliamentarians think the deal would have made us too close to Europe, while a lot think we would have been too far from it. We do not agree—this is not easy, and everybody here knows that—but the lie is spread around that it is the people versus Parliament, or the people versus the courts. Tonight, we are here to defend our fundamental values of parliamentary democracy and the rule of law, and it is those institutional values that are under attack on the footway to neo-fascism.

The Prime Minister wants an immediate election in the hope that the Brexit vote will unite and think that he is mad enough to vote for no deal, and that the remain vote will divide, so that he can say, “We’ll have no deal. Everything will be all right.” We know that people like Dominic Cummings, Farage and others want to undermine our fundamental democratic institutions, whether the BBC, the civil service, the universities or parliamentary democracy itself. We face a chilling time and a moment of truth as we wait to see whether the Prime Minister will in fact obey democratically agreed laws. He is willing to go around promoting the lie that no deal can be delivered without massive collateral damage. The democratic world is looking to us, as the mother of all democratic world is looking to us, as the mother of all democratic world is looking to us, as the mother of all democratic world is looking to us, as the mother of all democratic world is looking to us, as the mother of all democratic world is looking to us, as the mother of all democratic world is looking to us, as the mother of all democratic world is looking to us, as the mother of all democratic world is looking to us, as the mother of all democratic world is looking to us, as the mother of all democratic world is looking to us, as the mother of all democratic world is looking to us, as the mother of all democratic world is looking to us, as the mother of all democratic world is looking to us, as the mother of all democratic world is looking to us, as the mother of all democratic world is looking to us, as the mother of all democratic world is looking to us, as the mother of all democratic world is looking to us, as the mother of all democratic world is looking to us, as the mother of all democratic world is looking to us, as the mother of all democratic world is looking to us, as the mother of all democratic world is looking to us, as the mother of all democratic world is looking to us, as the mother of all democratic world is looking to us, as the mother of all democratic world is looking to us, as the mother of all
It seems straightforward. If this man and this Government carry on like this, they will be responsible for destroying the very institutions in which the rule of law and democratic politics are based. We should all be fearful of a Government who are intent on moving down that road.

8.41 pm

Sir Geoffrey Clifton-Brown (The Cotswolds) (Con):
The people of this country are angry. They will not understand what this debate is all about. The people of this country voted to leave the European Union, and numerous Members on both sides of the House said during the referendum debate that the result would be honoured. We have had a general election in which the two major parties stood on a platform stating the result would be honoured, and my party voted in overwhelming numbers to trigger article 50 and for both the European Union (Notification of Withdrawal) Act 2017 and the European Union (Withdrawal) Act 2018. The people of this country will not understand these shenanigans.

I was at the Moreton-in-Marsh show last weekend, and there were angry people, both Brexiteers and remainers, who said, “For goodness’ sake, our businesses are suffering and our jobs are at risk. Just sort out this EU problem. We voted to leave the European Union.”

We are debating the hypothetical situation of whether the Prime Minister might break the law. It is inconceivable that he would break the law, but this Parliament has passed a rotten law. It has asked him to seek an extension on terms that we know not what they are or might be. We could face all sorts of terms in that extension. We could be asked to pay billions of pounds extra. We have no idea, yet this Parliament has mandated the Prime Minister to accept the terms, whatever they are.

The people cannot understand why our democratic Parliament has not sorted out this problem. The longer this whole matter goes on, the more they will hold this Parliament in contempt and the more that Parliament and its Members will lose their reputation for representing this country properly.

8.43 pm

The Secretary of State for Foreign and Commonwealth Affairs and First Secretary of State (Dominic Raab): It is a great pleasure to wind up this debate, and I pay tribute to the interesting points that have been made on both sides of the House.

This Government will always respect the rule of law. That has consistently been our clear position and, frankly, it is outrageous that it is even in doubt. Of course, how the rule of law will be respected is normally straightforward, but sometimes it can be more complex because there are conflicting laws or competing legal advice. The Government usually get their interpretation right, but there have been many judicial reviews over the years, under many different Governments of different complexities. The Government cannot and would not wish to prevent that. Indeed, judicial review is part and parcel of the rule of law.

When, on occasion, the Government have lost a case on one or more contentious grounds—this has been true under successive Governments—of course they must correct their position accordingly and expeditiously.

I am a lawyer by training, I have served twice in the Ministry of Justice and I can reassure hon. Members that I take this duty to respect the rule of law particularly seriously. At the same time, it is true to say that the country is appalled by what it is seeing in Parliament, not for the reasons given by the hon. Member for Birmingham, Selly Oak (Steve McCabe), but because hon. Members voted for a referendum and promised repeatedly to respect the result, and yet now people see that the Leader of the Opposition and others have repeatedly tried to frustrate Brexit. The right hon. Gentleman has now made it clear that that is Labour party policy. The ballot paper in 2016 did not say, “Leave, if and only if Brussels agrees a deal”; it did not require us to seek permission from Brussels before departure. and it did not give the EU a veto over Brexit.

The Prime Minister and this Government have been working hard for a good deal—the Prime Minister has been at it again in Dublin today—but it must be an acceptable deal that Parliament can pass. We will continue that effort. But respecting the referendum result must also mean that this House allows us to leave without a deal if Brussels leaves no other credible choice. Three years of experience, to date, demonstrates that taking that option off the table severely weakened our negotiating position in Brussels, yet last week this House voted for another delay, and in doing so it further weakened our position at a critical juncture in these negotiations, a point made powerfully and eloquently by my right hon. Friend the Member for Wokingham (John Redwood).

So we are now in dangerous territory. Across the country, millions of voters are concluding that Parliament is refusing to allow Brexit to happen, because some MPs just do not like it and because some politicians think the voters got it wrong in 2016—that was the thrust of the comments made by the right hon. Member for Ross, Skye and Lochaber (Ian Blackford).

John Redwood: Would my right hon. Friend like to comment on the way in which the Commons swept aside the idea that support is needed for the big financial consequences of this legislation—there was no money resolution—and swept away Queen’s consent, which is normally needed when encroaching on negotiations of an international treaty?

Dominic Raab: I thank my right hon. Friend for that. Of course, all the normal checks and balances that would apply if the Government were bringing forward a piece of legislation cannot apply—almost by definition—as a result of the way this was done. It has been done swiftly, without the normal scrutiny, and as a result it is a flawed piece of legislation and rightly dubbed the surrender Bill, because of its impact on our negotiations in Brussels.

Lady Hermon (North Down) (Ind) rose—

Dominic Raab: I am going to make a bit of progress, because we are coming to the close.

In her contribution, the leader of the Liberal Democrats made the case for a second referendum, but she has also said that if people voted to leave for a second time, she would just ignore the result again. I want a deal, and this Prime Minister and this Government want a deal. I believe it would be much better than no deal. But much,
much worse than no deal would be to destroy confidence in the most basic democratic principle we have: that politicians respect what the people vote for. That argument was powerfully made by my hon. Friend the Member for Mid Dorset and North Poole (Michael Tomlinson).

The country wants this mess sorted out by 31 October, but the House wants to delay again. In those circumstances, the proper way to proceed is for this House to allow the voters to decide in an election who goes over to negotiate at the European Council on 17 October—the Prime Minister or the Leader of the Opposition. That is constitutionally the correct course of action. Given the position we have arrived at, it is plain common sense. What is the right hon. Gentleman afraid of? Just last Monday, the leader of the Labour party said:

“A general election is the democratic way forward.”

This is on Labour leaflets that have been delivered just this weekend, up and down the country. Just so that we are clear on this, I will read out the direct quote, so that we get it right. The leaflets said:

“We need a General Election now”.

What happened to all that bluff and bluster between the printing of the leaflets and their delivery just two days ago? The public will draw their own conclusions if the right hon. Gentleman’s actions conflict so starkly with his words. They will draw the inescapable conclusion that he does not trust the voters and he does not believe that they would trust him.

In those circumstances, if the House will not take the necessary decision, and if the right hon. Gentleman will not do the right thing, it risks further undermining respect not only for the Labour party but for Parliament. If that is the case, the Prime Minister will go to Brussels on 17 October, but let us be clear that he will not go to negotiate a delay: he will go to negotiate our departure from the EU on 31 October with or without a deal.

I urge the House to vote today not for more deadlock and delay, but for the only course of action that will break this deadlock, restore public confidence in our democracy and allow this country to move forward.

Mr Speaker: To wind up the debate, as it is in his name, I call the right hon. Gentleman, Mr Jeremy Corbyn.

8.51 pm

Jeremy Corbyn: It is extraordinary that the House is having to debate whether the Prime Minister will abide by a law that has just been passed by Parliament, and that the same Prime Minister, who managed to be here for the Division earlier, cannot be here to answer questions from Members, and no Law Officers are present either. All the Members who have spoken raised questions—

Lady Hermon: Will the right hon. Gentleman give way?

Jeremy Corbyn: Yes, of course.

Lady Hermon: I am very grateful to the Leader of the Opposition, who is much more courteous than the Foreign Secretary in taking interventions in this very important debate. The Foreign Secretary described as flawed the legislation that is intended to stop the country leaving without a deal, which received Royal Assent today. May I recommend to him, and indeed to all Members of the House, my interview with Lord Sumption, a very distinguished former member of the Supreme Court? He said that there was not “the slightest obscurity” about the Act. I rest my ease. It is not flawed.

Jeremy Corbyn: I thank the hon. Lady for that intervention; she makes her point very well. If the Foreign Secretary wishes to reply, I will happily give way.

Dominic Raab indicated dissent.

Jeremy Corbyn: The Foreign Secretary shakes his head and does not wish to intervene.

The situation is simply this. The House has voted several times to say that a no-deal exit must be taken off the table, and it subsequently passed legislation to prevent no deal. The Government then apparently refused to accept the decision of the House, which is why this motion has been brought before us this evening. The Government’s response is to try to prorogue Parliament later this evening so that no Minister can be put under any scrutiny for more than a month, during which they themselves must accept is quite a significant point in our country’s history. The Government have now been forced to produce Operation Yellowhammer documents, as a result of a decision taken earlier by this House.

Surely the very least we deserve from the Prime Minister is a clear undertaking that a requirement that we ask for an extension until January to prevent us crashing out must be made at the appropriate time. Why can the Foreign Secretary not say that? Why can the Prime Minister not say that? All that we have left is the ability of this House to declare its view this evening, and I hope that is what we will do.

When the Government have made it clear that they will carry out the law and, if necessary, prevent a no-deal exit, we will then be very happy to debate all their policies in a general election, including ending austerity and the poverty and misery that the Government have brought to the people of this country. I look forward to that opportunity. The priority in this is that operations in hospitals will be damaged, the supply of medicines will be damaged, the supply of food will be damaged, and the supply to manufacturing will be damaged. If all this is a lot of scaremongering, why were the Government so unkeen to present Yellowhammer documents, which will show that truth to be the case? If they have nothing to hide, why are they hiding it? This House has forced them to put those documents out to the public; but, of course, the House will not be sitting. How convenient is that? I say to the Government: do not go ahead with the Prorogation of Parliament; do not go ahead with the threat of no deal. Instead, they should look after the interests of the people of this country which will not be served by our crashing out unless, of course, there is another agenda, which is to rush into the arms of Donald Trump and all the trade deals that they want to make with him.

There we have it. First of all, no Tory MPs want to speak. Now they have all turned out to have a bit of a shouting match. That is absolutely fine, I do not mind.

Mr Bone rose—
Jeremy Corbyn: No, I will not give way.

I simply say that the House has an opportunity tonight to express its view that the Prime Minister should obey the decision that was taken by both Houses of Parliament and that was passed into law today. I hope that Members of this House will vote accordingly, and that his Government will learn the lesson that they cannot ride roughshod over our democracy.

Mr Nicholas Brown (Newcastle upon Tyne East) (Lab) claimed to move the closure (Standing Order No. 36).

Question put forthwith, That the Question be now put.

Question agreed to.

Main Question put accordingly.

Resolved.

That this House has considered the welcome completion of all parliamentary stages of the European Union (Withdrawal) (No. 6) Bill and has considered the matter of the importance of the rule of law and Ministers’ obligation to comply with the law.

Mr Speaker: Order. There is quite a lot of noisy chuntering from a sedentary position. The hon. Member for Mid Bedfordshire (Ms Dorries) is quite beside herself in an extraordinarily irate condition, which I feel sure will not endure for very long.

I was trying to explain to our French counterparts at the weekend the significance of the term “chuntering from a sedentary position”. They were beginning to understand it, but I would have to reinterpret it tonight as yelling from a sedentary position to which, apparently, there is no equal in the Assemblée Nationale.

I was going to call on the Minister to move the Northern Ireland (Executive Formation etc) Act 2019 Section 3(2) motion, but I am underestimating the exalted status of the right hon. Gentleman who graces the Dispatch Box. The motion is indeed to be moved by no less a figure in our affairs than the Secretary of State for Northern Ireland.

Northern Ireland (Executive Formation etc) Act 2019 Section 3(2)

8.59 pm

The Secretary of State for Northern Ireland (Julian Smith): I beg to move,

That this House has considered the Report pursuant to Sections 3(1), 3(6), 3(7), 3(8), 3(9) and 3(10) of the Northern Ireland (Executive Formation etc) Act 2019 - regarding Executive formation; transparency of political donations; higher education and a Derry university; presumption of non-prosecution; Troubles prosecution guidance; and abortion law review, which was laid before this House on Wednesday 4 September.

Mr Speaker, may I pay tribute to you following your statement earlier today on your tenure as Speaker of this House? Despite the odd moment of friction during my time as Government Chief Whip, I would like to add my voice to those who have underlined the strength and power of your service to both your constituents and this House, particularly the work you did to establish the new Education Centre.

On 4 September, I laid a number of reports before the House in line with my obligations under the Northern Ireland (Executive Formation etc) Act 2019. Those reports underscore the vital importance of restoring the Northern Ireland Executive. This is my first priority because, without an Executive, the people of Northern Ireland have seen the quality of their public services decline and decisions kicked into the long grass. They deserve better. Since July, I have met public servants from a range of sectors who are doing an incredible job in the absence of support from their political leaders, but they cannot take the vital decisions needed on public services or make those crucial interventions in the economy.

Lady Hermon (North Down) (Ind): I am very grateful indeed to the Secretary of State for allowing me to intervene so early. May I just say that I am extremely disappointed and annoyed that the motion to discuss the historical institutional abuse in Northern Ireland was not even moved this evening? By proroguing Parliament tonight, the Prime Minister has wilfully and deliberately deprived the victims of historical institutional abuse in Northern Ireland of a 90-minute debate, sending out a clear signal that they do not even merit a 90-minute debate. It is appalling behaviour. I ask the Secretary of State to demand that the Prime Minister comes to Northern Ireland, sits in a meeting, looks the victims of historical institutional abuse in the face, and explains to them why he is so disrespectful and discourteous of the hurt and suffering that they have had to endure.

Julian Smith: To be fair to the business managers tonight, there has been a major challenge with the number of unexpected and emergency debates, but I am now coming to the issue of HIA that the hon. Lady raises. In doing so, I apologise to the House for the change in business. It in no way diminishes how seriously I am progressing the issues or affects the commitments I have made.

Ian Paisley (North Antrim) (DUP): I understand what the Secretary of State has said about the business managers. However, he cannot get away that easily from the business statement that was made in this House on Thursday. The first and second priorities on that list, as handed out to Members, were to do with the victims of
historical institutional abuse, as the second priority was victims’ payments in relation to that matter. The matters to which the Secretary of State intends to speak this evening were fifth and sixth on the list that we were given. Why has he—as the hon. Member for North Down (Lady Hermon) has indicated—set aside these very important issues that we were promised from that Dispatch Box would be dealt with expeditiously when we came back in September?

Mr Speaker: Let me thank the Secretary of State for his very gracious personal remarks, which mean a great deal to me.

Julian Smith: The victims of historical institutional abuse in Northern Ireland have shown incredible courage and dignity through their engagement with the Hart inquiry and throughout their campaign for redress. I know that colleagues, as has been shown in the interventions I have just taken, will join me today in restating our collective determination to see progress made in delivering redress to those victims as soon as possible.

On 23 August, I had the honour of meeting representatives from the victims’ and survivors’ groups. These people’s lives have been blighted by unforgivable, horrendous acts, yet they have continued to engage patiently and respectfully with politicians and the legislative process. We can ask no more of victims. We can ask no more of the Hart inquiry. The inquiry has been undertaken. Officials have prepared the policy. The lawyers have prepared the draft law, and I have asked that this be included in the Queen’s Speech as a matter of urgent priority.

Maria Caulfield (Lewes) (Con): On Thursday in business questions—this is why it is disappointing that this is not being debated today—we heard that the Secretary of State committed not only that it would be in the Queen’s Speech but that the legislation would be brought forward to the end of the year. That is the most important thing—that the legislation actually comes forward.

Julian Smith: I thank my hon. Friend for her intervention. The EF Act requires new laws in areas including same-sex marriage, opposite-sex civil partnerships, abortion, and victims’ payments. These are sensitive devolved issues, and this Government’s preference is that they are taken forward by a restored Executive. Again, I am sorry that we have not been able to discuss the important issue of victims’ payments in the motion that was not moved. Across these issues, this House has spoken, and these duties to legislate will come into effect if the Executive is not back up and running in the next few weeks. Despite the truncated debate today, I underscore my assurance to the House that I will continue to uphold the letter and the spirit of my obligations under the EF Act in full. I will update Parliament on these issues in the next Session, and indeed will say a bit more on abortion law in Northern Ireland later in my speech, but I now turn to each of the issues listed for debate today.

Simon Hoare (North Dorset) (Con): What can this House do to strengthen the Secretary of State’s elbow in discussion with the business managers as to what is going to be included in the Queen’s Speech? I associate myself with the remarks of other hon. Members with regard to the victims of historical abuse. May I urge him to take this message to the business managers? Many of those who suffered that horrible abuse were placed in that situation by the State. The State let them down then; the state now looks as though it is letting them down still further. That is not good enough and we will not put up with it.

Julian Smith: I am confident that the business managers will look very favourably on such a Bill for the Queen’s Speech.

Northern Ireland has been without devolved government since January 2017. In that time, we have seen hospital waiting lists get longer, public services deteriorate, and frustration in Northern Ireland grow. The issue of Brexit has made the need for a reformed Executive ever more urgent. It is clear that Northern Ireland’s interests at this time are best served by a restored Executive in place and ready to take the necessary decisions.

The then Secretary of State for Northern Ireland, my right hon. Friend the Member for Staffordshire Moorlands (Karen Bradley), started the latest round of cross-party talks, following on from the work of my right hon. Friend the Member for Old Bexley and Sidcup (James Brokenshire). I pay tribute to their tireless work. I also pay tribute to my right hon. Friend the Member for Maidenhead (Mrs May) for all that she did to drive for Stormont to be up and running during her time as Prime Minister. I am also in no doubt, from the work we have done together since he became Prime Minister, that my right hon. Friend the Prime Minister is personally committed to the swift conclusion of these talks.

The same issues have been discussed in cross-party talks for over two years. Some aspects of those talks are very close to resolution, and I believe the parties could agree swiftly on a programme for government, on measures to increase transparency, and on the sustainability of the institutions—although gaps do remain between the two main parties on rights, culture and identity. However, both the UK and Irish Governments share the view that, notwithstanding the importance of these issues, these topics can be resolved in short order.

Political parties across the spectrum must now realise that the lack of political leadership has left public servants bearing the load for far too long. I have seen this at first hand when speaking to the principal at Ashfield Boys High School in east Belfast and to doctors and nurses at Musgrove Park Hospital, and in my many meetings with all those who serve so bravely in the Police Service of Northern Ireland. There can be no more excuses: we simply have to get the Assembly and the Executive up and running. So the UK Government, working closely with the Irish Government in accordance with the three-stranded approach, will now intensify our efforts to put forward compromise solutions to the parties. I urge the parties to make the most of the days ahead and to work with me and the Tánaiste to do what is best for the people of Northern Ireland. Whatever the outcome of that process—whether I can update on positive or negative developments—I will publish a report on or before 9 October. If I have to report that these efforts were not successful, my next update to the House will set out the next steps to ensure adequate governance in Northern Ireland and the protection of the Belfast/Good Friday agreement.
Vernon Coaker (Gedling) (Lab): The Secretary of State has just made a commitment that he will, in the next Session or whenever it may be, come forward with a report. I referred gently to the Secretary of State that I am disappointed. A number of motions have been struck off, and for quite understandable reasons, but there is a massive amount to discuss. However we go forward in the next few months, I ask the Secretary of State or whoever holds that position to consider how we in this House of Commons and this Chamber can more properly give Northern Ireland the time it deserves to discuss these matters of major importance. The people of Northern Ireland need to hear that message. We should be talking about this for much longer than we are this evening.

Julian Smith: I agree with the hon. Gentleman, and I pay tribute to the work he has done during his career for the citizens of Northern Ireland, but I would say that two SO24 debates today have given the business managers a major challenge.

The issue of transparency of donations to Northern Ireland parties is one which this Government take very seriously. We are rightly proud that we were able to secure agreement of the Northern Ireland parties and bring forward legislation to open up all donations from July 2017 to full public scrutiny. I am aware that many would like to see that transparency go further and apply retrospectively to 2014. The Northern Ireland (Miscellaneous Provisions) Act 2014 provides that greater transparency could be introduced from 2014 at some point in the future. However, greater transparency must be weighed against possible risks to donors. Retrospective transparency should not threaten intimidation to those who have donated.

Gavin Robinson (Belfast East) (DUP): I listened to what the Secretary of State had to say on political donations. In terms of what is in the report, he is absolutely right—that is the position—but the report misses the fundamental distinction and difference that needs to be resolved in Northern Ireland, which is that foreign donations are permissible. Northern Ireland remains the only part of the United Kingdom where foreign donations, corrupting our politics, are permissible. Will he take steps to close that?

Julian Smith: I thank the hon. Gentleman for his intervention. I am aware that he and his party have strong views on this issue, and we are looking at all elements of this policy.

While many in this House have called for retrospection, we must not forget that the last time the parties in Northern Ireland were formally consulted on this, in 2017, there was only consensus for transparency going forward. The published data now available as a result of the legislation is a starting point for a review to consider what further transparency may be appropriate.

I will turn now to higher education. Northern Ireland has made great strides in higher education provision, with two world-renowned universities—Queen’s and Ulster University—attracting students from all over the globe. While the Northern Ireland Department for the Economy has policy responsibility for higher education in Northern Ireland, universities are independent of government. As such, it is for a university, whether prospective or existing, to decide where to base any new campus.

No application has been made from any organisation to establish a university whose main campus is in Derry/Londonderry. The Government are aware that Ulster University is considering the development of a graduate medical school to be located in Derry/Londonderry, and that proposal features in Derry City and Strabane District Council’s economic regeneration plans for the region. Education is key to securing a prosperous future for Northern Ireland, and it is right that we focus on where the current skills gaps lie and how they can be met.

Mike Kane (Wythenshawe and Sale East) (Lab): I had the great honour of visiting Derry recently. The University of Ulster has been dilly-dallying and delaying about the medical school at the Magee campus. The city needs that medical school, which will help immensely with not only its regeneration but the whole peace process. What guarantees can the Secretary of State give that Derry will get that medical school?

Julian Smith: On my last visit to Derry/Londonderry, I spoke about the medical campus, and we are working to ensure that we do everything we can in the Northern Ireland Office to support it. Again, however, we need the Executive—Stormont—back up and running to make sure the money flows to that campus.

This Government are unequivocal in our admiration of the armed forces, who served with heroism and bravery to protect the people of Northern Ireland and whose sacrifice has ensured that terrorism would never succeed. The Government will never forget the debt of gratitude we owe them. Providing better support for veterans is a major priority for this Government, and the creation of the Office for Veterans’ Affairs is an example of the strength of our commitment.

I want to be clear: I absolutely recognise the sentiment and the principle underpinning these amendments, and I recognise the strength of feeling across the House on this matter. We have been clear that the current system for dealing with the legacy of Northern Ireland’s past is not working well, and this needs to change. As the Prime Minister said recently in this House, it is “common ground” across all Benches that it is simply “not right that former soldiers should face unfair”—[Official Report, 25 July 2019; Vol. 663, c. 1467]—and repeated investigations, with no new evidence, many years after the events in question. Two very important further amendments have been submitted, and I want to address these in turn.

Dr Julian Lewis (New Forest East) (Con): I apologise for intervening so soon after entering the Chamber, but as the Secretary of State has just referred to my amendment, I will take that liberty. Will he just acknowledge one thing? When the Defence Committee recommends a qualified statute of limitations, in the absence of compelling new evidence, on the question of the pursuit of people long after the events concerned, does he accept that that is not the same as an amnesty and should not be ruled out in the same way as people do rule out an amnesty?

Julian Smith: I want to take care about prejudging the work that the Government have put in place, cross-Government. As my right hon. Friend is aware, the Prime Minister has set a new focus on this issue, and I
am sure he will be inputting into that. I will be working, along with the Ministry of Defence and the Cabinet Office, to move that issue forward.

I absolutely recognise the sentiment and the principle underpinning the amendments on legacy, and I recognise the strength of feeling across this House on this matter. We have been clear that the current system for dealing with the legacy is not working well, and we will move forward in the ways I have discussed. While we want to find a better way to address these issues, to do so through the presumption of non-prosecution would pose a range of challenges and may not provide a complete solution to the issues at play.

A presumption of non-prosecution in the absence of compelling new evidence is likely to need to be applied to everyone involved in troubles-related incidents, including former terrorists. However, implementing these provisions would not remove the obligations under domestic criminal law and international obligations under the European convention on human rights for independent investigations of serious allegations. With regards to troubles prosecution guidance, hon. Members will of course be aware that criminal investigations are carried out independently of the Government. Prosecutorial decisions and the guidance that underpins them are devolved matters in Northern Ireland.

Mr Iain Duncan Smith (Chingford and Woodford Green) (Con): I apologise for interrupting the Secretary of State in mid-flow, and I know people want to get on. However, as someone who served over in Northern Ireland—and following the question from our right hon. Friend the Member for New Forest East (Dr Lewis), which he stepped around—may I repeat this back to him? Even though he is reiterating the issues about criminal prosecutions and other jurisdictions, the point still remains, as my right hon. Friend said —this is what people have been asking for—that we should not just bring somebody in on the basis of a trawl in the hope that something new will turn up. The issue is that having to have compelling evidence to pursue an individual is critical. That does not impact on any criminal activities or any effective future prosecutions, because they would face the same issue.

Julian Smith: I think my right hon. Friend, who has spoken very persuasively on this issue for many years, makes some important points, but I return to the fact that the Government are looking at all these issues in our cross-Whitehall review.

In Northern Ireland, just as in England and Wales, prosecutorial decisions are made independently of Government. The Director of Public Prosecutions for Northern Ireland is not under the superintendence of the Attorney General for Northern Ireland. The Director of Public Prosecutions has a consultative relationship with the Attorney General for Northern Ireland, but the former cannot be compelled by the latter. This feature of the relationship between these key figures is an important component of the devolution settlement in Northern Ireland, and it is not within the UK Government’s powers to direct the Attorney General for Northern Ireland or the Director of Public Prosecutions for Northern Ireland. Members will be aware that what is central in these cases is not how an individual came to have a weapon, but what they did with it, and it is for the courts, not the Government, to determine innocence and guilt.

Emma Little Pengelly (Belfast South) (DUP): Does the Secretary of State accept that in Northern Ireland we have an abnormal situation, as all state-related deaths have been referred to the criminal justice system for examination? That does not happen elsewhere in the United Kingdom, so in those exceptional and abnormal circumstances, we need to find a solution to support those who served this country on the front line in Northern Ireland during the dark days of the troubles.

Julian Smith: I accept the hon. Lady’s point, but I return to the fact that the ways to achieve the sorts of things that she is discussing are much more complex.

The Government are committed to finding practical, sustainable and workable solutions to establish an improved system that works better for all and ensures that soldiers and former police officers who risk their lives to maintain peace and order and to keep others safe are treated fairly.

On abortion law, if an Executive is not formed by 21 October, the Government have a duty to make the necessary regulations. As I have set out, it is the Government’s preference that any questions of reform on these important, sensitive and devolved issues are considered in the right place by a restored Executive and a functioning Assembly. However, we recognise that a majority of MPs want to ensure that reform happens if we continue to see an absence of devolved government. From 22 October, the specific criminal law in Northern Ireland will fall away, and a criminal moratorium on prosecutions will come into place. I have instructed my Department, working closely with the Department of Health and Social Care and the Government Equalities Office, to develop an appropriate new legal framework that will be in operation by 31 March 2020 if that proves to be the case.

Ian Paisley: Does the Secretary of State realise that the legacy of what he has announced is complete and total legal chaos from 21 October to March next year? There will be no regulatory framework in place, and anything goes when it comes to the termination of the lives of innocent children. Is that the legacy that he wants? Is that the blood on the hands that he wants?

Julian Smith: I shall return that directness to the hon. Gentleman. If the parties get their act together, there can be a Northern Ireland solution to this issue. The challenge for the Government is that there was a free vote in the House that, under law, we need to respect.

As part of that, we have undertaken work to analyse the range of information and examples, both international and domestic, on these reform issues, because we have committed to consult carefully on this sensitive matter, and I shall update the House as soon as possible.

Sammy Wilson (East Antrim) (DUP): Does the Secretary of State accept that while it may be for the parties in Northern Ireland to try to get the Assembly up and running again, there is every incentive on those who pushed Members of Parliament to put through this
draconian abortion legislation not to get the Assembly up and running before the law comes into force? He cannot run away and hide behind the statement, “It is up to the parties in Northern Ireland,” as one party that is essential to the setting up of the Administration does not want the responsibility of giving the opportunity to the Assembly to overturn the legislation.

Julian Smith: I accept that these are highly emotive and sensitive issues. I accept that the House, having spoken, needs, wants and demands that we act. The consultation that my Department will put in place will be extremely sensitive to many of the issues that have been outlined tonight, but I return to the fact that I will do everything that I can in my power to get the Executive up and running because I strongly believe that for this issue and for many other issues that I have discussed tonight, getting Stormont up and running is the best way to address these matters.

Diana Johnson (Kingston upon Hull North) (Lab): I am very interested in the consultation that will take place. Will the Secretary of State confirm that organisations such as the Royal College of Obstetricians and Gynaecologists, the Royal College of Midwives, the Royal College of General Practitioners and the Royal College of Nursing will be consulted as part of those deliberations?

Julian Smith: They will be, but again I want and hope that we can get this issue addressed within Northern Ireland and by Northern Ireland political leaders.

I welcome the opportunity to open these issues up for debate in the House. The range of issues, largely on devolved matters, demonstrates how important it is to restore the Executive. That is why I will strive, over the coming days and weeks, to encourage the political parties to go back into the Executive and to start working for the people of Northern Ireland again as soon as possible.

9.25 pm

Tony Lloyd (Rochdale) (Lab): I would like to begin by making the very obvious point to the Secretary of State that had he been consulted on the question of Prorogation, and had he been asked for advice, he would have accepted—that Prorogation was inappropriate precisely because of the volume of work on Northern Ireland that needs to be done in this House—then we would have made more time and space for debates on Northern Ireland across all the issues that the House will not be able to debate tonight. This is an important issue. In the end, he has been let down by others in his Government. I need to emphasise that point, because it will come up time and again.

The hon. Member for North Down (Lady Hermon) is absolutely right to make the point that we should have had a debate tonight on historical institutional abuse. The Secretary of State is also right. He has met victims of that abuse. He knows not only how strongly they feel, but how many of their lives were changed because of what happened to them all those years ago. This House and this society of ours owe them an obligation. The Secretary of State made it clear that he will push for early inclusion in a Queen’s Speech. However, we need a guarantee not only of that but of early movement by the Government—any Government—on this issue. That also applies to the issue of victims’ pensions—we need to see early action.

Like the Secretary of State, I need to race through a number of issues, and some I will have to leave for another day. On abortion, the Secretary of State is right. I say to Democratic Unionist party Members and, through the media, those who are unhappy with the present situation, that they have some capacity for resolution in their hands. If we can see Stormont up and running—if we can see an Executive and an Assembly up and running—then of course that is the remedy to people’s concerns about this legislation. It is important that people take that point away and do not simply shuffle off with the usual finger-pointing, saying “It’s them over there that are doing it”. People in this House have to take their responsibilities seriously as well.

Sammy Wilson: Rather than the hon. Gentleman throwing out what he knows is a non-solution, given that Sinn Féin have been driving the pro-abortion agenda in Northern Ireland that has been taken up by Members of his own party, what has he done to try to persuade his friends in Sinn Féin to get back into the Assembly? He knows that as long as they remain in a position where they veto the formation of an Assembly, the solution that he says is in the hands of the people of Northern Ireland is not a solution at all.

Tony Lloyd: I would say to the right hon. Gentleman that the members of his own party who are taking part in the negotiations have a duty on them. Yes, of course, that duty extends to representatives of Sinn Féin. I want all parties to get around the table. I will come on to that a bit later on, but he cannot avoid the responsibility that members of his own party have in getting Stormont up and running. For nearly three years, we have had the absence of Stormont—three years of people making excuses about the fault lying elsewhere—and it is now time that people accepted responsibility for their actions.

I have to ask the Secretary of State, or perhaps the Minister who responds to the debate, about abortion. The House has committed to offering safe and legal abortions to women in Northern Ireland. There needs to be confidence in the law, those we expect to operate it and the way that it works. The point made by my hon. Friend the Member for Kingston upon Hull North (Diana Johnson), who has campaigned tirelessly on this issue, is important. Consultation is fundamental to all this, but again Prorogation has dealt the Secretary of State a very difficult hand, because the House will return on 14 October, and on 22 October the legislation will come into effect. That means that the capacity for the House to make decisions to fill the legal gap that will exist between 21 October and 31 March is real. The consultation needs to take place now, and the House has to be ready to implement legislative change as soon as we are back, in the middle of October.

On veterans, the Secretary of State made some very important points—I know that he comes under pressure on this. If the right hon. Member for Chingford and Woodford Green (Mr Duncan Smith) is saying that we as a House are very clear that illegality by members of the armed forces, like any other member of society, like members of the IRA and like members of loyalist terrorist groups, will have the same outcome—that the law will be applied—that is really helpful, because we are then talking about how we move forward in a way that allows independence of investigation and of prosecution,
which the Secretary of State referred to. In the end, it is important that the Stormont House bodies, which were agreed to by all parties in Northern Ireland, are allowed to operate, because victims who saw their loved ones killed and who were themselves victims of terror have rights in this, including the right to know that there is a proper investigation, whoever and whatever was the cause of their victimhood.

Mr Duncan Smith: I did not intend to intervene on the hon. Gentleman, but as he raised that point, I will. The point that I, and I think many of my colleagues, are making is that those who have served and have left—some are in their seventies, and so on—face this unifying process of suddenly being hauled back, not because there is compelling evidence, but in the hope that people may find something that was not available to them at the time. That is surely the key issue—a lack of natural justice—and it has to be stamped on.

Tony Lloyd: I understand what the right hon. Gentleman said. I simply say that it is a shame that proper investigation did not take place at the time. He will agree, as a former soldier, that he would not have countenanced illegality by those he worked with. Every decent soldier I know of would agree with that premise—that illegality was not what our armed forces were sent to undertake in Northern Ireland. I hear what he says; I am not sure that we are a long way apart on this issue.

Turning to the issue underlying all this, it is three years since the Stormont Assembly and the Stormont Executive were last working. We have seen the impact in areas as wide as health, education and the way in which the interface takes place—I know that the Secretary of State was agitated about the lack of powers that he had with respect to Harland and Wolff over the summer months, for example. We need to see change take place and Stormont back together. I pay tribute to his predecessor, the right hon. Member for Staffordshire Moorlands (Karen Bradley), and him for the close working relationship that they have developed with the Tánaiste, Simon Coveney. It is important that there is a close working relationship between Dublin and London.

The single biggest threat to the United Kingdom at the moment is a no-deal Brexit, and the part of the United Kingdom facing the biggest threat is Northern Ireland, where the impact of a no-deal Brexit would be devastating, in a way that would go beyond the impact on my constituents and those of other Members in England, Scotland and Wales. The impact in Northern Ireland would not be simply economic, although the economic impact would be enormous. There would be an enormous impact on agriculture, on manufacturing, on services, and not simply on the social mores that have developed over the last 20 years, since the Good Friday agreement. There would be an enormous impact on the capacity to cross the border easily, and so on, and not simply on identity, which the Secretary of State referred to, though of course that is a fundamental issue.

The Good Friday and St Andrews agreements were milestones in establishing peace and a very different climate in Northern Ireland. It is important that nothing be allowed to jeopardise that, and a hard border, which there would be with no deal, would jeopardise it. We have seen in the Yellowhammer papers that people are concerned that we are drifting towards a no-deal Brexit. I note today the words of the Taoiseach, Leo Varadkar, making it clear that Ireland is not prepared to accept a promise in place of legal guarantees. The Taoiseach speaks for many on the Opposition Benches.

We have an odd situation. Parliament does not trust the Prime Minister, the Irish Government do not trust the Prime Minister, and the right hon. Member for Hastings and Rye (Amber Rudd) does not trust the Prime Minister on this issue. In that context, I say this to the Government: we are facing Prorogation and a period when our Parliament cannot act. The Secretary of State himself made it clear how important it was “in the run-up either to a deal or no deal, that the very tricky decisions can be made, and I am sure that those will have to be made at pace.”—[Official Report, 5 September 2019; Vol. 664, c. 364.] Of course, he is absolutely right. We will have to make decisions very quickly, and Prorogation makes that more difficult.

Sir Jeffrey M. Donaldson (Lagan Valley) (DUP): The shadow Secretary of State talks about the threat to the Good Friday agreement. Can I suggest to him that right now the biggest threat to that agreement and to the peace process is the fact that none of the political institutions in Northern Ireland are operating, and that the North South Ministerial Council is not operating and has not been operating for two years and nine months? Those who brought the institutions crashing down present the greater threat to the political institutions in Northern Ireland. It is all very well saying that we do not trust the Prime Minister. With all due respect, trust has broken down in Northern Ireland not because of the actions of any UK Prime Minister, but because one political party decided to take the ball and walk off the pitch, and will not get back on until it gets its way. That is where the threat comes from.

Tony Lloyd: I have some difficult news for the right hon. Gentleman. The disillusionment in democratic institutions stretches across all communities in Northern Ireland, including in his constituency. I talk to those people. Those who want to see Stormont working are desperately worried that the politicians—all politicians from all backgrounds—are not making the necessary progress.

I will conclude, because other Members want to speak. I want to finish by putting some specific points to the Minister. Prorogation has made it difficult for this House to make the decisions it will have to make. We will come back here on 14 October, and between then and 31 October, if we have no deal, we will have 11 sitting days. Some of those will be taken up by the Queen’s Speech. The Secretary of State rightly promised the House regular updates. The first will take place before the House returns. We need those updates to be meaningful to reassure not simply this House but the people of Northern Ireland that there is a plan and a strategy to move this forward. We need to know—the Opposition will co-operate with the Government on this—that there is the capacity to make the legal decisions that will be necessary to move the situation forward, but they have to be the right decisions and there has to be dialogue across the Chamber and an exchange of information.
There also has to be—this is really important—a maintenance of the dialogue between Dublin and London, so that when we take action here we know there will be support from the Government in Dublin so that people from all communities can be reassured that a concerted effort is being made to bring this situation to an end.

**Julian Smith:** I thank the hon. Gentleman for the remarks that he has just made, which I think were very responsible. I hope not to have to come back to discuss these matters with him, but I want to put on record my thanks for his comments.

**Tony Lloyd:** I am grateful to the Secretary of State, because I am confident that he meant what he has said. I hope that, between us, we can see a move away from a no-deal Brexit, but in the event that that does not happen, we must ensure that we work together to avoid a catastrophe that would be disastrous not only for the economy but for the people and the future of Northern Ireland.

*9.40 pm*

**Simon Hoare** (North Dorset) (Con): It was William Gladstone who, in his diary, noted one day that he had “felled a lime” and pacified Ireland.

I think that to many in this place, and indeed in the country, the delivery of the Good Friday agreement was “job done”: devolution had been delivered, and Northern Ireland could be allowed to get on with her own affairs. That is a very lazy attitude, and it worries me. Many Members were present last Thursday when the Secretary of State responded to the urgent question from the hon. Member for Rochdale (Tony Lloyd). The Secretary of State will have heard the concerns that were expressed, and he has heard the concerns expressed today about the dropping, or the non-moving, of motions that were on the Order Paper on the grounds of shortage of time. It is the Treasury Bench that has curtailed the timetable through Prorogation, and I will return to that in a moment, but there is, I think, a growing sense, in the House and elsewhere, that No.10—not the ministerial team—seems to care little, and understand less, about Northern Ireland.

**Maria Caulfield:** I think that that is a very harsh comment. I think that we are all working collectively, across parties, to try to support the people of Northern Ireland while they do not have an Executive.

**Simon Hoare:** My hon. Friend says that it is a harsh comment. She may have read reports in the newspapers today of a senior adviser at No. 10 effectively saying that as far as he is concerned Northern Ireland can fall into the—Members can insert the expletive—sea. That seems to me to suggest a rather lackadaisical approach to these affairs. If we were taking them seriously—and I only wish that my hon. Friend and fellow member of the Northern Ireland Affairs Committee were right—we would have taken far more time over them.

My hon. Friend knows, probably even better than I do, about the increasing complaints, in the Committee and elsewhere, about the ad hoc and emergency nature of legislation governing Northern Ireland. We know from reliable reports of the growing problems in the delivery of healthcare in Northern Ireland, the problems in education, and the need for urgent attention in the sphere of welfare. We are caught in the trap of no Assembly and the ability of civil servants, on an ad hoc basis, to deliver funds only in the context of pre-agreed political policies.

That is not serving the people of Northern Ireland—and that is before we face leaving the European Union without a deal. I do not comment on the merits or demerits of leaving without a deal, but civil servants will not be able to mitigate or address any pressing social or economic concerns that arise in Northern Ireland in the absence of the Assembly.

We are all very keen to see Stormont back up and running, but while Westminster continues to deliver on the socially progressive policies that Sinn Féin wishes to see, why on earth would Sinn Féin wish to see Stormont restored? It gets two goes for its money because it gets the policies it wants and is able to blame Westminster for effectively declaring direct rule by the back door. That is not a way to deal with fellow citizens, who I, as a Conservative and Unionist, believe to be ranked pari passu with me and my constituents.

**Carolyn Harris** (Swansea East) (Lab): I congratulate the hon. Gentleman on his passionate speech. Does he agree that, with the lack of a Government in Stormont, families in Northern Ireland are being disadvantaged because the children’s funeral fund is not available in Northern Ireland, despite the best efforts of local authorities? Parents in Northern Ireland still have to suffer the dreadful burden of covering the costs of their children’s funerals, unlike those in the rest of the United Kingdom?

**Simon Hoare:** I am grateful to the hon. Lady for her intervention and pay tribute to the enormous amount of work she did on that important issue; she knows that she had my support in that endeavour. She points to another example of where, if we are to believe that “Conservative and Unionist”—Unionist is the key bit—is more than just a word on a badge or on the ballot paper, that if they do not step up to the plate pretty damn soon other parties will point to them and say, “You’ve tried them, they have failed, you now have to give us a chance.”

**Emma Little Pengelly:** If the hon. Gentleman has a discussion with his right hon. Friend the Secretary of State, his right hon. Friend will inform him that the Democratic Unionist party has put suggestion after suggestion on the table. I personally have put forward a number of suggestions. Sinn Féin remains adamant that it is not going back into government despite many genuine attempts by my party to get back in and deliver for the people of Northern Ireland.
Several hon. Members rose—

Mr Deputy Speaker (Sir Lindsay Hoyle): Order. We have a lot of things to do and a lot of Members want to speak. We also have a maiden speech that I want to get in, because if we do not do it tonight it will be lost.

Simon Hoare: I hear what the hon. Member for Belfast South (Emma Little Pengelly) says, and I have much agreement with her, but at some point the patience of the population is going to run out about the “He said, she said, I will, he won’t” and so on. Somebody is going to have to knock heads together or make some progress, and I have every faith in my right hon. Friend the Secretary of State and the Ministers, my hon. Friend the Member for Worcester (Mr Walker) and my right hon. Friend the Member for Ruislip, Northwood and Pinner (Mr Hurd), to drive that forward—with the goodwill of the main parties, knowing full well that they are now in the last-chance saloon.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): Will the hon. Gentleman give way?

Simon Hoare: I will not give way as I want to finish; I have already taken too much time.

We have to find time—I urge those on the Front Bench to listen to this—to make sure that we legislate properly with full scrutiny for our fellow citizens of Northern Ireland: no more ad hoc, no more emergency legislation. If Northern Ireland is a normal part of the United Kingdom, just as my constituency is, it is about time we started treating it in that way, and I have confidence that my right hon. Friend the Secretary of State will do just that.

9.49 pm

Gavin Newlands (Paisley and Renfrewshire North) (SNP): First, may I welcome the new Secretary of State to his place, as I forgot to do so the other day? I greatly welcome him to his place; he has a tough job ahead of him.

May I also say that our thoughts tonight are very much with the police and the community in Derry facing petrol bombs? There have been appalling scenes, which nobody in the community or in this House wants to see.

We welcome the publication of this report, the central conclusion of which states:

“The UK Government, working closely with the Irish Government, will now intensify its efforts to put forward compromise solutions to the parties. If that does not succeed, then the Secretary of State's next update to the House will set out next steps to ensure adequate governance in Northern Ireland and the protection of the Belfast or Good Friday Agreement.”

It states that the Government will now intensify their efforts, but there should be no opportunity to intensify those efforts. The Government should be acting at full capacity and beyond to ensure Stormont’s restoration. A return to direct rule would seriously undermine years of progress and successive political agreements, and the threat of direct rule risks undermining the talks on restoring the devolved Assembly. The reckless Brexit position taken by this Government is now the central instability preventing the return of power sharing. Only a restored Government in Stormont will be capable of delivering on the priorities and needs of the people of Northern Ireland.

Jamie Stone: Will the hon. Gentleman give way?

Gavin Newlands: I am sorry, but I will not give way, because Mr Deputy Speaker has already made it clear that a number of speakers are waiting to speak—we have not heard from the Democratic Unionist party yet—and we have only about half an hour left for the debate. So, apologies, but I will not be taking interventions.

It was revealed last week that the Prime Minister did not even consult the new Secretary of State before his decision to prorogue Parliament. That decision will have significant consequences for implementing the Northern Ireland budget, which is key to delivering essential public services. The new Secretary of State has also strongly indicated that, in the continued absence of a Government at Stormont and with Brexit requiring significant Executive direction, a return to some form of direct rule will be required. This expectation was confirmed by the right hon. Member for Aylesbury (Mr Lidington), who has advocated the return of some form of direct rule in the context of a no-deal Brexit.

This year marks 50 years since the beginning of the troubles, and it would be reckless beyond belief to undermine that progress with a return of direct control and decisions on Northern Ireland being taken in Westminster. This is particularly true given the current absence of any Irish nationalist voice in this Chamber. A return to direct rule would also undermine previous political and peace agreements made between the two Governments and the political parties. As part of the St Andrews agreement, which paved the way to restoring devolved government in 2007, it was agreed that the Northern Ireland Act 2000, which returned direct rule, would be repealed. Therefore, to suspend devolution and impose direct rule again will require new primary legislation. It is clear that, to protect the delicate balance of relationships that exists in Northern Ireland, the UK Government must fully consult and agree a joint strategy with the Irish Government before taking any steps that would further undermine stability. As joint guarantors of the peace agreements since the Good Friday agreement in 1998, this is their joint responsibility, and unilateral approaches must not be initiated.

On Brexit, the progress report fails even to mention the impact that Brexit has had on efforts to restore Stormont, yet it is blindingly obvious that the threat of Brexit and the disruption it has caused will cause to the carefully crafted equilibrium in Northern Ireland is undermining efforts to restore a Government. That has been exacerbated by this Government’s pursuit of a devastating no-deal Brexit, as was confirmed only yesterday by the former Work and Pensions Secretary. Already, we are seeing that impact. The Northern Ireland economy “has entered or is entering recession”, according to a survey by Ulster Bank. It suggests that Brexit-related uncertainty underpinned the fall in private sector output in August and that this is just a taste of things to come.

A leaked document from the Department of Health has outlined the potentially devastating consequences of a no-deal Brexit on the NHS in Northern Ireland. Among the issues included in the list of “reasonable
worst case” scenarios are shortages of vaccines and medication, including some cancer therapies; difficulties running the children’s heart surgery service; and more than 1,000 NHS employees being unable to get to work or quitting their jobs.

The Taoiseach revealed last week that checks would be required close to the border if a no-deal Brexit were to happen. Both the European Union and the American Congress have indicated that such a development would undermine the peace process, which they were major players in bringing about and supporting since the early ’90s. A leaked analysis and summary produced by the alternative arrangements groups established to figure out a replacement for the backstop protocol confirmed that at present there is no deliverable alternative available. Furthermore, the Taoiseach discussed the issue of a Northern Ireland-only backstop with the Prime Minister at their meeting this morning. If a differentiated deal can be reached that enables Northern Ireland in effect to remain in the single market and customs union, the same deal must be available for Scotland.

The Taoiseach did not miss and hit the wall in his exchange with the Prime Minister today. Most cutting was his promise to be the UK’s friend—its Athena—as it faced the Herculean challenge ahead. It is unclear whether the Prime Minister actually understood the reference that the Taoiseach was making, but it is clear that the lack of government and political direction is inevitably deepening the crisis in Northern Ireland’s public service budgets and their capacity to deliver for the people of Northern Ireland. New Institute for Fiscal Studies analysis shows that, amid a worsening crisis in education, Northern Ireland has seen an 11% real-terms cut per pupil in school spending since 2009, and the latest hospital waiting times reveal that 300,000 people in Northern Ireland are waiting for a first appointment with a consultant.

Only a functioning devolved Government are capable of tackling such crises. They cannot be left to a dysfunctional and uninterested UK Government. That prospect should and must give a renewed impetus to the parties involved in the talks to come to a compromise that rewards all the communities in Northern Ireland and in particular the Assembly can scrutinise matters, but if one is not, come into place? Of course, if an Executive are in place, the law has to change, even if just for this particular issue, and, in line with the amendment from the hon. Member for Walthamstow (Stella Creasy) at previous stages of this Bill, a broader amendment would be preferable.

Secondly, this is not just about the legal framework. Abortion has been readily available in Northern Ireland for just a handful of people in recent years, so there has been a significant loss of professional expertise and services on the ground. If the law is to be changed in March next year, as is currently outlined in statute, significant work must be done at all levels of the health service in Northern Ireland to ensure that it can deliver on what will be a coherent law at that stage. I know my right hon. Friend the Secretary of State would not allow anything else to happen.

Finally, how will the Secretary of State ensure scrutiny of those who will be developing the services necessary to implement the law as it will stand in March of next year or as it will stand when a Northern Ireland Executive come into place? Of course, if an Executive are in place, the Assembly can scrutinise matters, but if one is not, will my right hon. Friend please think carefully about how to ensure that things work properly? Perhaps the Northern Ireland Affairs Committee here in Westminster could do that scrutiny, or perhaps he could set up a panel of interested parties, but that is not something that he can leave hanging.

9.59 pm

Nigel Dodds (Belfast North) (DUP): I will be brief because I know many Members want to get in, although there are many things I could say. I agree with what has been said about the curtailing of this debate. Some of these issues are extremely important, but nothing is more important than the victims of violence and historical institutional abuse in Northern Ireland. It is madness that we have ended up in a situation where other matters are being debated and these are not. It is just wrong, and the Government should look to themselves for how this has come about. People have talked about putting responsibility on to others, and it is easy to blame the Standing Order No. 24 debates, but the Government had choices to make and, unfortunately, these are the choices they made.

A volume of work needs to be done to address these issues in Northern Ireland, and powers need to be taken. People have complained about the impact of Prorogation. Quite frankly, this House has had months, if not nearly three years, to take responsibility and do something about some of these issues.
Democratic Unionist Members have been raising the need for decisions to be made across a range of issues in Northern Ireland, and, as the Secretary of State knows, they have been pushed for decisions to be made on health, education, infrastructure, housing, investment, and other crucial issues we are debating tonight. We have consistently asked for this House and its Members to take responsibility and treat the people of Northern Ireland properly in the absence of devolved government.

It was a deliberate part of both Government and Opposition policy that the decision was taken—these are important matters to people in Northern Ireland—not to take any powers and not to make the necessary moves. People talk about who should take responsibility, but it is a bit late now, in the teeth of Prorogation, to complain about lack of time. People had plenty of time before now to do something about these matters, but they decided not to.

In time, when we come to the issue of necessary powers being taken in the event of the Assembly not being restored, I make it very clear to the Secretary of State—he knows this—that the institutions in Northern Ireland and the operation of devolved government are a strand 1 issue for Her Majesty’s Government and the parties in Northern Ireland, and we fully expect that the three-strand approach will be respected.

When the shadow Secretary of State talks about dialogue between the Government, the parties and Dublin, let us be very clear that, on the issue of the powers here if the Assembly is not restored, this is a matter under strand 1 for the Government and the parties in Northern Ireland exclusively. Strands 2 and 3 are different, but strand 1 is very clear. That was agreed and has been the case for the past number of decades.

Of course we want to get Stormont up and running, and we are fully committed to it. As the Secretary of State noted, Arlene Foster proposed more than 18 months ago to get the Assembly up and running to deal with these important matters, without prejudice to the issues that Sinn Féin elevated after agreeing a programme for government that did not include some of the issues that now prevent the restoration of Stormont. She offered to restore the Assembly on a time-limited basis to deal with some of these pressing issues, and it was rejected by Sinn Féin almost within half an hour. It was not even given proper consideration.

We want the Assembly to be restored but, as some of my hon. and right hon. Friends have pointed out, the incentives for getting it done have been completely switched. People on the Sinn Féin side are very content to sit back and wait until the deadline runs out, because that will achieve some of their objectives.

Some people in this House, when it comes to Brexit and Northern Ireland, simply do not know how to negotiate. They actually hand over the incentive for the other side to sit tight, and then they complain about the consequences to the Members who actually take their seats here. The fact that Sinn Féin are not here tonight is a demonstration of one of the problems we face in Northern Ireland. They boycott this place, they boycott the Executive and they boycott the Assembly, and then we are told it is all the fault of one party or the other parties, and all the rest of it.

We will continue to work with the Secretary of State in the coming days and weeks—he knows this—to try to get the Assembly up and running but, as my hon. Friend the Member for Belfast South (Emma Pengelly) indicated, we have made proposal after proposal, and they have been rejected. We will continue to work at it, however, because we know the importance of restoring the Assembly and the Executive, especially in the run-up to Brexit. Again, we will continue to work with Her Majesty’s Government on that issue, to achieve a deal—to achieve an outcome where people can be satisfied that the objective of leaving the European Union in a sensible way that works for the whole of the United Kingdom is achieved, and so we do not undermine the economic integrity or constitutional position of Northern Ireland.

People talk about respect for the Belfast agreement, but that works two ways. Not only does it work in terms of a north-south border, but we must not implement an east-west border between Northern Ireland and the rest of the United Kingdom. I am very glad that the Government have recognised, as reflected in a letter to Donald Tusk that the Prime Minister sent in August, that not only is the backstop anti-democratic, in the sense that laws will be made for Northern Ireland over which Stormont, even if restored, would have no say, and no one here would have any say—Northern Ireland would be obliged to accept whatever was handed down in law by the European Commission or the European Council through appropriate procedure—but it is contrary to the basis of the Belfast agreement. That basis is the consent of both communities that while we respect the institutions north-south, we cannot undermine the position that Unionists adhere to, which is that we have a single market within the United Kingdom where most of our trade is done. We simply ask for a fair and balanced deal.

I wish to bring my remarks to a close earlier than I otherwise might have, because of the shortage of time. However, I want to say something to the Secretary of State. He is aware of the demonstrations and the silent, dignified marches and walks that took place in Belfast on Friday and Saturday, when tens of thousands of people turned out on the streets to demonstrate their concern about the way in which this House has undermined the devolution settlement when it comes to abortion by having this imposed without any proper consultation whatsoever. They remain concerned about how the consultation may be carried out and they simply want their rights to be respected.

In closing, may I urge the Secretary of State to continue to work with us, the Belfast MPs, particularly on the future of the Harland and Wolff shipyard in Belfast. He has talked about the lack of powers in Northern Ireland, but there are powers at a UK level that can be used to ensure the future of this great historic shipyard and the fantastic workers there. I pay tribute to the work that has been done by my hon. Friend the Member for Belfast East (Gavin Robinson) in that regard.

Finally, I wish to talk about the Northern Ireland Hospice, in my own constituency, which is an excellent and fantastic institution that we in the Democratic Unionist party and in Northern Ireland were happy to ensure was able to be rebuilt, through the Northern Ireland Executive, with £2.1 million given to that, as well as another cocktail of funding. We want to see that
rescued from its current predicament, and the Chancellor of the Exchequer mentioned it in this speech. We want to see the Secretary of State work with us; perhaps he would meet me to discuss what can be done to take that forward. However rushed and short this debate tonight, I hope he will take on board the strength of feeling that exists on these Benches on these issues.

Turning to the abortion law review, I was surprised at its brevity, given that it represents a seismic change to the law in Northern Ireland, one that, as we have heard, led to tens of thousands of people marching on Stormont and in central Belfast in recent days. It is my fervent hope that any change to the law on abortion, a sensitive devolved issue, as the Secretary of State has said, could be taken forward by a restored Northern Ireland Executive. However, if that does not happen, and we have to be realistic about this, and an Executive are not reformed by 21 October, the people of Northern Ireland will find themselves in a situation where the provision of abortion, from conception up until the point of viability, which could be as far as 28 weeks, will take place in a complete legal vacuum from 22 October, with no guarantee that anything will be put in place until 31 March 2020. That is unacceptable. It means five months when there will, in effect, be no law regulating abortion at all in Northern Ireland—as I say, these are abortions taking place from conception until just before a baby is capable of being born alive. I said that we should not rush through this legislation when it was originally debated and now we see the results.

This country has all manner of statutory checks to protect women, including the need for clinics to be vetted and registered, none of which will exist in Northern Ireland. How is that good for the health of women in Northern Ireland? I have heard it suggested that the bodies of the relevant health professions will self-police in the interim, but that is simply unacceptable.

I believe that this House has failed the people of Northern Ireland in this Act. The Bill was rushed through, in dereliction of our duty to review legislation. We spent only 17 minutes debating the actual text of clause 9 when it returned from the Lords, which places on Northern Ireland a more permissive abortion regime than obtains in this country. It is unacceptable that there should be a five-month period during which abortions can take place in a legal vacuum, which is something I suspect most hon. Members were completely unaware of until tonight. I believe it is absurd to remove a law five months before we are required to put a new law in its place.

Jim Shannon: Does the hon. Lady share my view that if we had had the Abortion Act 1967 in Northern Ireland, 100,000 children would not be alive today? What we have in Northern Ireland is the acceptable thing to have, and the people of Northern Ireland are saying that they do not want to see that change—some 60% say that they want no change whatsoever.

Fiona Bruce: I thank the hon. Gentleman for that intervention.

I have a few questions for the Minister. First, could he give more detail on the five bullet points on page 25 of the review, which give inadequate information on some really key issues, such as the scoping of how best to deliver the regulations? One line on that is insufficient, given that we are only 40 days away from 22 October, and on a matter of such gravity.

Secondly, given the uncertainty over the new framework, how is the health and safety of women in Northern Ireland going to be protected during the five-month period? Thirdly, will the lack of regulation from 22 October mean that Northern Ireland is not compliant with the Istanbul convention’s requirement for an offence of forced abortion? This is serious. The whole point made by those in the Opposition who brought this measure forward was that there were human rights concerns. This is a human rights concern.

Fourthly, can the Minister confirm whether, as a matter of law during this interim period—I do not say that it is likely—it might be possible for abortions to take place up to 28 weeks in Northern Ireland? Fifthly, although the report mentions clarity for the medical professions, can he say how the Government will engage with them? Finally, will he be seeking advice from the Attorney General of Northern Ireland, as he will be from the Northern Ireland Human Rights Commission?

Several hon. Members rose—

Mr Deputy Speaker (Sir Lindsay Hoyle): Order. We will now hear a maiden speech. I remind Members that no interventions are allowed.

Lisa Forbes (Peterborough) (Lab): Thank you, Mr Deputy Speaker, for the opportunity to deliver my maiden speech. Today’s debate on Northern Ireland is an appropriate one, reminding us how important our democracy is and our role as Members in defending the rights of our citizens.

Hon. Members will know the circumstances of my election, but I want to place on the record that my predecessor, Fiona Onasanya, made a great difference to the lives of many of my constituents through her hard work.

Just as my predecessor was a black woman when there are too few here, I know that my working-class background is all too unusual too. In researching for this speech, I found that since 1918 Peterborough has had six Conservative MPs. Between them they had five peerages and three knighthoods: there were three barons, two baronets, a marquess, a viscount, an earl and a Knight Commander of the Order of St Michael and St George—like our football team, they could simply be known as The Posh. One of my predecessors also achieved an Olympic gold medal, inspiring a famous scene from the film “Chariots of Fire”. I suspect that my chances of achieving that are about as good as my chances of receiving any of those other titles. I do hope that anyone growing up in Peterborough today can look at me and
my predecessor and know that, whatever their gender or class, race or religion, they deserve the opportunity to succeed, because we are a diverse city and our representation should be so, too. That word is important to me; it is our duty to represent and to understand the lives of our constituents and to change them for the better. That is politics at its best.

It was back in 1790 that Parliament legislated for an Improvement Commission for Peterborough, responsible for paving, cleaning and lighting the streets. Now we are centuries on, yet, after a decade of austerity, we face similar challenges. Research from the Library shows that, in the decades since 2010, our city has lost more than a third of its Government funding. Austerity has gone further and faster than ever before. Even the Thatcher Governments never dared to cut the police, yet now residents tell me of cases where crimes are not investigated, so short of numbers are the local police.

As a Member of this House, it is my job to make the law, but what use are those laws if they are not enforced? I campaigned on local issues, but these are national issues too. How can any of us rest easy knowing that there are families without homes, children without food and services without proper funding? Even working people are forced to use food banks or survive on zero-hours contracts. I represented working people as a trade unionist, and I intend to do so again here, because, despite the damage that austerity has done, Peterborough remains a city that I am proud to represent.

We have a rich history: a Norman cathedral with the finest medieval painted ceiling in Europe. Part of our international links go back to the Romans, who settled the Nene Valley in the first century, to the Saxons who settled Meadow Homestead, to the monks who built the abbey and to the Danes who arrived to plunder it and later settled themselves. Over centuries, we have made and traded products from bricks to wool, built a cathedral and buried Mary Queen of Scots and Catherine of Aragon. We then became a new town with new industries.

I worked in a travel agency—another trade that gave the city many of its jobs. Now we have a mix of the agricultural, the industrial and the new services of our time. A Labour Government built social housing for the people on a grand scale and ensured that houses were available at a reasonable price. The Peterborough Development Corporation planned for the health and welfare of local people who benefited from community schools, the country park at Ferry Meadows and a public library. We need to rediscover our country’s ability to make things and to make things work, because, beyond our history, geography or industry, it is above all the people of Peterborough who will be my great passion.

Of all the speeches I researched, I was struck by Keir Hardie’s in 1901 in which he said that

“the true test of progress is not the accumulation of wealth in the hands of the few, but the elevation of the people as a whole."

I, too, promise to work for the people as a whole, and I will do everything in my power to succeed.

10.18 pm

Mr Owen Paterson (North Shropshire) (Con): It is a great pleasure to follow the hon. Member for Peterborough (Lisa Forbes). It is never an easy thing to give a maiden speech, particularly in an atmosphere such as the one that we have this evening. I offer her my heartiest congratulations. She skilfully held the attention of the House and whatever the result of the vote later on this evening, I think we probably all wish her well for the future.

I will be very brief as I know that others need to get in. Very quickly, I would like to restate the fact that every single Member of this Chamber supports the Belfast agreement, which was the result of a long peace process. We would love to see the institutions up and running, but we should never forget that that peace process and that Belfast agreement could never have come about without the conditions created by the extraordinary professionalism, skill and courage of the hundreds of thousands who served in the British armed forces, the British security services and the RUC.

I will touch very briefly on the question of the prosecutions of veterans, which was mentioned by the Secretary of State and the shadow Secretary of State. I have been going to Northern Ireland for many years and continue to go there regularly, and I have not yet met a single member of the security forces or armed forces who would like to see an amnesty. They put their lives on the line 24 hours a day to maintain the rule of law in order to ensure that those who believed in pursuing their political aims through peaceful and legal means prevailed, and they do not want an amnesty; they do not want to be on the same level as those terrorists who had an absolutely hideous refusal to respect the rule of law and who pursued their aims by violent criminal acts.

May I therefore ask the Secretary of State and above all, the shadow Secretary of State: first, not to change any laws, but to ensure that no further prosecutions can come about unless there is categorically new evidence, because it is wrong to pursue these old veterans time and again when there is no new evidence; and secondly—a very key question—to guarantee, by working together, that the framework requires a senior lawyer to guarantee that there will be a fair trial?

10.21 pm

Emma Little Pengelly (Belfast South) (DUP): It feels somewhat absurd that there is so much to say today regarding the reports, but so little time in which to say it. It is deeply frustrating because the people and representatives of Northern Ireland have so many things that they need to air and discuss, and that is being denied. We are currently in a situation of political turmoil across the United Kingdom, but that turmoil and turbulence are even worse in Northern Ireland due to the fact that there are no Northern Ireland institutions.

I want briefly to reiterate the offer that the Democratic Unionist party has made to Sinn Féin. Because of the exceptional circumstances that we find ourselves in, that offer is to go back into government immediately, not just with blind faith, but by agreement that we will enter into government and discuss the issues that we are currently discussing in this talks process and cannot get resolution on; and that, by agreement, if there is no resolution, then the institutions will fall. That offer is there to Sinn Féin, and we ask all political parties to urge them to take it.
There is no risk in the offer for Sinn Féin. We could get back into government, get on with talking about these issues and deal with the historical institutional abuse payments, the much-needed funds for severely injured victims, health, education and the real policies having an impact on people across Northern Ireland every day. That is the offer and I believe that it is an absolutely reasonable one. I ask Sinn Féin to consider it seriously, and everybody in this House and beyond to urge them to take it up. We live in exceptional times; we should be doing something exceptional to try to resolve the situation.

10.23 pm

Stella Creasy (Walthamstow) (Lab/Co-op): All Members in this Chamber would like to see the Stormont Assembly restored, but we tabled these self-executing clauses because we recognised that the human rights of the people of Northern Ireland should not be abandoned in the face of political indecision. It now falls on us to hold the Secretary of State to account for how he is enacting the provisions. We are 35 days away from the possibility that these clauses will become law, so will he give us some more detail? In particular, he talks about consultation. Can he confirm whether there is going to be public involvement in that consultation? It is really important for this House to be clear that, just as we would not ask non-medical professionals to consult on how to conduct a vasectomy, we should not do so when it comes to an abortion.

We also need to understand the Secretary of State’s timeline. I agree with the concerns raised across the House about the interim period, and about what will happen when we decriminalise sections 58 and 59 of the Offences Against the Person Act 1861 on 22 October if the Assembly is not reconstituted. I note that the Infant Life (Preservation) Act 1929 will remain in place, so the idea that there will not be any regulation at all simply is not true. We must deal with fact, not scaremongering, in this debate. But still, can he confirm that he is talking to the royal colleges—the actual medical experts? He says in the report that there is a cross-departmental Government body. Who is on that body and what is their remit? He talks about talking to the Northern Ireland Human Rights Commission, but it is the Equality and Human Rights Commission that would have any jurisdiction in terms of that consultation, so when has he spoken to it?

With 35 days to go, what is the Secretary of State’s message to women in Northern Ireland who will need an abortion on 22 October, whether because they have a fatal foetal abnormality, are a victim of rape or incest, or simply do not want to be forced to continue an unwanted pregnancy? How will he make these reports CEDAW-compliant? His own report says that there is not a clear path. Will he tell us a bit more about how he is going to set that out and what international models he is looking at? Above all, can he give us the confidence tonight that when he is managing this interim process, the mother of a 15-year-old girl who is facing a prosecution because she got abortion pills for her daughter who was in an abusive relationship will not face prosecution from 22 October? If we do one thing in this House this evening that is constructive, let us take the stress and pressure off that family.

The Government said that they wanted more time. That is why they amended this clause in the House of Lords. Everybody here has talked about the importance of dealing with that interim period. It will not be dealt with by law; it will dealt with by regulation. So will the Secretary of State set out precisely what regulations he is looking at now so that when we get to that 35-day period we can shorten it and give everybody here comfort that the human rights of the women of Northern Ireland will continue to be upheld?

10.26 pm

Jim Shannon (Strangford) (DUP): I would like to speak briefly about the abortion component of the report. I am still aghast at what section 9 of the Executive Formation Act proposes. In Northern Ireland we have developed the different approach to abortion that robust statistical research suggests means that about 100,000 people are alive in Northern Ireland today who would not be had we embraced the Abortion Act 1967. One hundred thousand lives is a lot of people. In this context, it is no great surprise that our approach has clearly helped.

The democratically elected Northern Ireland Assembly considered this matter as recently as 2016 and voted not to change the law in any way. It is no surprise that on 9 July every Northern Irish Member who takes their seat in Westminster voted against an attempt to overturn our law. However, what is particularly shocking, and what is brought out clearly in the report before us today, is something I do not think, with great respect, dawned on most Members of this House when we asked to consider what was then the entirely new clause 9 on 18 July—that it was not present in the provision we debated on 9 July. What is now section 9 does not just overturn our legal tradition; quite astonishingly, it does not require anything to be put in place for five whole months. That goes against what the hon. Member for Walthamstow (Stella Creasy) said.

If the Northern Ireland Assembly is not restored by 21 October, then on 22 October all our laws governing will disappear until the point at which a child is deemed incapable of being born alive. I want to put it on record that 60% of those surveyed in a national opinion poll in Northern Ireland said that they did not want any change. It is no surprise that on 9 July every Northern Irish Member who takes their seat in Westminster voted against an attempt to overturn our law. I am asking the House today not to make this change against the wishes of the people of Northern Ireland. We had a rally at Stormont where almost 30,000 people walked to retain the rights of the unborn baby in the womb. That has to be preserved.

10.27 pm

Ian Paisley (North Antrim) (DUP): It is a matter of profound regret that the Secretary of State has not been able tonight to introduce legislation to this House, as promised, on the institutional historical sex abuse cases. In a letter that he sent to members of the Northern Ireland Affairs Committee no later than 6 September, he indicated that he would be seeking to make swift progress. If this is swift progress, I would hate to see slow progress. Members of Survivors Together have already responded that this is an appalling disgrace, and other victims’ groups have indicated how disappointed they are. The hon. Member for Walthamstow (Stella Creasy) quite rightly said that she wanted to have detail about how we deal with abortion legislation. It is right and proper that the House gets the detail and that Members see for themselves the stark reality that comes into play from the end of October this year. I would like
to ask the Secretary of State, who will be performing abortions in Northern Ireland? Under what rules will they be performed?

10.29 pm

One and a half hours having elapsed since the commencement of proceedings on the motion, the Deputy Speaker put the Question (Standing Order No. 16(1)).

Question agreed to.

That this House has considered the Report pursuant to Sections 3(1), 3(6), 3(7), 3(8), 3(9) and 3(10) of the Northern Ireland (Executive Formation etc) Act 2019 - regarding Executive formation; transparency of political donations; higher education and a Derry university; presumption of non-prosecution; Troubles prosecution guidance; and abortion law review, which was laid before this House on Wednesday 4 September.

Parliamentary Buildings (Restoration and Renewal) Bill

Consideration of Lords amendments

Clause 2

The Parliamentary Works Sponsor Body

10.29 pm

The Parliamentary Secretary, Cabinet Office (Kevin Foster): I beg to move, That this House agrees with Lords amendment 1.

Mr Deputy Speaker (Sir Lindsay Hoyle): With this it will be convenient to consider Lords amendments 2 to 12.

Kevin Foster: Given the wide consensus that the Bill has attracted, I do not propose to go on too long—[HON. MEMBERS: “Hear, hear!”] It is nice to be liked. The Government committed to bring the spirit of several amendments that were supported in this House on Report to the other place, with appropriate wording and at the appropriate place in the Bill. We are pleased that these amendments were also supported in the other place and are now included in the Bill. They include an amendment on heritage, which was brought forward by my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) and requires that, in exercising its functions, the Sponsor Body must have regard to the special architectural, archaeological and historical significance of the Palace of Westminster.

As agreed in the House, the Bill now places a duty on the Sponsor Body to require the Delivery Authority, when considering the awarding of a contract in respect of the carrying out of the parliamentary building works, to have regard to the prospective contractor’s policy relating to corporate social responsibility and their policies and procedures relating to employment, including in relation to the blacklisting of employees. I am especially grateful for the collaborative approach and constructive contribution of the hon. Member for City of Chester (Christian Matheson) in formulating that amendment.

The Bill now provides that the reports prepared by the Sponsor Body must be laid before Parliament and must include information about persons to whom contracts in respect of the carrying out of the parliamentary building works have been awarded, in particular with regard to their size and the areas in which they operate. I am particularly grateful to the hon. Member for Hackney South and Shoreditch (Meg Hillier) for her collaboration in formatting that amendment.

Lastly, in exercising its functions, the Sponsor Body must now have regard to the need to ensure that opportunities to secure economic or other benefits of the parliamentary building works are available in all areas of the United Kingdom. I would particularly like to thank the hon. Member for Airdrie and Shotts (Neil Gray) for collaborating on that amendment and for his work as a member of the shadow Sponsor Body.

I am sure that the House welcomes the fulfilment of the Government’s commitments to the House that these amendments would be included in the Bill at the appropriate place and appropriately drafted. Other amendments passed in the Lords and are now included in the Bill, and I consider that they echo the will of the House,
particularly as they build on the recommendations of the prelegislative Joint Committee. There are also minor technical amendments that ensure consistent references to the parliamentary building works in clause 2(5).

In summary, the Bill has benefited from close scrutiny both by the Joint Committee and during its passage through both Houses. I hope the House, having considered the amendments passed in the other place, will concur with them and support the passing of the Bill as it stands, so that we can progress with the important works and secure the home of this United Kingdom Parliament for future generations.

Valerie Vaz (Walsall South) (Lab): Mr Speaker, may I start by paying tribute to you and your excellent role as Speaker? I was one of the people who dragged you to the Chair, and you have been outstanding. I will come on to your role with the Education Centre. You have been a stalwart in terms of equality. In your efforts to help me in my role as shadow Leader of the House, you have been exemplary. I will miss business questions, and particularly your jibes at us all. Thank you for everything you have done to uphold the parliamentary system; it has been very good. [Interruption.] That was for you, Mr Speaker.

I thank the Minister for bringing the Bill back to this House, and I thank all Members who have taken part in the debates on restoration and renewal. I am pleased that the Bill has come back, and I want to pay tribute to the right hon. Member for Aylesbury (Mr Lidington), who started the push to move the restoration and renewal Bill forward. I want to deal with the amendments—it is important to get them on record—in three chunks, one relating to the Sponsor Body, one to the physical aspects and one to the future.

We have the Sponsor Body, which will be a single client on behalf of both Houses, and that is a good way of working. It will form the Delivery Authority as a company limited by guarantee. Amendments 10 and 12 require the Sponsor Body to lay its reports before Parliament. One of the key things that Members wanted was the accountability of the Sponsor Body to Parliament, and the amendments will ensure that. Amendment 11 will ensure that we know about all the contracts that are awarded to different companies and the people who operate around the estate.

Amendment 1 is fairly important because it is about having regard to the prospective contractor’s policy relating to corporate social responsibility and the prospective contractor’s policies and procedures relating to employment, which is about the blacklisting of people. Many lives have been destroyed by people being blacklisted and not being allowed to take part in contracts. That is extremely important, and I want to thank my hon. Friend the Member for City of Chester (Christian Matheson) for ensuring that this has been passed.

Amendment 9 will require the Sponsor Body, in exercising its functions, to have regard to the need to ensure that there are opportunities to secure economic or other benefits throughout the United Kingdom. That is key, certainly on our side, and it is one of the reasons why we support this Bill wholeheartedly. We wanted to make sure that any benefits were not just confined to one part of the United Kingdom, but go to the whole United Kingdom.

As the Minister said about the physical parts, it is important to ensure that the historical, archaeological and other significance of Parliament continues. That is covered by amendment 8, remembering that it was 900 years ago when the Anglo-Saxons were first involved in this place—and some of them might still be here.

Amendment 5 seeks to ensure that, after the completion of the parliamentary building works, all parts of the estate are accessible to people with disabilities. I know that the hon. Members for Airdrie and Shotts (Neil Gray) and for East Worthing and Shoreham (Tim Loughton) were involved in this, and they certainly raised it on Third Reading. If we look at what happens at York Minster, we know we can combine accessibility for people with disabilities with keeping up the building’s historical significance.

As to the future, amendments 4 and 6 strengthen the reference to parliamentary building works in relation to ensuring the safety and security of staff and the public, as well as in relation to the education facilities. Amendment 7 secures your legacy of the Education Centre, Mr Speaker. It makes sure that Parliament’s education and outreach facilities and programme are ensured and that they become a core part of the parliamentary estate and provide a benefit in a greater understanding of Parliament and our democracy. My hon. Friend the Member for Glasgow North East (Mr Sweeney) mentioned the craft school in Scotland. I know that Historic England is aware of it and wants to carry on with this, which could be an outstanding way to ensure that all our crafts—ancient and modern—are secured for our future.

Amendment 2 will place a duty on the Sponsor Body to promote public understanding of the purposes of the restoration and renewal programme, and amendment 3 will ensure that the views of Members, staff and the public are at the front of the Sponsor Body’s mind. Everyone across the nation should feel a part of this project, because this place is in the heart of the nation. We do not have a deadline, as the Olympic Delivery Authority did, so the important part is that we make sure there is a deadline, as Members’ tolerance and the public purse are not elastic. However, I again join the Minister in saying that it is important that this is all secured for future generations, and we support the Bill.

Mr Speaker: I am extremely grateful to the hon. Lady.

Patrick Grady (Glasgow North) (SNP): I will also be very brief. I, too, want to take the opportunity to pay tribute to you, Mr Speaker, following the announcement you have made. You were a huge source of support and encouragement to all of us elected as SNP MPs in 2015, and particularly to me since becoming the Chief Whip. I remember being admonished back in 2015 for clapping in the Chamber, but that reform seems to be progressing forthwith. Of course, you have been a reforming Speaker, and as the Labour shadow Leader of the House said, much of R and R will be a way to secure the legacy of some of the reforms in making this place much more family friendly and much more accessible. Perhaps, in the tradition of the rooms in Portcullis House, there will, in the restored and renewed Parliament, be a Bercow room, in which people can reflect on that legacy.

The SNP has always recognised the need for reform and renewal of Parliament. We have our own views about how much money should be spent and where Parliament
should be located, but we accept the progress that the Bill has made. My hon. Friend the Member for Airdrie and Shotts (Neil Gray) has been a member of the shadow Sponsor Board and has engaged significantly on this Bill, including helping to secure what has become Lords amendment 9, which we welcome, so that the money that is spent will benefit the whole United Kingdom and its constituent parts. He cannot be here today, because this morning his wife, Karlie, gave birth to twins—Emmie and Freya—and we congratulate him. I hope that under the proxy voting rules that means that I am entitled to cast two votes on his behalf when we return after Prorogation. We hope that those young girls will grow up in an independent Scotland, and we look forward to their being able to visit the House of Commons once it has been renewed.

The biggest question on everyone’s lips is whether the revised and renewed Chamber will include reclining chairs for the likes of the Leader of the House and, indeed, my hon. Friend the Member for Central Ayrshire (Dr Whitford), who need to make themselves comfortable. We therefore look forward to the Bill’s progress to Royal Assent and the speaking of Norman French later this evening.

Lords amendment 1 agreed to.
Lords amendments 2 to 12 agreed to.

10.41 pm

**Stephen Doughty** (Cardiff South and Penarth) (Lab/Co-op): On a point of order, Mr Speaker. [Interruption.]
I have become aware in the past few hours that the Government are already seeking to circumvent the terms of the motion that the House agreed earlier about the release of documents relating to Prorogation and Operation Yellowhammer. Mr Speaker, would you be able to advise us how we can find out how those papers can be laid in this period? There are a number of ways in which the Government can do so, including the publication of Command Papers and release on websites. Given that the House passed the motion with a majority, the Government should release the information.

**Mr Speaker**: I am grateful to the hon. Gentleman. I am sorry that one or two people, in response to the hon. Gentleman rising, yelled, “Yawn.” I wonder whether people observing our proceedings think that that is a proper way for one colleague to show respect for another. It is not a matter of “yawn”—it is a matter of serious issues being raised, and responsibility being incumbent on the Chair in this case to seek to respond. It is not “yawn”—it is serious politics.

The hon. Gentleman has raised a legitimate matter. The simple answer is that the Government must comply with the Humble Address passed by the House. That is the reality of the matter. A debate has happened, a decision has been made, and it is incumbent on the Government to comply manifestly with what has been decided, the spirit, purpose and content of which are entirely clear. [Interruption.] This is not about game playing and machination—it is about doing what Parliament wants, which is what most people would expect their elected Parliament to do. [Interruption.] I do not require any help from someone chuntering from a sedentary position in evident disregard for the procedures of the House and the purport of the hon. Gentleman’s inquiry.

Under Standing Order No. 158, on the presentation of Command Papers, if papers are commanded by Her Majesty to be presented to the House at any time during the existence of a Parliament, which includes periods of Prorogation, although not of Dissolution, delivery of such papers to the Votes and Proceedings Office shall be deemed for all purposes a presentation of them to the House. At least to me, at this point, that seems clear, and I hope that it is not beyond the considerable intellectual capacities of some members of the Government.

**Chuka Umunna** (Streatham) (LD): On a point of order, Mr Speaker. I was wondering whether you might be able to assist. Under the civil service code of conduct for Government special advisers who are Government employees paid for by the taxpayer, a special adviser may not undertake work for a political party during office hours. They should also not use official resources for party political activity. Based on widespread reports, it appears that the Prime Minister’s chief special adviser, Mr Dominic Cummings, almost certainly has undertaken work for the Conservative party while carrying out his duties. With that in mind, I submitted a freedom of information request—[Interruption.]
Mr Speaker: Order. It is a perfectly reasonable inquiry. Whether it is something upon which I can adjudicate remains to be seen, but I will only know if I hear it, and the hyena noises render it rather more difficult for it to be heard. The hon. Gentleman will persist, I hope, with his point of order.

Chuka Umunna: With that in mind, I submitted a freedom of information request to the Cabinet Secretary on 13 August asking for details of Government special advisers and, in particular, who they were employed by and whether they were paid out of the public purse. In the case of Mr Cummings, I asked whether, if he is not paid by public funds, he has security access to Downing Street and is treated in the same way as a special adviser paid out of public funds.

Mr Speaker, this is an incredibly important matter of public interest, particularly given that we are about to prorogue and potentially thereafter enter an election period. The Cabinet Office, when we had points of order earlier, replied saying that it would not provide a response to my freedom of information request, which is due tomorrow, until December. That is clearly unsatisfactory. I tried to raise it earlier with the Chancellor is due tomorrow, until December. That is clearly unsatisfactory. I tried to raise it earlier with the Chancellor.

Mr Speaker, the Cabinet Secretary has just written to me saying that, not only that it is unsatisfactory, but that it is improper, but that it is improper, and that it would not advise us do to ensure that public funds are not being misspent and used for Conservative party purposes in this way?

Mr Speaker: I am sorry, but I have to resort to my usual advice to quizzical Members in these circumstances: persist, persist, persist. Write, seek a meeting, and press again and again and again in pursuit of a response to an entirely legitimate question. Do not take no for an answer.

It is a very long time since I was a special adviser. In those days the rules were extremely strict, and what the hon. Gentleman says resonates with me entirely. I have no reason to suppose the rules have changed. I cannot possibly say what is or is not done by way of conduct on the part of particular individuals now, but that it is a legitimate matter of public interest, rather than something simply to be treated as the subject of cheap badinage and ribaldry, is entirely obvious to me. The hon. Gentleman has a fair inquiry. He should pursue it and not put up with those who sneer and smirk, and think it is all a sort of jolly wheeze and a game, and that it does not matter a damn. It does matter a damn, and I hope the hon. Gentleman will pursue it. I am grateful to the hon. Gentleman, and I hope he is suitably emboldened and fortified in pursuit of his efforts.

The Prime Minister (Boris Johnson): I beg to move, That there shall be an early parliamentary general election.

Before I begin, Mr Speaker, I join others hon. Members in thanking you for your long and distinguished service to the House. We may not have always agreed on everything, but I believe you have always acted in what you judge to be the national interest.

I move the motion under the Fixed-term Parliaments Act 2011. Last Wednesday, the right hon. Member for Islington North (Jeremy Corbyn) became the first Leader of the Opposition in the history of our country to show his confidence in Her Majesty’s Government by declining the opportunity to have an election with a view to removing the Government. When he spoke last week, it seemed that he might recover his nerve tonight, and I wait to see how he responds. Referring to his surrender Bill, he said last week: “Let this Bill pass and gain Royal Assent, and then we will back an election.”—[Official Report, 4 September 2019, Vol. 664, c. 292.]

The surrender Bill—the surrender Act—has now passed. It has gained Royal Assent. He has done his level best to wreck this country’s chances of a successful negotiation. By his own logic, he must now back an election, so I am re-tabling the motion for an early general election. I do not want one, and I hoped this step would be unnecessary, yet I have accepted the reality that an election is the only way to break the deadlock in the House and to serve the national interest by giving whoever is Prime Minister the strongest possible mandate to negotiate for our country at next month’s European Council.

Labour, too, has accepted this reality. In its own leaflets this weekend, it says: “We need a General Election now”. That is what it says, yet throughout the weekend, the right hon. Gentleman’s cronies, together with those of other Opposition parties, have been trying to disguise their preposterous cowardice by coming up with ever more outrageous excuses for delaying an election until the end of October, or perhaps November, or when hell freezes over, in the dither, delay and procrastination that have become the hallmark of the Opposition. Why are they conniving to delay Brexit, in defiance of the referendum, costing the country an extra £250 million a week for the privilege of delay—enough to upgrade more than five hospitals and train 4,000 new nurses? The only possible explanation is that they fear that we will win it, and I will win it, and secure a renewed mandate to take this country out of the EU, a policy they now oppose. That is the sorry tale of this Opposition and this Parliament. For the last three years, they have schemed to overturn the verdict of the British people, delivered in a referendum which, in a crowning irony, almost all of them voted to hold. In fact, they did not just vote to hold it; some of them even—

Several hon. Members rose—

The Prime Minister: I will give way with pleasure to the hon. Member for Battersea (Marsha De Cordova).
Marsha De Cordova (Battersea) (Lab): I thank the Prime Minister for giving way; I am really pleased that he has chosen to give me an intervention. He is reeling off the fact that the amount of money that is being spent on Europe could pay for nurses and upgrade our hospitals, but nine years of austerity has led to our NHS being fragmented. Nine years of austerity has led to our education services being failed. Nine years of austerity has led to 4 million children living in poverty, so all you need to do, Prime Minister, is move forward, because we will call an election when it is time.

The Prime Minister: If that is what the hon. Lady thinks, why does she not have a word with her right hon. Friend the Leader of the Opposition and tell him to reverse his absurd policy of spending an extra £1 billion a month to keep us in the EU, when we are spending £1 billion on 20,000 more police officers on the streets of this country?

The Liberal Democrats also called for a referendum on our membership of the EU, and once they got it—by the way, they lost that referendum, of course—they did nothing but try to overturn the result, arrogating to themselves the authority to decide which democratic elections they respect and which they reject. Now—where are they, the Liberal Democrats? There they are—they want a second referendum, but they are already planning to campaign against the result. When asked whether she would implement Brexit if the people voted for it a second time, the party’s new leader, the hon. Member for East Dunbartonshire (Jo Swinson), replied no. Every time the Liberal Democrats lose a referendum, they just call for a new one over and over again. It turns out she is the new leader of the referendum party, the Jimmy Goldsmith of our times.

But the Liberal Democrats are models of coherence by comparison with the Leader of the Opposition. His strategy, mysterious as it is, is that by some process he becomes Prime Minister—but without an election, because he is against elections. He then goes to Brussels and negotiates a new deal, presumably keeping us in the customs union and the single market. He then comes back and passes that deal through the House and takes it to the country in a second referendum, whereupon he campaigns against his own deal. [Interruption.] That’s the plan, isn’t it? Perhaps he can clarify. He would urge the nation to reject his own handiwork.

We know the real reason Labour does not want a general election under his leadership. Most of them do not want one because they fear that their party will lose, but there is a small terrified minority of Labour MPs who do not want an election because they actually think the Leader of the Opposition might win, ladies and gentlemen.

As for the Scottish National party, last week the First Minister for Scotland correctly said: “It’s starting to feel like Labour doesn’t want an election at all”.

She then issued a clarion call to her assembled armies in Westminster to “force an election”. What are they doing? How do those brave stalwarts of Scottish separatism propose to force that election? By heroically abstaining!

The common thread joining all these parties is their extraordinary belief that the national interest requires them pre-emptively to protect the British people from the consequences of their own democratic decisions. The truth is they believe in democracy only when it delivers the results they want. Her Majesty’s Loyal Opposition have a constitutional duty—[Interruption.]

Mr Speaker: Order. There is far too much noise in the Chamber. The decibel level needs to reduce. The Prime Minister should not have to shout to make himself heard, and the same will apply when the Leader of the Opposition gets to his feet.

The Prime Minister: I am grateful, Mr Speaker. [Interruption.] They say they can’t hear. [Laughter.] How’s that? [Hon. Members: “Yeah!”] Her Majesty’s Loyal Opposition have a constitutional duty to oppose the Government and to seek to replace them. For this task, they are handsomely paid to the tune of almost £10 million of taxpayers’ money. They are! That is what they are paid to do by the taxpayer.

Anna Soubry (Broxtowe) (IGC): On a point of order, Mr Speaker. Unfortunately, the microphone being placed so close to the Prime Minister means that he cannot hear that some of us here are trying to intervene and have something that he and his Back Benchers do not want—a debate. We all want to know whether he will abide by the law that this Parliament has passed.

Mr Speaker: I say as much for the benefit of the watching public as for anybody else that that is an example of what I call the norm: superficially a point of order but entirely bogus. The right hon. Lady has made her point in her own way with suitable alacrity and it is on the record.

The Prime Minister: Thank you, Mr Speaker, for your characteristically impartial judgment.

The Leader of the Opposition: there he sits. His party is paid £10 million by the taxpayer and he himself is entitled to more than £140,000 of taxpayers’ money, yet today we see the extraordinary spectacle of the entire Opposition collectively deciding to abrogate their most fundamental responsibility. They have their job. They know what they should be doing. In this era of creative litigation, are there not grounds for legal challenge to compel them to do it? [Interruption.] Hon. Members can have their say in a minute. I am concluding my remarks.

Sometimes the Leader of the Opposition says that we should leave the EU; sometimes he says that we should have another referendum; sometimes he says that we should negotiate a new deal; sometimes he says that he would accept whatever Brussels offers. Over the past few days, the Labour party has said that it wants to delay Brexit, then negotiate a new deal, then have another referendum, then campaign against its own deal in that referendum. Perhaps its next policy will be to have a referendum on whether to have a referendum.

The Leader of the Opposition cannot lead. He cannot make a decision. He cannot work out whether he is for Brexit or against it—for a referendum or against it. The only options that he likes are dither and delay. I say to Opposition Members—[Interruption.]

David Linden (Glasgow East) (SNP): On a point of order, Mr Speaker.
Mr Speaker: Order. I am immensely grateful to the Prime Minister for his ready compliance with the procedures of the House. I will take a point of order from Mr David Linden, which I have—[Interuption.] Order. Mr Swire, I do not require any assistance from you. You would not have the foggiest idea where to start. What I am seeking to establish is whether this is a point of order. When I have heard it, I will know, but until I have, I cannot.

David Linden: People observing tonight’s proceedings, Mr Speaker, will see that the annunciator shows that this is the second occasion on which the House has been asked to approve the motion. Given that the Prime Minister is displaying something of a contradiction by saying that he wants to ask the House this question again but will not allow the people of Scotland an independence referendum, can you outline, Mr Speaker, whether this is hypocrisy on the Prime Minister’s part?

Mr Speaker: That was an ingenious effort, but let me say to the hon. Gentleman that the motion would not be on the Order Paper unless it was orderly. I am happy to conduct a seminar for his benefit outside the Chamber at a later date, but it is, at this time, given the context, orderly. The hon. Gentleman has made his own point, but it is a different one, and it does not meet the needs of the case.

The Prime Minister: I say again to everyone on the Opposition Benches: if you really want to delay Brexit beyond 31 October, which is what you seem to want to do, then vote for an election and let the people decide whether they want to delay or not. If you refuse to do that tonight, I will go to Brussels—our Government will go to Brussels—on 17 October and negotiate our departure on 31 October, hopefully with a deal, but without one if necessary. I will not ask for another delay.

Several hon. Members rose—

Mr Speaker: Order. I apologise for having to interrupt the Prime Minister. I will take these points of order, but I hope that they are genuine. The Prime Minister will then proceed with his speech.

Patricia Gibson (North Ayrshire and Arran) (SNP): On a point of order, Mr Speaker. I am keen to have your guidance. Given that we are supposed to be debating whether to have an early general election, I wonder if the Prime Minister, in that context, is willing to share with the House whether he is willing to obey the law of the land.

Mr Speaker: That is a political observation, and not a matter for procedural adjudication by the Chair.

Dr Sarah Wollaston (Totnes) (LD): On a point of order, Mr Speaker, on behalf of the Liaison Committee. The Prime Minister gave an undertaking that he would appear before the Committee this Wednesday at 3.30 pm. The Committee met today, and we have written to the Prime Minister asking whether he will still appear, because—

Mr Speaker: Order. I recognise the hon. Lady’s sincerity and the strength of her conviction. If she wishes to contribute to the debate in an orderly way, on her feet, in a speech, because she has caught my eye, she can do so, but she should not use the device of a bogus point of order.

The Prime Minister: Mr Speaker, I repeat my point—[Interuption.]

Geraint Davies (Swansea West) (Lab/Co-op): On a point of order, Mr Speaker. The Prime Minister has just informed the House that on 31 October he will go to Brussels and ensure that we leave with or without a deal, in contravention of a motion we have just passed that we will obey the law in compliance with that law that has just been passed. Is that out of order?

Mr Speaker: I would be immensely grateful if the hon. Gentleman did not feel it necessary to keep pointing at me. I know he feels strongly, but that is not a point of order. [Interuption.] Order. And I would say in terms of the seemliness of these proceedings, come on, let’s have fair play: the Prime Minister is entitled to make a speech and be heard, as will be the Leader of the Opposition.

The Prime Minister: Thank you, Mr Speaker, and thank you for allowing me to repeat my salient point: I will not ask for another delay. The people of this country have had enough of the delectable—[Interuption] The people of this country have had enough of the delectable disputations—[Interuption.]

Mr Speaker: Order. This is profoundly disorderly. Members must not be shouted down in the Chamber. There are standards to be upheld, and they must be upheld.

The Prime Minister: It is plain from the turbulent reaction of those on the Benches opposite that they simply want another delay, and I will not have that. The public have had enough of the delectable disputations of this House, and I must warn Members that their behaviour in thwarting the will of the people is undermining respect for this House in the country.

If hon. Members want another delay, the only proper way to do it is to ask permission from our masters, the people—from our masters, the voters—and I commend this motion to the House.

11.6 pm

Jeremy Corbyn (Islington North) (Lab): The only point of any importance that the Prime Minister has just included in his speech is his clear indication that he does not intend to follow the law that has just been passed that requires him to ask for an extension in certain circumstances. He also gave no answer on the two decisions this House has already made today concerning the publication of Yellowhammer documents and his own behaviour as Prime Minister in respect of laws agreed by this House. He seems to have failed to grasp that those on the Opposition Benches have actually been very clear and that the House has expressed its will: until the Act has been complied with and no deal has been taken off the table, we will not vote to support the Dissolution of this House and a general election.

I want an election, as the Prime Minister pointed out, and the Conservative party has very generously broadcast footage of me and my friends saying that we want an election. I do not retreat from that at all; we are eager
Mr Speaker: Order. [Interruption.] Order. Order. Mr Philp, you are very loud and rancorous. Calm down, young man! You are getting very over-excited—very, very over-excited—and you can do a lot better than that. You must try to do so.

Jeremy Corbyn: First, where are the Prime Minister’s proposals for the renegotiations? Where are they? When were they published? What is their content?

Secondly, if the Prime Minister seeks no deal, why does he not argue for it and seek the mandate for it that the Government do not so far possess? There is no mandate for no deal. [Interruption.] No, I am not giving way. Thirdly, if, as he claims, the Prime Minister is making progress—

The Prime Minister: If the right hon. Gentleman really wishes to avoid a no-deal Brexit, will he explain why he is unwilling to call an election, go to Brussels and seek—[Interruption.] [Jeremy Corbyn]

Mr Speaker: Order. [Interruption.] Order. Order. Mr Docherty-Hughes, calm yourself. Is the Prime Minister satisfied that he has made his intervention, or does he wish to complete it?

The Prime Minister: If the right hon. Gentleman wishes to avoid a no-deal Brexit, why does he not call an election, get a mandate, go to Brussels and negotiate a deal himself? What is his objection to that?

Jeremy Corbyn: We are the responsible party in this room, and we do not want to crash out with no deal. There is also the issue of trust in a Prime Minister who is unable to answer any questions and is desperate to suspend Parliament to avoid any scrutiny.

Thirdly, if the Prime Minister is making progress, as he told the House last week, why did the Taoiseach tell him only this morning that he was yet to receive realistic, legally binding and workable plans? That was only this morning, so the Prime Minister must be able to remember it. Perhaps he could explain why the Taoiseach felt the need to say that. [Interruption.] I realise the desperation of the Tory party when all it can do is rearrange the mics on the Titanic.

Finally, since the Prime Minister did not bother to turn up—[Interruption.] With great respect, I inform Conservative Members that I have no intention of giving way to any of them, okay? Since the Prime Minister did not bother to turn up for the previous debate, will he respect the law and implement the European Union (Withdrawal) (No. 2) Act 2019 if he has negotiated an agreement that is backed by this House on 19 October?

This Parliament is not a platform for the Prime Minister’s games. It is a Chamber in which the elected representatives of the people hold the Executive to account.
That is what parliamentary democracy is about. The Prime Minister has been asked four simple questions—

[Interruption.] I am not giving way.

The Prime Minister is talking up no deal to one wing of his party and talking up getting a deal to another. The sad reality is that he is not preparing adequately for the first and not negotiating at all for the other. Sunday 15 September is International Day of Democracy, when the UN celebrates Governments being held accountable to their national Parliaments in a democracy. This Government are only interested in shutting down Parliament to avoid any scrutiny. The Prime Minister’s obfuscations and evasions are being rumbled both at home and abroad, and that is why he does not answer questions and is so keen to avoid any scrutiny.

Tonight the Prime Minister will be attempting to prorogue Parliament for one of the longest Prorogations there has ever been—shutting down Parliament, shutting down democracy, avoiding questions, and taking this country over the cliff of a no-deal exit, with all the damage that will do to many of the poorest and most vulnerable communities in our society and all the damage it will do to trade and jobs, and all because he wants to take this country in the direction of a trade deal solely with the USA rather than anybody else. We are not walking into traps laid by this Prime Minister.

11.20 pm

Jeremy Lefroy (Stafford) (Con): I will be extremely brief and simply ask one or two questions of the Minister. If we do vote for a general election tonight, it will mean that we enter into new types of rules. There will be purdah and other rules on the civil servants. I have heard from the Prime Minister’s lips his strong contention that he is in favour of a deal and is negotiating hard for a deal, and I absolutely believe him. I would like to hear from the Government how this can be pursued and prosecuted in the course of a general election, in which I believe the Opposition would, to some extent, also have to be kept informed.

That is all I want to ask, because I think it is a very important point. During a general election, when everybody is rightly consumed with campaigning, how will we be able to prosecute these negotiations and keep everybody, including the Leader of the Opposition, informed?

11.22 pm

Ian Blackford (Ross, Skye and Lochaber) (SNP): It is a pleasure to follow the hon. Member for Stafford (Jeremy Lefroy), and I commend him for behaving with dignity in his speech tonight.

This is a crucial time for all of us, and it is a crucial time for all our constituents. Of course there are strong opinions, and there should be. Of course we should have robust debate. Frankly, I am utterly appalled and ashamed of what we have witnessed in the House this evening. [Interruption.] I can see Members laughing. We all have a sense of responsibility, and remember this: we had the death of an MP a few short years ago. Too many Members of this House are receiving death threats. Too many Members of this House are getting verbal abuse outside this place.

The leadership we show, how we all conduct ourselves in this place, is very important, and I appeal to everybody to show restraint, to act in a dignified manner and to show respect to each other. We owe that to all our constituents.

Ian Paisley (North Antrim) (DUP): I believe the right hon. Gentleman says what he says with total sincerity. In that spirit, he ashamed that, when the Prime Minister was on his feet, a Member from the SNP Benches shouted, “You’re a liar” and a Member from the Labour Benches shouted, “You’re a thug”?

Does he agree those things bring the House into disrepute?

Ian Blackford: I am appealing to all Members to behave in a way that is respectful to colleagues and respectful to our constituents.

I listened very carefully to what the Prime Minister said: “I will not ask for another extension.” Dwell on those words, because the Prime Minister is saying with those words that he is going to ignore an Act of Parliament, that he is going to ignore the law. I simply say to the Prime Minister: be careful. You occupy the highest office in the land and what you are demonstrating to the people of the United Kingdom is that the law does not matter. That is a very serious situation to be in. I ask the Prime Minister to think again—to think very carefully or be prepared to pay the consequences of ignoring the law of this land.

Stewart Malcolm McDonald (Glasgow South) (SNP): Does my right hon. Friend agree that if this was the Head of Government in a country such as Georgia or Moldova, or a country in Latin America, Tory MPs would be lining up to pontificate about that country being a failed state, but because a Union flag has been wrapped around this, with the usual Tory jingoism, they think it is all A-okay?

Ian Blackford: I am deeply concerned about what is happening, about the proroguing of Parliament and about the fact that the Government have pushed it through on the votes of three members of the Privy Council, against the express wishes of the majority of Members of this House. That concerns me and, as democrats, it should concern us all.

I said this last week and I will say it again: the SNP wants a general election. We want the opportunity to bring this Government down, and we are going to take it. We want the opportunity for the people of Scotland to have their voices heard, to make their choice over their futures. We want the opportunity to stop this Prime Minister from ripping us out of the European Union against our will. [Interruption.] May I say to the—

Mr Speaker: Order. The right hon. Gentleman should not have to do so. You are a most statuesque figure, Mr Kawczyński, and therefore you are very readily visible and sometimes audible. I gently say to you, because you are generally a very good-natured fellow, that it is quite inappropriate when standing at the Bar of the House also to be bellowing. Stand and look impressive, rather than yell, man. That would be my advice.

Ian Blackford: Thank you, Mr Speaker. We want the opportunity to stop this Prime Minister from ripping us out of the European Union against our will. Members can jeer all they want, but this Prime Minister has lost Scotland. He has lost the support of the old Scottish Tory leader. Writing in tonight’s Evening Standard, Ruth Davidson has landed a blow on the Prime Minister. Things are really that bad for the Prime Minister and for this shambolic, failing Tory Government. The matter
is simple: we want an election but we do not want it on the Prime Minister’s terms. This is a Prime Minister obsessed with running down the clock, a Prime Minister who cannot be trusted and a Prime Minister who is seeking to shut Parliament tonight so that he can drive us off the cliff edge. We are not falling for it.

The Prime Minister thinks he can treat Parliament however he wants. He thinks he can ignore the people of Scotland and treat our Scottish Parliament, our Government and our citizens as second-class citizens. Scotland will not be ignored. Scotland voted overwhelmingly to remain in the EU. Scotland voted overwhelmingly for the SNP, to oppose the Tory Government here in Westminster. And Scotland will have the chance to vote to say that this Prime Minister and this Government do not represent the people of Scotland and our wishes. Since the referendum, we have been treated with contempt, shouted down, with our voices silenced and our interests sidelined. Let me put the Prime Minister on notice: the election is coming.

Bill Grant (Ayr, Carrick and Cumnock) (Con): The right hon. Gentleman fails to tell the House something. I have said this before, but more people in Scotland voted in 2016 to leave the EU than voted for the SNP in the 2017 election.

Hon. Members: More!

Ian Blackford: Members can shout for more, and I see the Prime Minister laughing, but let me tell the hon. Gentleman what happened in 2016: we had an election to the Scottish Parliament and the SNP won its third election on the trot, and we did so with a manifesto commitment that if there was a material change in circumstances, the Scottish people had the right to have a referendum on our future. My message to the hon. Gentleman and to the Prime Minister is this: respect the will of the people of Scotland.

Once the threat of a no-deal Brexit is removed from the table, the SNP will act—and we urge others to act—to bring down the Tories, oust this Prime Minister and let the people have their say. Once we are safe in the knowledge that we are not leaving the European Union at Halloween, the days of this Government will be over. When we return in October, we expect the Opposition parties to work together to bring this Government to an end. We have had enough of this dictatorship; enough of the deceit, the fake news, the sham fighting, the games and the stunts. We have had enough. I say to Members, and to people at home across these islands who are feeling lost, forgotten, anxious and worried about the future, that our time is coming. We will keep fighting for you. Where we can, we will work in the interests of the people across Scotland and the UK, to protect our economy from the Brexit catastrophe. We will create the circumstances and find a way to strip this Government of power, end the democratic deficit and give the people back control. [ Interruption. ] I say to the hon. Member for Ribble Valley (Mr Evans) that if he wishes to speak in the debate, he might try catching your eye, Mr Speaker, but shouting out like this—shouting down Scottish voices—is not the way to go.

An election is coming, and the SNP will ensure that post the suspension period, when a no-deal Brexit is off the table, the people of Scotland will have the opportunity to choose their future; to choose to be citizens who want to be part of Europe; to choose to live in a country that is outward looking and welcoming; to choose to live in an independent Scotland focused on opportunity and fairness, free of broken Brexit Britain. The Prime Minister is warned: his days in office are numbered.

11.32 pm

Sir Alan Duncan (Rutland and Melton) (Con): I had no intention a few moments ago of speaking in this debate, but I would like to say three things that I hope the House will take on board. The first is to appreciate the catastrophic constitutional significance of the Fixed-term Parliaments Act 2011. I tried to repeal it in a ten-minute rule Bill in 2015. We all understand why it came into being—it was to be the glue in the coalition Government after the 2010 election—but it should have had a sunset clause. Its effect is now to trammel this Government and our Prime Minister in a very Kafkaesque trap: he is finding it very difficult to govern but is unable to call a general election. I very much hope that the first act of the new Parliament will be to abolish the Fixed-term Parliaments Act.

The second point is just to issue a word of caution about the danger that comes with mixing up the difficult, complicated and unresolved issue of Brexit with a potential general election. A general election is, by its very nature, general; we are all up for grabs, and all policies in a manifesto are also there for debate. But Brexit has been the most divisive, poisonous and difficult issue of our life. If we go into a general election with an unresolved Brexit, there is no way that a clear answer on Brexit can be said to emerge from that process. Quite possibly, because of the nature of Brexit and the way that it is pushing our entire post-Victorian party system into near collapse—we may have four-way competitions in almost every constituency—we may find that it does not actually resolve the problem of Government either. I ask this House to appreciate that we are in a dreadful bind and that the binary politics of largely Labour and the Conservatives may be behind us, if not forever, at least for a very, very long time.

My third point is this: I have told my right hon. Friend the Prime Minister that, despite some of our past differences, although we worked together very closely in the Foreign Office, I will stick by the Government, but I very much regret, and it is very painful, that 21 of the most decent Members of Parliament whom I very much regard as kindred spirits have lost the Whip. I ask the House to imagine the scene: there is a slightly grotty Victorian building that passes as the headquarters of the local Conservative Association. There are portraits of Disraeli, Churchill and Thatcher on the wall, and perhaps a couple of blank spaces. The chairman is there and the phone rings. Someone says, “Look, I’m a bloke from No. 10. You have never heard of me, but I am afraid your MP has been sacked. You must strike him or her off all the records. You cannot talk to them now and we are going to re-select someone straight away.” The only response that a self-respecting chair can give is, “May I thank you very much for your call, young man? Now bugger off.”

We must appreciate that the constituency is still an essential unit of our democracy. It is the building block that makes this House what it is. There may, of course, be party rules, but we should be very careful about
letting party rules be superseded by the control at the centre. I very much hope that, although many of the 21 will be standing down and it matters less to them—it is not the case for some whose career should rightfully be ahead of them—my right hon. Friend and our party system through our Chairman can appreciate that a route should be found back for those who wish to stand again and that all immediate selections for an alternative candidate should be suspended so that it can be known that they have a chance.

Paul Scully (Sutton and Cheam) (Con) rose—

Dr Caroline Johnson (Sleaford and North Hykeham) (Con) rose—

Sir Alan Duncan: No, I will not give way to anybody.

Dr Johnson: Will my right hon. Friend give way?

Sir Alan Duncan: No!

Those are the three points that I simply want to make. I hope that, as this House goes through what is a very difficult and painful process as we approach the election, when it is recomposed after that election, we can appreciate the importance of legislation in this House and pay it proper attention so that Members of Parliament can see that making law is probably their most important role as Members of Parliament and that political combat should take a second place. If we do that, we then, I hope, will never again have the folly of the Fixed-term Parliaments Act.

Paul Scully: On a point of order, Mr Speaker. I fear that my right hon. Friend may have inadvertently misled the House given the fact that every single Member of this party who has lost the Whip is still a member of the Conservative party unless they have chosen to cross the Floor. Therefore, the situation that he has described is not actually the case. It is important to realise that the discussion that we are having is that we need to be in the place—

Mr Speaker: Order. I do not wish to be unkind to the hon. Gentleman, because I recognise that he feels that he has a serious point, but it is not a matter for the Chair. The right hon. Member for Rutland and Melton (Sir Alan Duncan) has, if I may say so, made a speech whose meaning is perfectly clear. If the hon. Gentleman wants to disagree with him, he can do so elsewhere, but it is not a matter that requires my adjudication. I was absolutely clear what the right hon. Gentleman was saying and I do not think that the House feels misled, if I may very politely say so.

11.40 pm

Jo Swinson (East Dunbartonshire) (LD): It is a delight to follow the right hon. Member for Rutland and Melton (Sir Alan Duncan), who made a thoughtful contribution to this debate in this important time for Parliament, by stark contrast to the beginning of this debate, which I am afraid was not a very edifying spectacle for our constituents who are watching this, many of whom are worried about what is happening in our country right now. The blaring, the bluster—Britain deserves better. I commend the right hon. Member for Hastings and Rye (Amber Rudd) for the brave decision that she took at the weekend. We are in exceptional times, and in the face of a Prime Minister who is prepared not only to shut out of his party more than 20 individuals who have given it great service, but to shut down Parliament, potentially to flout the rule of law and to inflict on the British public the consequences of no deal as outlined in the Yellowhammer report, I think it is time that others in the Conservative party examine their consciences about what they can do and the role that they are playing in all this.

In his speech, the Prime Minister goaded those of us on the Opposition Benches who disagree with his dash for an election and said that it is because we are afraid that he will win. Well, I say to the Prime Minister that people in this country are afraid. They are afraid of a no-deal Brexit: a no-deal Brexit that—according to his own Government’s analysis, which he is trying to keep secret even in the face of this House voting for it to be published—will mean shortages of fresh food, rising prices, delays and disruption to fuel supplies in the south-east, and severe, extended delays for medical supplies. So it is no wonder that people are afraid, and the Prime Minister should treat this matter with more seriousness.

Geraint Davies: Does the hon. Lady agree that, instead of the Government spending £100 million of taxpayers’ money on propaganda, they should disclose Yellowhammer and spend £100 million promulgating that to educate the public about the horror that faces us if we have no deal?

Jo Swinson: It is very clear that the Government should release that report, and they have been instructed to do so by this House.

I want to scotch the myth that the Prime Minister is putting about that a no-deal Brexit is in some way an end to this whole Brexit issue. As Leo Varadkar made clear today, it would be a case of getting back to the negotiating table, as a no-deal Brexit is just the beginning of many further years of negotiations. If people really want an end to this Brexit mire, the way to do it is to stop Brexit.

Mr Bob Seely (Isle of Wight) (Con): The Guardian, of which I am an avid reader, says that the Liberal Democrats are poised to back the revocation of article 50 entirely. Is that correct?

Jo Swinson: The hon. Gentleman cannot be surprised that the Liberal Democrats are a party that wishes to stop Brexit. In a general election, where we will stand to secure a Liberal Democrat majority, such a Liberal Democrat majority Government would indeed revoke article 50. He should not be surprised by that position; perhaps he should pay more attention.

This Government and this Prime Minister have no mandate for a no-deal Brexit that they are trying to force on the British people. It is clear from the resignations of the right hon. Members for Orpington (Joseph Johnson) and for Hastings and Rye that he has no plans for securing a Brexit deal. He is not entering into this in any spirit of seriousness. The hon. Member for Stafford (Jeremy Lefroy) made that point exceptionally well.
How does the Prime Minister seriously think that with the previous occupant of that role having tried to negotiate a deal over the course of three years, he and he alone can achieve in four weeks what she failed to do and fight a general election at the same time—what arrogance. If he were serious about getting a deal, he would be negotiating hard in Brussels, not running away from the responsibility of the job that he now holds and said that he wanted for such a long time.

The right hon. Member for Rutland and Melton made the excellent point that a general election cannot be guaranteed to resolve this issue one way or the other. The best way to do that is to hold a people’s vote on the Brexit deal. That is the best way to resolve this crisis—to give people the choice of the Brexit deal that has been negotiated or remaining in the European Union. I do not believe that there is a majority for any specific type of Brexit in this country, and we could determine whether that were the case in a people’s vote. The Liberal Democrats are crystal clear: we want to stop Brexit.

Alex Chalk (Cheltenham) (Con): The hon. Lady says that she wants a second referendum, but the problem for the British people will be that if the answer she gets is one that she does not agree with, the stated position of the Liberal Democrats is simply to ignore it.

Jo Swinson: The hon. Gentleman might do well to pay rather more attention to his constituents in Cheltenham and what they would like to see happen. In answer to his point, of course Liberal Democrats want us to stay in the European Union, and we want people to have the ability to choose that option in a people’s vote. We have argued for—[Interruption.]

Mr Speaker: Order. There were points of order earlier in our proceedings about conduct that was very intimidating for Members and, in some cases, Members’ families. I know that there are inflamed passions, but I just ask Members to consider this: the hon. Lady is trying to deliver a speech and doing so with her customary eloquence and fluency; she should not be shouted down and she will not be—stop it.

Jo Swinson: Thank you, Mr Speaker. I appreciate that others in the House would like the Liberal Democrats to be silenced, but that will not happen on my watch, because we are crystal clear on Brexit. We want to stop Brexit, and that is why thousands of people across the country are joining the Liberal Democrats, including MPs from both the Labour and the Conservative parties.

Whether it is votes in this House or ministerial colleagues, the Prime Minister is making a habit of losing. Although I believe that a people’s vote is the best route to resolve this, I say to the Prime Minister that he can have his general election as soon as he secures an extension. Otherwise, we risk the scenario of a general election where we might crash out of the European Union without a deal either during or in the immediate aftermath of such an election and with Parliament not sitting at those crucial moments. It would be the height of irresponsibility to dissolve Parliament at that time.

Any general election must be undertaken in a period of calm, with an orderly approach, not in a period of national crisis.

The Prime Minister is playing at this. In his speech tonight, he made it sound like this was sport—like this was a game. This is not a student debating society. This is about the national interest and being sure that we avoid the risk of a no-deal Brexit, and that is why we will vote down his motion tonight.

Andrew Selous (South West Bedfordshire) (Con): In normal circumstances, parliamentary democracy serves our country well, but in the past two and a bit years, I have been ashamed of the behaviour of this Parliament—a Parliament in which, as academic analysis by the Library points out, 409 out of the 650 constituencies had leave majorities. That was on an 80% turnout—far higher than any turnout we are elected on at a general election.

Over the past two and a bit years, we have a Parliament that thinks it knows better than the public whom this Parliament explicitly gave the decision to. We have a Parliament that thinks it is acceptable to use representative democracy to defeat direct democracy—a direct democracy explicitly agreed and voted for by this Parliament. We have a Parliament that has totally failed to work across party lines to find an acceptable way forward, and we have a Parliament that is very good at saying no but is bereft of ideas to come up with anything better. We also have a Parliament where an increasing number of MPs who were elected for one party, often with significant majorities, then declare for another without any agreement from their constituents.

If we value our democracy and everyone who took part in the referendum, we must honour the result and everyone who voted, all of whom were told that the result would be respected. Democracy requires that the losers accept the result. We should honour the referendum by returning powers over our money, laws, borders and trade in a way that is orderly and supports jobs. I want to see our negotiations turbo-charged. We need a Government with a mandate and a new Parliament that will actually vote for something for a change—a new Parliament that will work in the national interest for a good deal that respects the referendum result.

Sir George Howarth (Knowsley) (Lab): It is a pleasure to follow the hon. Member for South West Bedfordshire (Andrew Selous), although I find it a little strange that he criticises the House for not working on a cross-party basis—that is why we are here tonight and that is why so many of the parties in the House of Commons will oppose the Government’s motion. I think that he means that he wants cross-party working so long as the parties work with him, rather than between themselves.

In my time in this House, I have seen seven Prime Ministers come and go. We are now on the eighth. I had enormous differences with many of them, but in every case up until now, I have always accepted that they acted in good faith and what they perceived to be the national interest.

Before I go any further, I should point out that what I am about to say breaks two rules that I have set myself during my time in the House. The first is to try to play
the ball, rather than the man or woman, and the second
is never to take issue with the Chair. I am not about to
break the second one, Mr Speaker, but I will comment
on it. All the Speakers I have served under—I think that
you are the fourth—have always upheld the rights and
privileges of Members of this House, which you have
done, and they have always upheld the constitution of
our country and the rules of this House, and they have
all done it in their own distinctive way. I want to pay
tribute to the way you have conducted yourself. You
have stood up for the rights of this House and—often in
the face of criticism, usually from Government Members—you
have shown great courage in carrying out your
responsibilities, and I pay tribute to you.

The other rule, which I am about to break, brings me
to the right hon. Member for Uxbridge and South
Ruislip (Boris Johnson). He is, as everybody would
agree, often entertaining. He does, as I know from some
experience with him, have an enormous amount of
stamina. However, political leaders need to have three
additional qualities: first, it is essential that they exercise
good judgment; secondly, they need to be trusted to
follow a course of action that they genuinely believe is
in the best interests of the country, even in circumstances
when it might not be universally popular to do so; and
thirdly—I find this the most troubling part of the Prime
Minister’s speech tonight—they need to be absolutely
clear that on no occasion would they contemplate breaking
the law of the land. As, sadly, has been demonstrated in
his short time as Prime Minister, the right hon. Gentleman
has shown neither good judgment or any sense that he is
willing to put what is best for our country ahead of his
own personal ambition.

In normal times, the logic of the case I have just made
would be that I supported the motion before us, but
these are not normal times. The Prime Minister cannot
be trusted not to use the vacuum created by a general
election to thwart the will of this House. If he is serious
about coming up with a deal that will suit all the
concerns we have, why are we in this House at this time
of night debating whether to hold a general election?
Why is he not in Brussels trying to get a deal? Why is he
concerned about the timing and concern about what
people are saying, “What on earth are you lot doing down
there? Why can’t you simply sort it out together?” The reality is that there are
three reasons why we cannot do so.

The first is, of course, that there are an awful lot of
remain MPs in this Parliament, and I speak as a remain
Member of Parliament. I voted to remain and if there
was another referendum, I would vote to remain in it,
but I do not advocate a referendum. I have had my fill
of referendums. I also voted in this place to give the people
a vote to decide whether we stay or we leave. Nevertheless,
if people are straightforward, when push comes to shove, a number of MPs in this place do want a second
referendum, whatever they might say.

The second reason is party politics, and the Leader of
the Opposition is of course the worst culprit. He claims
now that to leave the European Union with the wrong
deal would be catastrophic, despite the fact that for
decades he campaigned to leave the European Union
on any terms possible. The reality is that when the
previous Prime Minister’s deal came back before the
House—a fair deal, in my view—90% of my colleagues
on the Government side of the House voted to pass that
deal, while only 2% of Labour Members voted for
it—five Members of Parliament. Too much party politics
got in the way of a sensible deal.

Finally, on Brexit perfection, 10% of my colleagues
on this side of the House, for whatever reason—the deal
was either too hot or too cold—did not vote for that
deal. It was not seen as the Goldilocks deal. Some people
said that it was not Brexit. Some said that the people
had voted for a completely clean break. The reality is
that the Vote Leave campaign said clearly in its manifesto
that there is a European free trade zone that stretches
from Iceland to the borders of Russia, and when we left
we would be part of it.

It is quite reasonable for people to expect a deal when
we leave, which was why the previous Prime Minister set
out her red lines and brought back a deal, which respected
the promises that were made before the referendum. To
settle the issue, Opposition Members often ask for a
people’s vote. Now is the right time for a people’s vote.

James Cartlidge (South Suffolk) (Con): As always,
my hon. Friend is making a brilliant point. The only sadness
about proroguing is that we will not have the Treasury
Committee chairmanship elections. Many members of
the public are opening their front door and finding on
the doormat a Labour leaflet that says, “We want a
general election, and we want it now.” Is that not
confusing for them?

Kevin Hollinrake: It is very confusing. I, too, regret
that we will not be here on Wednesday to complete the
final election process for the Treasury Committee.

Nevertheless, now is the perfect time for a general
election. If Opposition Members are right and the
public do not want deal or no deal, the public will vote
in their favour. They will return a coalition Government
or another Government who can take their choice
forward. If they feel that they want to move down the
track of deal or no deal, they will vote for the Conservatives
and their policy of delivering Brexit on 31 October this
year. Now is the right time to trust the people to make
that choice. Is it simply political advantage that is
getting in the way of that? There are two imperatives in
keeping the deadline of 31 October. The first is getting a
deal with the European Union with that deadline of
31 October, and the second is that when the deal returns
to the House—I believe the Prime Minister can deliver
that—Members across the House will have a choice either to vote for a deal or to vote for no deal. Surely they will choose a deal and we will leave on 31 October.

12.2 am

Phil Wilson (Sedgefield) (Lab): First, I am sorry to see you go, Mr Speaker, because you have stood up for Back Benchers in the past 10 years, and you have been a great respecter of the Chamber. I wish you and your family all the best for the future.

I do not intend to speak for long, but suffice it to say that I agree with the Prime Minister. He uses the same language as me when he says, “Put it to the people”. He considers that the people should be engaged in the final say, so let them have it in a confirmatory ballot on the issue of Brexit in a people’s vote. It is wrong to conflate Brexit, which is a decision for a generation, with a general election campaign, which is meant to decide a programme of government for a maximum of five years. I think the Prime Minister knows that.

Tom Tugendhat (Tonbridge and Malling) (Con): Will the hon. Gentleman give way?

Phil Wilson: No, I am not going to speak for long.

The Prime Minister has been found out. It is about eight weeks to 31 October, but he wants to take up the next four or five weeks with electioneering, rather than going to look for a deal. I have some words of advice for him: go to Brussels, and begin to negotiate. Bring back the deal that you have promised the country, and put it to the House. I will help to facilitate its passage through Parliament, as long as it is put to the British people so that they can decide whether they want to go ahead with it or stay in the EU in a confirmatory ballot.

The Prime Minister has lost the Father of the House, Winston Churchill’s grandson and his own brother. I understand that in the past few days the Duke of Wellington has left the Conservative party. The Prime Minister has met his Waterloo. The Conservative party can change its mind on no deal, but it refuses to allow the British people to do the same on Brexit. They need to have a final say on Brexit. After three and a half years, on the will of the people and the generational decision of Brexit, they have the right to be asked again in the light of the fact that this Government are hellbent on moving towards the EU exit door without a deal. The Government will say it would be a betrayal of Brexit and the British people if we do not deliver on Brexit. I will tell you what is a betrayal of trust: leaving the EU without a deal and not telling the British people that it is not a clean break. Like any Brexit deal, but even more so in the event of no deal, it will lead to years of uncertainty and economic woes for the majority of the people in this country, including unemployment. But of course the main pursuers of Brexit are not the ones who will be losing their jobs.

We need to resolve Brexit with the confirmation of the British people. That is how it began in 2016, and that is how it should be brought to a conclusion. The people have the right to compare the facts today with what was promised to them three and a half years ago. Brexit started with the people and it should end with the people. Prime Minister, resolve Brexit first and then let us have a general election. I will not be supporting the motion tonight.

12.6 am

Sir William Cash (Stone) (Con): The fundamental question that faces us today about whether or not we should have an early parliamentary election is really the same question we have been debating now for many, many years, and in particular in the past three years in relation to the referendum result. The key question is: who governs this country? That is the issue before us tonight. I have to say, with the greatest concern, that the Labour party has taken the view that it should run away from the very question that it knows it will not be able to answer unless it wins the general election. It also knows that it will not win that general election on all the present estimates. That is the real reason why Labour Members will not answer the question of who governs this country and why they will not, apparently, vote tonight to answer the question and give us a general election.

The Leader of the Opposition kept on saying that he would allow a general election only if the European Union (Withdrawal) (No.6) Bill, which has been given Royal Assent today, was passed. The Bill has been passed, but ironically it still has not answered the question I posed at the beginning about the law of the land and who governs this country. There is nothing in that Act to repeal section 1 of the European Union (Withdrawal) Act 2018, which says, as the law of the land, that 31 October is exit day as we speak in this debate. Section 1 also says that the European Communities Act 1972 is repealed. Furthermore, the commencement order has already been made. There is nothing in the Bill by which anybody can properly accuse the Prime Minister of not complying with the rule of law, because the rule of law sets out 31 October. That is the law of the land and there is nothing in the new Act that says otherwise.

I simply say this: this is a dereliction of duty by the Labour party. It is refusing to allow the British people to decide who governs this country, and it is running away from the fact that under the European Communities Act 1972 and the European Union we are governed by majority vote by the other countries of the European Union. That is how Labour is letting down the very people it represents.

In the leave constituencies of Labour Members, there are people who know very well what is happening, and increasingly, according to the opinion polls, they are not interested in supporting the Labour party, because it is running away from the one central question—who governs Britain?—and the democracy that lies behind it. Give the people the freedom to enable them to decide, instead of the rabble on the other side of the House.

12.10 am

Mr Ivan Lewis (Bury South) (Ind): In its handling of Brexit, this House has lost the respect of the country and made us a laughing stock around the world. Prolonged uncertainty, as much as no deal, can tip us into recession, with disastrous consequences for jobs and living standards. I hear high-minded speeches about protecting the constitution and the propriety expected of Government,
and I accept that a small number of Members are vehemently opposed to no deal but would support Brexit with a fair deal. I also regret the fact that the Government decided to bring this House, which was as unnecessary as it was undesirable.

The vast majority on the Opposition Benches, when they claim support for an affirmative referendum and/or opposition to no deal, are determined to overturn the result of the referendum. They have displayed an increasing contempt for our duty as democrats to respect and implement the result. They lecture others about democracy, accountability and our national interest, yet they are hell-bent on frustrating the will of the majority of the people, as expressed in that referendum. They should be honest: it is their objective to thwart Brexit in whatever the circumstances. Whatever deal is put to this House, there are many, many people who will vote against it because they want to thwart the will of the people, in terms of that referendum result.

Many of the so-called progressives in this House are fuelling right-wing extremism by showing contempt for the result and the majority who voted to leave. We asked the people and they gave us their decision—to leave the European Union. I say that as a remainder. One cannot be a selective democrat who respects democracy only when it delivers their preferred result. This goes to the root of the Leader of the Opposition’s position tonight. He demands an election time and again, but now, given the opportunity, he vetoes an election, not because of the national interest or stopping no deal, but because he knows he would lose that election—not because of the vast majority of the values of decent Labour MPs and many Labour party members, but because, as a lifelong Eurosceptic leading a party of remainers, he has been caught out trying to have it both ways on Brexit time and again. He does not have the leadership skills required at a time of so many challenges facing our country, and his leadership has led to the party of anti-racism and equality becoming the party of institutionalised anti-semitism—so much so that a majority of Jews in this country feel that they would not be safe in the event of his becoming Prime Minister.

This House could not stand up for the public interest or break its stalemate for over three years. Therefore, the national interest demands a general election; then, maybe, a new House will be able to show the leadership that this country needs and deserves to begin the process of rebuilding trust in this place and healing the scars of this country needs and deserves to begin the process of rebuilding trust in this place and healing the scars of this country.

The time has come for people to be honest with the British people, and that means we need to respect the result of the referendum. The alternative would be to fuel right-wing populism like we have never seen in the history of this country.

12.15 am

Tom Tugendhat (Tonbridge and Malling) (Con): Nobody can argue that tonight we are not facing an impasse that affects not just our relationship with Europe, but the very constitution of our country. Sadly, I find that a people’s vote is not an answer, because this question is not just one question; it is every question. The only way to answer it is to ask the British people who they want as their advocates in this House, who they want speaking for them not just on one issue but on every issue. The question is: who will stand up for the British people. Let us call an election and ask them who governs Britain. [Interruption.]

Mike Gapes (Ilford South) (IGC) rose—[Interruption.]

Mr Speaker: Order. I have never known a situation in which Mr Gapes cannot be heard. If there is some private spat taking place, it should take place outside the Chamber, not in it. It is very unsatisfactory.

12.15 am

Mike Gapes: First, may I pay tribute to you, Mr Speaker, for what you have done standing up for representative parliamentary democracy against an arrogant and overbearing Executive?

I do not have long. I want to make two points. First, there is an old adage: neither Washington nor Moscow. I say: neither Uxbridge nor Islington. In this time of national crisis, this country is in a very dangerous place, and it is time that all moderate social democrats, one nation Conservatives and Liberals came together to stop the extremism, which is going to damage our country for decades to come. We have to stop this process, and the best way is to recognise a general election will not resolve it, as the right hon. Member for Rutland and Melton (Sir Alan Duncan) made clear. We have to put the issue back to the people, as others have said. We need a people’s vote, which would be an informed choice. We should pause this process, stop the no-deal Brexit, defend the people in Ireland and in Gibraltar—

12.18 am

One and a half hours having elapsed since the commencement of proceedings on the motion, the Speaker put the Question (Standing Order No. 16(1)).

The House divided: Ayes 293, Noes 46.

Division No. 445] [12.18 am

AYES

Adams, Nigel
Afolami, Bim
Afriyie, Adam
Aldous, Peter
Allan, Lucy
Amess, Sir David
Argar, Edward
Atkins, Victoria
Austin, Ian
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Barclay, rh Stephen
Baron, Mr John
Bellingham, Sir Henry
Beresford, Sir Paul
Berry, rh Jake
Blackman, Bob
Bone, Mr Peter
Bottomley, Sir Peter

and I accept that a small number of Members are vehemently opposed to no deal but would support Brexit with a fair deal. I also regret the fact that the Government decided to bring this House, which was as unnecessary as it was undesirable.

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This House could not stand up for the public interest or break its stalemate for over three years. Therefore, the national interest demands a general election; then, maybe, a new House will be able to show the leadership that this country needs and deserves to begin the process of rebuilding trust in this place and healing the scars of division in our society. [Interruption.] I hear some of my hon. Friends saying, “What about a by-election?” That is what the Momentum-types in my constituency keep saying—that I am running away from the electorate by not having a by-election now I am an Independent. I am voting for a general election tonight. I am willing to face the people in my constituency, unlike too many of the people on these Benches.

Finally, Mr Speaker, many tributes have been paid to you, quite rightly, for the way you have presided over this House. I would like to add that to the work you did for children with speech and language difficulties, which changed the lives of many families.

When I heard the speeches earlier, in which people talked about how proud they were of this House of Commons, I thought, “They’re not living in the real world”. My voters, my constituents, are not proud of this House of Commons; they think we’ve entirely lost the plot.
637 638

**Early Parliamentary General Election** 9 SEPTEMBER 2019 **Early Parliamentary General Election**

(No. 2)

Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Brereton, Jack
Bridgen, Andrew
Brokenshire, rh James
Bruce, Fiona
Buckland, rh Robert
Burghart, Alex
Burns, Conor
Cairns, rh Alun
Campbell, Mr Gregory
Clark, Colin
Clarke, Mr Simon
Clevery, rh James
Clifton-Brown, Sir Geoffrey
Coffey, Dr Therese
Collins, Damian
Costa, Alberta
Courts, Robert
Cox, rh Mr Geoffrey
Crabb, rh Stephen
Crouch, Tracey
Davies, David T. C.
Davies, Glyn
Davies, Mims
Davies, Philip
Davis, rh Mr David
Dinenage, Caroline
Djanogly, Mr Jonathan
Docherty, Leo
Dodds, rh Nigel
Donaldson, rh Sir Jeffrey M.
Donelan, Michelle
Dorries, Ms Nadine
Double, Steve
Dowden, rh Oliver
Doyle-Price, Jackie
Drax, Richard
Duguid, David
Duncan Smith, rh Mr Iain
Dunne, rh Mr Philip
Ellis, Michael
Ellwood, rh Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Mr Nigel
Evanno, rh Sir David
Fabian, Michael
Fallon, rh Sir Michael
Field, rh Mark
Ford, Vicky
Foster, Kevin
Fox, rh Dr Liam
Francois, rh Mr Mark
Frazer, Lucy
Freeman, George
Freer, Mike
Fysh, Mr Marcus
Gale, rh Sir Roger
Garnier, Mark
Ghani, Ms Nusrat
Gibb, rh Nick
Gillan, rh Dame Cheryl
Girvan, Paul
Glen, John
Goldsmith, Zac
Goodwill, rh Mr Robert
Gove, rh Michael
Graham, Luke
Graham, Richard
Grant, Bill
Grant, Mrs Helen
Gray, James
Grayling, rh Chris
Green, Chris
Green, rh Damian
Griffiths, Andrew
Hair, Kirstene
Halloween, rh Robert
Hall, Luke
Hancock, rh Matt
Hands, rh Greg
Harper, rh Mr Mark
Harris, Rebecca
Harrison, Trudy
Hart, Simon
Hayes, Mr John
Heald, rh Sir Oliver
Heappey, James
Heaton-Harris, Chris
Heaton-Jones, Peter
Henderson, Gordon
Herbert, rh Nick
Hinds, rh Damian
Hoare, Simon
Hollingworth, George
Hollimlake, Kevin
Hollobone, Mr Philip
Holloway, Adam
Howell, John
Huddleston, Nigel
Hughes, Eddie
Hunt, rh Mr Jeremy
Hurd, rh Mr Nick
Jack, rh Mr Alister
Javid, rh Sajid
Jayawardena, Mr Ranil
Jenkin, Mr Bernard
Jenkins, Andrea
Jenrick, rh Robert
Johnson, rh Boris
Johnson, Dr Caroline
Johnson, Gareth
Jones, Andrew
Jones, rh Mr David
Jones, Mr Marcus
Kaczynski, Daniel
Keegan, Gillian
Kennedy, Seema
Kerr, Stefan
Knight, rh Sir Greg
Knight, Julian
Kwarteng, rh Kwasi
Lamont, John
Lancaster, rh Mark
Latham, Mrs Pauline
Leadsom, rh Andrea
Lefroy, Jeremy
Leigh, rh Sir Edward
Lewer, Andrew
Lewis, rh Brandon
Lewis, Mr Ivan
Lewis, rh Dr Julian
Liddell-Grainger, Mr Ian
Lidingon, rh Mr David
Little Pengelly, Emma
Lopez, Julia
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Mackinlay, Craig
Maclean, Rachel
Main, Mrs Anne
Mak, Alan
Malthouse, Kit
Mann, Scott
Masterton, Paul
May, rh Mrs Theresa
Maynard, Paul
McLoughlin, rh Sir Patrick
McPartland, Stephen
McVey, rh Ms Esther
Menzies, Mark
Merron, Johnny
Merriman, Huw
Melcalfe, Stephen
Miller, rh Mrs Maria
Milng, Amanda
Mills, Nigel
Mitchell, rh Mr Andrew
Moore, Damien
Mordaunt, rh Penny
Morgan, rh Nicky
Morris, Anne Marie
Morris, David
Morris, James
Morton, Wendy
Mundell, rh David
Murray, Mrs Sheryll
Murrison, rh Dr Andrew
Neill, Robert
Newton, Sarah
Norman, Jesse
O’Brien, Neil
Offord, Dr Matthew
Opperman, Mr Guy
Paisley, Ian
Parish, Neil
Patel, rh Priti
Paterson, rh Mr Owen
Pawsey, Mark
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Perry, rh Claire
Philp, Chris
Pincher, rh Christopher
Poulter, Dr Dan
Pow, Rebecca
Prentis, Victoria
Prisk, rh Mark
Pritchard, Mark
Pursglove, Tom
Quin, Jeremy
Quince, Will
Raab, rh Dominic
Redwood, rh John
Rees-Mogg, rh Mr Jacob
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Rosindell, Andrew
Ross, Douglas
Rowley, Lee
Rutley, David
Scully, Paul
Seely, Mr Bob
Selous, Andrew
Shannon, Jim
Shapps, rh Grant
Sharma, rh Alok
Shelbrooke, Alec
Simpson, David
Skidmore, Chris
Smith, Henry
Smith, rh Julian
Smith, Roslyn
Spencer, rh Mark
Stephenson, Andrew
Stevenson, John
Stewart, Bob
Streeter, Sir Gary
Stride, rh Mel
Stuart, Graham
Sturdy, Julian
Sunnak, rh Rishi
Swayne, rh Sir Desmond
Swire, rh Sir Hugo
Syms, Sir Robert
Thomas, Derek
Thomson, Ross
Throup, Maggie
Tootla, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelyan, Anne-Marie
Truss, rh Elizabeth
Tugendhat, Tom
Vara, Mr Shailesh
Vickers, Martin
Villiers, rh Theresa
Walker, Mr Charles
Walker, Mr Robin
Wallace, rh Mr Ben
Warburton, David
Warmaw, Matt
Watling, Giles
Whatley, Helen
Wheeler, Mrs Heather
Whittaker, Craig
Whittingdale, rh Mr John
Wiggin, Bill
Williamson, rh Gavin
Wilson, rh Sammy
Wollaston, Dr Sarah
Wood, Mike
Wragg, Mr William
Wright, rh Jeremy
Zahawi, Nadhim

**Tellers for the Ayes:**

Lain Stewart and Stuart Andrew

**NOES**

Bryant, Chris
Buck, Ms Karen
Cable, rh Sir Vince
Mr Speaker: I say by way of explanation for those who observe our proceedings—the nods suggest they are well ahead of me, which I would expect—that the Parliaments Act 2011 for the purpose of engendering facts. I am glad that the matter is of interest to those who observe the proceedings. The moment will come when the people will answer to those who put us here, they cannot hide paralysis. While the Opposition run from their duty to choose; it will not let anyone else choose. It resolves people their say in an election. The House cannot the way ahead; they have now twice denied the British people their say in an election. The House cannot from the clutches of a Tory Brexit Britain—an isolationist future as an independent Scottish Government away from the British people. They want to delay Brexit yet again, without further reference to those who voted for it, handing over to Brussels an extra £250 million—a week for no purpose—enough to upgrade more than five hospitals or train 5,000 new nurses. And most egregiously of all, not only have they refused to choose the way ahead; they have now twice denied the British people their say in an election. The House cannot choose; it will not let anyone else choose. It resolves only to be irresolute and decides only to be undecided, determined to dither, adamant for drift, so now the House will move to adjourn and resume with the state opening and the Queen’s Speech on 14 October. I hope that the Prime Minister will reflect on proroguing and shutting down Parliament to do to this country.

Jeremy Corbyn: I hope that the Prime Minister will reflect on proroguing and shutting down Parliament to avoid a Government being held to account, because that is exactly what he is doing today and proposes to do to this country.

Ian Blackford: On a point of order, Mr Speaker. I should perhaps congratulate the Prime Minister, because at least he has been consistent. He has lost every vote he has brought to this House since he became Prime Minister. Perhaps that is why he is trying to shut down democracy this evening. The message that must go to the Prime Minister is that he can run for the next few weeks, but we will be back here in the middle of October. He is the Prime Minister of a minority Government, and he has been given an instruction that he has to go to the Government summit in Brussels on 17 October, and no one thing the Prime Minister did not say was that he was going to obey the law of this country. He did not say that he acknowledged or accepted three votes that have taken place in this Parliament. At his request, the House is now apparently due to be prorogued this evening for one of the longest prorogations in history simply in order to avoid any questioning of what he is doing or not doing, simply to avoid discussion about Yellowhammer, and particularly to avoid any discussion about the proposals that have been put to the European Union that he has or does not have or that do or do not exist. This Government are a disgrace, and the way the Prime Minister operates is a disgrace—

Mr Speaker: Order. Be quiet.
Mr Speaker: There are two actions that can be taken. One is to speak on the Floor of the House, which is what the hon. Lady has just done, and to that extent she has found her own salvation. The second course of action open to her is to deposit the petition in the Bag. I have a feeling that, with a fleetness of foot that will be admired in all parts of the House, that is the action she will now take. It may be a second best so far as she is concerned but, as I say, she has found a means by which to give expression to the concerns of her constituents.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): On a point of order, Mr Speaker. We now face 34 days during which all the checks, balances and gears of parliamentary democracy have been deliberately stalled while the Government teeter between avoiding and evading the law. This is neither normal nor honourable.

We desperately need a new politics of citizens’ conventions in every nation and of truth and conciliation in an informed referendum, with article 50 revoked, if necessary, to allow that to happen. In all honesty I know I cannot ask you to resolve this, but I think the time is fast approaching when you will have to do exactly that.

Caroline Lucas (Brighton, Pavilion) (Green): On a point of order, Mr Speaker. The events of tonight have clearly shown that our political system is broken. It is wrong that a Prime Minister can suspend Parliament as a mere inconvenience simply to avoid scrutiny. It is wrong that he can cynically try to use the proposal of a general election as a way of getting us to crash out of the EU while we are in the middle of a general election campaign.

We cannot continue with this uncodified constitution that depends on people playing by the rules, when we have a feral Government who are not only not playing by the rules but are not even going to abide by the law. We urgently need a written constitution and a citizens’ convention to inform it. No one voted for less democracy. We should design our constitutional settlement so that such a cynical power grab can never be allowed to happen again.

Luke Graham (Ochil and South Perthshire) (Con): On a point of order, Mr Speaker. I seek your guidance, because I think many of our constituents will be confused. Tonight. They will be confused because a Labour party that has asked for a general election for two years has turned one down, because the Liberal Democrats are acting anything but democratically and because the SNP is so arrogant that it says it speaks for all of Scotland, when no one party speaks for all of Scotland.

Tonight a lot of people in this House have put our faith—[Interruption.] You talk about shouting people down, but you are happy to shout me down. I think not. You will not shout me or my constituents down.

A lot of people have put faith in my right hon. Friend the Prime Minister to come back with a new deal, and there are concerns about time. In the time that you have left, Mr Speaker, can you assure the House that additional time will be made available for debate when we come back? If that means late-night sittings or weekend sittings, we shall have it. We need to debate a new rule, and hopefully you will help facilitate that.

Mr Speaker: The House is in charge of its own procedures. I note the opinion that the hon. Gentleman holds, and it will be shared by many of his colleagues, I am sure, but not by others. As I say, the House is in command of its own procedures. We do not have Executive control of the House. The House can do as it wishes in these matters, and his opinion on this subject will have been heard.

Mr Mark Francois (Rayleigh and Wickford) (Con): On a point of order, Mr Speaker. I have not served in this House for as long as you, but I do recall that about a decade ago the Lisbon treaty was rammed through this House, without a referendum. That caused such ill feeling among the people of the United Kingdom that, in a way that no one could have predicted at the time, within seven years the people of this country voted to leave the EU. My point is that the people who rammed the treaty through at the time thought they were being very clever, but history proved them wrong. The people on the other side of the House who think they have been very clever tonight by resisting a general election cannot hide forever from the judgment of the people. They should ask not for whom the bell tolls, because eventually it tolls for them.

Mr Speaker: I am grateful to the right hon. Gentleman for that.

Brendan O’Hara (Argyll and Bute) (SNP): On a point of order, Mr Speaker. Could you advise me how I register my anger and deep frustration at the outrageous and profoundly undemocratic suspension of this Parliament this evening? With barely seven weeks before the UK is due to leave the European Union, my constituents are deeply worried, understandably so, that, as the right hon. Member for Hastings and Rye (Amber Rudd) said at the weekend, this Government have no interest in securing a deal and are hellbent on pursuing a catastrophic policy of no deal. Along with every other part of Scotland, my constituency voted overwhelmingly to remain. We are facing profound and devastating effects on our tourism, farming and fishing industries, and surely the least that my constituents could expect is that their view Member of Parliament is able to represent them in this Chamber at this most critical moment.

Mr Speaker: The hon. Gentleman began his attempted point of order by inquiring how he could register his anger, and he has of course now done so. It is on the record and it will be reproduced in the Official Report. Something tells me that his observations in the Official Report will shortly be winging their way towards the local media in the hon. Gentleman’s constituency.

Patricia Gibson: On a point of order, Mr Speaker. The people of Scotland voted overwhelmingly to remain in the EU. I seek your guidance because tonight not only have they been ignored, but their views have been dismissed with utter contempt. I ask you what outlet the people of Scotland can have until they can express their view about their constitutional future as to being part of this moribund and corrupt Union, which has been exemplified tonight.

Mr Speaker: The time when the hon. Lady’s constituents, and, more widely, the electorate of Scotland, might be in a position to register their views in the way she suggests could well be not long from now.
Mr Speaker: No set of points of order would be complete without the product of the lucubrations of the hon. Member for West Dunbartonshire (Martin Docherty-Hughes).

Martin Docherty-Hughes: On a point of order, Mr Speaker. I wonder whether you could advise me on the hon. Member for West Dunbartonshire (Martin Docherty-Hughes).

Mr Speaker: I cannot confirm anything of the sort. I think that, essentially, she is entitled to it, but I certainly cannot confirm that she is not even able to take a chair—he is sitting on the flair—says mair about him than any other Member in this House. If the Government will not implement the law of the United Kingdom of Great Britain and Northern Ireland, what is open to you, Mr Speaker, and the House to ensure that they do?

Mr Speaker: I am grateful to the hon. Gentleman. At this stage it is a hypothetical question, because one would need to look at the specifics, but what I would say to him is that if there is a dispute as to what a law means, or what compliance with it looks like, that is ultimately justiciable, and therefore it is to be expected that it would be the subject of a court ruling. These are not uncommon matters, so it would be a very high-profile situation in the circumstances with which we are dealing, but it does seem to me that Members should reflect upon these matters, and think about their options and the attitude of their colleagues, in the cool light of day. That is not necessarily best achieved by a furious focus at 12.51 in the morning.

Kirsty Blackman (Aberdeen North) (SNP): On a point of order, Mr Speaker. During the course of this process, the European Statutory Instruments Committee was set up in order to sift those statutory instruments that would be required in the event of Brexit happening. In advance of 29 March, the Government brought forward a number of these no-deal SIs so that, as they said, the UK would be prepared for a no-deal Brexit. The Committee has sifted 240 of these SIs that have come forward as negative instruments—there will be 580 in total.

I have discovered today that the Government intend to bring forward 10 of these statutory instruments as made affirmative statutory instruments, in order to ensure that we are prepared for a no-deal exit. I am a bit confused as to why the Government did not bring these forward in advance of 29 March, if a no-deal Brexit was supposed to happen on that date, or the second date on which a no-deal Brexit was supposed to happen, or in fact at any time before Prorogation happened so that the Committee could sift them, as appropriate, and the House would have the opportunity to have its say on whether or not these were appropriate statutory instruments to go through. Is there any recourse that we can have, given that Prorogation is about to happen and these instruments will be made without the say-so of the House?

Mr Speaker: I am not privy to the Government’s thoughts on these matters. It would be perfectly open for a member of the Executive branch to respond to the hon. Lady if he or she so wished, but I do not detect a notable enthusiasm. I am not aware, looking at him now and at his body language, that the Leader of the House is about to uncoil. If he were to do so, doubtless he would give a response, but he is not doing so. Although it is a matter of very considerable importance to the hon. Lady, it is not something in relation to which I can offer her help now. I suggest that she takes it up, in view of the important position that she holds in her party, with the Leader of the House, whom I must say I have always found to be, in every dealing, a most courteous and agreeable individual. I am sure that he would be more than content to discuss the matter with her, over either a cup of English breakfast tea or, conceivably, something stronger.

Dr Johnson: On a point of order, Mr Speaker. Earlier this week, the Leader of the Opposition said that he would vote for a general election tomorrow if Royal Assent was passed, but today he said that he would not, because he wants to prevent no deal. Can you confirm that, if an election had been held on 15 October, there would have been plenty of time, had he won the election, to have prevented no deal. Can you confirm that, if an election had been held on 15 October, there would have been plenty of time, had he won the election, to have prevented no deal. Can you confirm that, if an election had been held on 15 October, there would have been plenty of time, had he won the election, to have prevented no deal.

Mr Speaker: I cannot confirm anything of the sort. The expression “plenty of time” is an evaluative statement and it is obviously a view that the hon. Lady holds and it is not a fatal charge. It has to be said that not only is it conceivable, something stronger.

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Stephen Gethins (North East Fife) (SNP): On a point of order, Mr Speaker. The Prime Minister has previously intimated that there may be a number of solutions and new negotiations ahead of the next European Council. Members on the Government Benches might say that he is being disingenuous, but if we are prorogued, what opportunity does this House have to consider them before the next European Council?
Mr Speaker: The House is scheduled to return on 14 October and the hon. Gentleman knows for what purpose we will resume—for the Gracious Address and the opening of the new Session—but the House and its Members are legendarily ingenious in ensuring that that which they wish to be attended to in the House is attended to in the House.

Order. The sitting is now suspended until 1.10 am. Shortly before the sitting resumes, I shall cause the Division bells to be sounded.

12.56 am
Sitting suspended (Order, this day).

MESSAGE TO ATTEND THE LORDS COMMISSIONERS

1.18 am
Message to attend the Lords Commissioners delivered by the Lady Usher of the Black Rod.

Hon. Members: No.

Mr Speaker: Black Rod, I treat you and what you have to say with respect, and I recognise that our presence is desired by Her Majesty the Queen's Commissioners. They are doing what they believe to be right, and I recognise my role in this matter. [Interruption.] Wait a minute. I could not care less whether you like it or not. [Interruption.] No, I am more than happy, if people have the basics of tolerance and manners to listen, they would hear that I am perfectly happy, as I have advised others, to play my part, but I want to make the point that this is not a standard or normal Prorogation. [Interruption.] I do not require any assistance from you, Mr Stephenson. You would not have the foggiest idea where to start on seeking to counsel me on this—[Interruption.] I require no response from you, young man. Get out man—you will not be missed.

I have already made the point, if people have the manners to listen, which they have not, that I will play my part. This is not, however, a normal Prorogation. It is not typical. It is not standard. It is one of the longest for decades, and it represents, not just in the minds of many colleagues but for huge numbers of people outside an act of Executive fiat. I quite understand. I have already said that I respect Black Rod, who is doing her duty. The Queen's Commissioners are doing their duty, and I will play my part. I completely understand. [Interruption.] It is not disorder. I do not require advice on order from you, Mr Stuart. You are a master of disorder, man. I completely understand why very large numbers of Members are much more comfortable staying where they are. Mr Stuart, if you do not like it, you are perfectly entitled to your view. I could not give a flying flamingo what your view is. [Interruption.] Thank you very much indeed.

The Speaker, with the House, went up to hear Her Majesty's Commission; on their return, the Speaker sat in the Clerk's place at the Table.

ROYAL ASSENT

Mr Speaker: Like all of you, I feel much more at home here.

Martin Docherty-Hughes (West Dunbartonshire) (SNP): Will you not take a peerage then?

Mr Speaker: Who said it was offered?

I have to acquaint the House that the House has been to the House of Peers, where a Commission under the Great Seal was read, authorising the Royal Assent to the following Act:

Her Majesty’s Most Gracious Speech

Mr Speaker: I have further to acquaint the House that the Leader of the House of Lords, one of the Lords Commissioners, delivered Her Majesty’s most gracious speech to both Houses of Parliament, in pursuance of Her Majesty’s command. For greater accuracy, I have obtained a copy and also directed that the terms of the Speech be printed in the Journal of this House. Copies are being made available in the Vote Office.

The Speech was as follows:

My Lords and Members of the House of Commons

My Government’s legislative programme has laid the foundations for the United Kingdom’s departure from the European Union while pursuing wide-ranging domestic reform.

Landmark legislation was passed, and has now been commenced, to repeal the European Communities Act. Other laws are in place to enable the United Kingdom’s smooth exit from the European Union, establishing new arrangements on international sanctions, nuclear safeguards, customs, and reciprocal healthcare arrangements. Close to 600 Statutory Instruments have been made to ensure a functioning statute book following the United Kingdom’s departure from the European Union.

The stability and strength of the union that joins England, Scotland, Wales and Northern Ireland has been at the forefront of my Government’s agenda. Preserving and promoting the social, economic and cultural bonds that unite this nation remains of the utmost importance to my Government. My Government continues to work to ensure that locally-accountable politicians can take decisions in Northern Ireland at the earliest opportunity.

It has been an enduring focus of my Government to strengthen the economy to support the creation of jobs and to generate the tax revenues needed to invest in the National Health Service, schools and other public services. Improving public finances, while keeping taxes low, has been a priority for my Government. Legislation passed this session has provided one hundred percent relief from business rates for agricultural nurseries and, for a period of five years from April 2017, properties used for the purpose of new fibre infrastructure.

My Government has set out a programme of work to improve productivity and help businesses create high quality, well paid jobs across the United Kingdom. In 2019, more than a million workers benefited from the largest increase to the National Living Wage since it was first introduced. My ministers have worked to attract investment in infrastructure to support economic growth. Legislation has been passed to ensure that the United Kingdom remains a world leader in new industries, including electric cars and commercial satellites.

My Government has continued to support international action against climate change, including implementation of the Paris Agreement. Recognising the need for bold steps to protect the planet, a commitment to reach net zero carbon emissions by 2050 was enshrined in law, making the United Kingdom the first major economy to do so.

Draft legislation was published which will establish a new body to ensure the United Kingdom’s high environmental standards are maintained and to protect and improve the environment for future generations. My Government has legislated to protect animals, including bans on the sale of ivory, puppies and kittens by commercial third parties and the use of wild animals in travelling circuses in England.

Voyeurism offences have been recognised as the crimes that they are and legislation has been passed to ensure the courts have powers to take swift action to protect children who are identified as at risk of female genital mutilation.

In presenting the long-term plan for the National Health Service in England, my Government strengthened its commitment to ensuring there is a world-class health system that supports everyone from birth, through the challenges that life brings, and into old age. My Government is committed to ensuring mental health support is available to all who need it and to protecting the fundamental human rights of the most vulnerable in society. Legislation enacted this session will increase access to protections and put in place robust safeguards for those who are deprived of their liberty.

In recognition of the need to make renting fairer and more affordable, and to promote fairness and transparency in the housing market, legislation has been enacted to reduce costs at the outset of, and throughout a tenancy, by banning most letting fees paid by tenants in England.

My Government has taken steps to ensure fairer markets and to protect consumers from unfair practices and financial losses. Legislation has been passed to ensure people have access to free and impartial financial guidance and debt advice and to introduce a ban on nuisance calls in relation to pensions. Measures have been enacted to reduce insurance costs for motorists by tackling the high number and cost of whiplash claims.

The security of the nation and its citizens remains of the highest importance to my Government. In this session, legislation has been passed to ensure the police and security services have the powers they need to keep the population safe in the face of evolving threats of terrorism.

Legislation passed this session marks a significant step towards my Government’s commitment to tackle serious violence on the streets of the United Kingdom. Laws are now in place to prevent young people from purchasing dangerous weapons and to prosecute those who possess such items, or sell them without imposing rigorous age verification.

The defence of the Realm remains an utmost priority for my Government, which it has supported through investment in our gallant Armed Forces.

As a leading member of the international coalition against Daesh, the United Kingdom played a critical role in the military defeat of Daesh’s so-called caliphate in March of this year. While the Middle East continues to suffer from serious conflict, my Government has played a leading role in de-escalating regional tensions. My Government has also played a key role in international efforts to protect the United Kingdom and its allies from hostile threats, including in response to the chemical weapon attack in Salisbury.

As a permanent member of the United Nations Security Council, my Government has provided political and diplomatic support to peace efforts in Yemen, Libya and Syria, as well as mitigating the human cost of these tragedies through the provision of substantial humanitarian assistance.

Prince Philip and I were pleased to welcome Their Majesties King Felipe and Queen Letizia of Spain and we also welcomed King Willem-Alexander and Queen Maxima of the Kingdom of the Netherlands, and the President and First Lady of the United States of America, on State Visits.
[Mr Speaker]

Prince Charles and I were delighted to attend a national commemorative event to honour and remember the heroism, courage and sacrifice of the many servicemen and women who participated in the D-Day Landings.

Members of the House of Commons

I thank you for the provisions which you have made for the work and dignity of the Crown and for the public services.

My Lords and Members of the House of Commons

I pray that the blessing of Almighty God may rest upon your counsels.

Mr Speaker: The Commission was also for proroguing this present Parliament, and the Lord President said:

“My Lords and Members of the House of Commons:
By virtue of Her Majesty’s Commission which has now been read, we do, in Her Majesty’s name, and in obedience to Her Majesty’s Commands, prorogue this Parliament to Monday the fourteenth day of this October to be then here holden, and this Parliament is accordingly prorogued to Monday the fourteenth day of October.”

House adjourned (Speaker’s statement, 25 September 2019).
**House of Commons**

*Wednesday 25 September 2019*

**The House met at half-past Eleven o’clock**

**PRAYERS**

[Mr Speaker in the Chair]

**Speaker’s Statement**

Mr Speaker: Colleagues, welcome back to our place of work.

The UK Supreme Court ruled yesterday that “Parliament has not been prorogued” and that the Speaker of the House of Commons and the Lord Speaker “can take immediate steps to enable each House to meet as soon as possible” to decide upon a way forward.

I will arrange for the citation for that judgment to be entered in the *Journal* of this House and accordingly direct that the item relating to the Prorogation of Parliament in the *Journal* of Monday 9 September is expunged and the House is instead recorded as adjourned at the close of the business. I instruct the Clerk to correct the *Journal* accordingly and to record the House to have adjourned at the close of business on Monday 9 September until today.

Members should also be aware that Royal Assent to the Parliamentary Buildings (Restoration and Renewal) Bill, which formed part of the royal commission appointed under the quashed Order in Council, will need to be re-signdified.

I wish to record my thanks, and I hope colleagues across the House will join me in doing so, to the staff of the House, including the security, catering, Chamber business, parliamentary digital and in-house services teams, who have worked exceptionally hard over the past 24 hours to prepare for this resumption.

You will know—but in the name of the public intelligibility of our proceedings, I think it worthwhile to note—that there is no ministerial Question Time today, including therefore no prime ministerial Question Time. The reason for that is very simple. As colleagues will be aware, there are notification requirements: questions ordinarily are tabled three sitting days before the exchanges take place, so there are no Prime Minister’s questions today. However, there is scope, as I indicated in public yesterday, for urgent questions, ministerial statements and other business.

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**Legal Advice: Prorogation**

11.37 am

Joanna Cherry (Edinburgh South West) (SNP) (Urgent Question): To ask the Attorney General if he will make a statement about his legal opinion on the advice given to Her Majesty the Queen to prorogue Parliament.

The Attorney General (Mr Geoffrey Cox): As the hon. and learned Lady knows, the Supreme Court gave judgment on this issue yesterday, and that judgment sets out the definitive and final legal position on the advice given to Her Majesty on the Prorogation of Parliament. The Government’s legal view during the case was set out and argued fully before the Supreme Court. The hearing was streamed live and the Government’s written case was, and is, available on the Supreme Court website.

I took a close interest in the case—[Interruption]—and I oversaw the Government’s team of counsel. I have to say that if every time I lost a case I was called upon to resign, I would probably never have had a practice.

The Government accept the judgment and accept that they lost the case. At all times, the Government acted in good faith and in the belief that their approach was both lawful and constitutional. These are complex matters, on which senior and distinguished lawyers will disagree. The divisional court, led by the Lord Chief Justice, as well as Lord Doherty in the outer house of Scotland, agreed with the Government’s position, but we were disappointed that, in the end, the Supreme Court took a different view. Of course, we respect its judgment.

Given the Supreme Court’s judgment, in legal terms the matter is settled, and, as the hon. and learned Lady will know, I am bound by the long-standing convention that the views of the Law Officers are not disclosed outside the Government without their consent. However, I will consider over the coming days whether the public interest might require a greater disclosure of the advice given to the Government on the subject. I am unable to give an undertaking or a promise to the hon. and learned Lady at this point, but the matter is under consideration.

Joanna Cherry: I too took a close interest in the case. Let me start by assuring the Attorney General that I am not going to call for his resignation—yet.

Yesterday was a very special day for Scots law and the Scottish legal tradition going back to the declaration of Arbroath that the Government are not above the law. Following in the footsteps of Scotland’s Supreme Court, the UK Supreme Court asserted the rule of law and the separation of powers, and it restored democracy. It is worth emphasising that the decision was unanimous, as was that of Scotland’s Supreme Court, chaired by Scotland’s most senior judge, the Lord President of the Court of Session. Both Courts unanimously found that the decision to advise Her Majesty to prorogue Parliament was unlawful, void and of no effect. However, the question I am interested in is how it came to pass that that was ever allowed to happen.

Redacted documents lodged with the Scottish Court confirmed the suspicion that this was a plan cooked up in No. 10 by the Prime Minister and his special advisers. I want to ask about documents that mysteriously found their way into the public domain yesterday afternoon, when an unredacted version of one of those lodged
with the Scottish Court found its way to Sky News and revealed that the Attorney General had said that the advice to prorogue was lawful and that anyone who said otherwise was doing so for political reasons. Knowing the Attorney General, I am sure that his advice was considerably more detailed and nuanced than the three sentences that appear in the unredacted document. Can he tell us whether a legal opinion was made available to the Prime Minister or the Cabinet?

The right hon. Member for Hastings and Rye (Amber Rudd) has said that when she was in the Cabinet, Cabinet Ministers requested to see the advice but it was not handed over. Is that correct? Can the Attorney General tell us what was given to the Prime Minister, if not to the Cabinet? Many of us believe that the Attorney General is being offered up as a fall guy for the Prime Minister’s botched plans. Does he therefore agree that releasing the advice in its entirety will help him avoid being the scapegoat for a plan dreamed up by the Prime Minister and his advisers? Will he give the undertaking, which he hinted he might give, today?

The Attorney General: I am extremely grateful to the hon. and learned Lady for her kindness and solicitousness for my welfare. I am particularly attracted by the tempting prospect that she dangles before me, but she will know that I am obliged by the convention to say that I am not permitted to disclose the advice that I may or may not have given to the Government. But I repeat: the matter is under consideration.

Mr Kenneth Clarke (Rushcliffe) (Ind): Does my right hon. and learned Friend agree that if, in the future, we were unfortunate enough to have a Corbynista Labour Government—[Interruption.] That is obviously not thought to be a very likely prospect, but if that misfortune were to occur, if that Government were to decide to suspend the House for a long period because there was a parliamentary majority against their principal policy, and if that Government also decided that constitutional law was not challenged by that, and challenged the right of the courts to overrule it, the Conservative party would be likely to get very excited. Can my right hon. and learned Friend reassure me that this Supreme Court judgment has settled that matter finally, that this kind of action can never be taken by any future Government and that parliamentary sovereignty therefore remains intact?

The Attorney General: I certainly can say to my right hon. and learned Friend that it is important when we reflect on judgments that may be seen to go against the short-term interests of any particular Government that we remember that they stand as precedents and principles for the future. I invite all my hon. Friends to reflect on precisely the situation that my right hon. and learned Friend has set out before the House, which is that this would stand for Governments of a colour of which those on my side would not approve and for their actions too. It is important that when we comment on the decisions of judges we remember that those judges are both impartial and independent, and they are entitled to reach the view that they have reached. We are fortunate in this House to have one of the finest judiciaries, I believe, in the world, and it is important to remember that the principles they set apply to both sides, as my right hon. and learned Friend has said.

Nick Thomas-Symonds (Torfaen) (Lab): I congratulate the hon. and learned Member for Edinburgh South West (Joanna Cherry) on securing the urgent question and for her work on this matter. Yesterday’s decision of the Supreme Court—I give credit to all those who brought the cases—was the most damning judicial indictment of a Government in modern times: that the decision to advise Her Majesty the Queen to prorogue Parliament was unlawful.

This Government stand in shame, tendering illegal advice to our monarch and not even able to uphold that most basic and important of principles: abiding by the rule of law. What we know from yesterday’s leaked document is that the Attorney General said that his advice on the question of the law was that this was “lawful and within the constitution”, and that any accusations of unlawfulness were “motivated by political considerations”. If that is in any way accurate as to his full advice, he was wrong on both counts. His “close interest” simply was not enough.

I will ask the Attorney General a number of questions. Can he confirm why the Government gave no witness statement to the Court? Indeed, the Court was left in a position where it said: “No justification for taking action with such an extreme effect has been put before the court”. Why not? The Attorney General talks about respecting the decision of the judges, but the Chancellor of the Duchy of Lancaster was on the radio this morning saying that he disagrees with the decision. He should tell us which parts of the judgment the Government disagree with. May I give the Attorney General a simple piece of advice for his considerations about the publication of this advice over the next few days—a simple suggestion? Just publish it and make it open to Parliament and the public.

On this Attorney General’s watch, the Government have been found in contempt of Parliament. Now they have been found in contempt of the law. Does he not accept that he does not have a shred of credibility left?

The Attorney General: I do not know whether in the hon. Gentleman’s practice at the Bar he felt that just because he had given advice that might not have been upheld by a court he had no credibility. That is an absurd and ridiculous proposition. Furthermore, it was advice that was agreed with by the first instance court in Scotland and by the Lord Chief Justice of England. Is the hon. Gentleman calling for his resignation as well? Is he calling for the resignation of the Master of the Rolls? Is he calling for the resignation of the President of the Queen’s bench division? Is he calling for the resignation of Lord Doherty? [Interruption.]

Mr Speaker: Order. If the Attorney General could resume his seat momentarily, I should be deeply obliged to him. The Attorney General has a distinctive and resonant baritone, which is well known throughout the House, but it is a challenge even for him to be fully heard if there is constant catcalling. There will be ample opportunity for colleagues to question and probe the Attorney General—of that they may be assured—but I wish myself to listen to his mellifluous tones.

The Attorney General: I will say one thing for the Scottish National party and the hon. and learned Member for Edinburgh South West (Joanna Cherry) if I may.
Whereas in the hon. Gentleman’s case, no shameless piece of cynical opportunism is left on the floor, the hon. and learned Lady is a lawyer and a Queen’s counsel, and she knows that it is the most puerile and infantile of criticisms to say about a lawyer whose advice has been upheld by courts right the way up to the Supreme Court that somehow or other he should be held culpable for that advice. The fact of the matter is that this advice was sound advice at the time. The court of last resort ultimately disagreed with it, but in doing so it made new law, as it was entirely entitled to do.

Mr Dominic Grieve (Beaconsfield) (Ind): I am extremely mindful of the difficult task that my right hon. and learned Friend has as Attorney General in providing advice to Government, and I am sorry if his legal advice has been partially leaked, because he is entitled to give advice in private. Without that, he cannot do his work. I would also say that for him to get the law wrong in an area of difficulty is not necessarily something to be held to his discredit, but he may agree with me that one of the issues in this matter was one of not just law but propriety, and the propriety went to the unconstitutional or constitutional nature of the act of Prorogation itself, in view of the motivation of the Government for doing it. In those circumstances, I was struck by the fact that in the leaked document his opinion is referred to as believing it is constitutional, when I had understood from comments he made as far back, I think, as July, when Prorogation was first being mooted in order to achieve a no-deal Brexit on 31 October, that he considered that such an act would be unconstitutional. I wonder therefore whether this is not one issue that he ought to clarify.

The Attorney General: I know that my right hon. and learned Friend will understand that it is not right for the Attorney General or any Cabinet Minister to comment on leaks of matters that occurred within Cabinet, be they accurate or inaccurate—it would set a wholly undesirable precedent—but let me say this. It was being mooted some weeks ago that Parliament might be prorogued from the beginning of September or even earlier until 31 October. I say straightforwardly to him that if that had been the proposition, I could not have stayed in the Cabinet while it was done.

Hilary Benn (Leeds Central) (Lab): Does the Attorney General believe that yesterday’s judgment of the Supreme Court represented a constitutional coup, and if he does not share that view, could he explain why he thinks it is wrong?

The Attorney General: I do not think that it was a constitutional coup. I know the right hon. Gentleman will know that I do not, and I do not believe that anybody does. These things can be said in the heat of rhetorical and poetical licence, but this was a judgment of the Supreme Court of a kind that was clear and definitive. It often happens that Governments lose cases. We did not agree with it, because of course we argued against it, but we accept the ruling of the Supreme Court, and we are proud that we have a country that is capable of giving independent judgments of this kind.

Robert Neill (Bromley and Chislehurst) (Con): I welcome the Attorney General’s very clear statement of the importance that he and, I am sure, the whole Government attach to the impartiality and independence of the judiciary. Let me also say to him that many lawyers might well have given exactly the same advice as he did on the weight of precedent. Does he accept, however, that it is most important that the convention that the advice that the Attorney General gives to Government is not leaked and is not disclosed should not be lightly set aside? Would he also perhaps think it rather regrettable that such an important matter, which warrants very careful and calm and considered language and discussion, should be used for the purpose of rather unworthy ad hominem attacks and party political knockabout when so much is at stake?

The Attorney General: I am grateful for my hon. Friend’s question. I do of course agree with him that legal advice, and particularly the role of the Attorney General, is always difficult, because one polices and intersects a very difficult line between giving advice of an impartial, and politically impartial, character, and being a political Minister, but I hope that I have endeavoured to do that with all the conscience and candour at my disposal—and when I say to the House, as I do today, “I accept that we lost; we got it wrong on the judgment of the Supreme Court; but it was a respectable view on the law to take, and that view was taken by four of the seven judges who had opined up to the point of the Supreme Court.”

The Supreme Court has made new law. Let us be absolutely clear: from now on, the prerogative power of Her Majesty, advised by the Prime Minister, can be the subject—the justiciable subject—of the court’s control, and that was a judgment that the Supreme Court was perfectly entitled to make. What the implications are for the future of our constitutional arrangements will have to be reflected upon in the coming months and years, but it is never wise to reflect upon a court case and its implications in the immediate aftermath of that case. It will have to be done carefully and deliberately, and this House will have to decide, ultimately, whether these matters and these powers are for this House to regulate and control, or whether they are for the judiciary; but, at the moment, the Supreme Court has spoken, and that is the law.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): The Attorney General’s acceptance at that point that the Government got it wrong in this case is very welcome. Will he now advise the Prime Minister and the Government to accept and agree with the content of the Supreme Court’s judgment—not just the obligation to abide by its conclusion—and, in particular, to accept that it is wrong for this Government, or any Government, to seek to prorogue Parliament for five weeks, rather than just for a few days, without giving any reason, let alone, in the words of the Supreme Court, a good reason, to the public, to Parliament, or to the courts?

The Attorney General: The judgment is clear. The Government are assessing its short-term and long-term implications now, but the right hon. Lady can be quite certain that they will abide by its ruling, and by the content and implications of its judgment.

John Redwood (Wokingham) (Con): What limits are there on the powers of the Supreme Court to intervene in how Parliament conducts its business, and what
powers are there for it to intervene over the highly political matter of when and how we leave the European Union?

The Attorney General: I think I understood my right hon. Friend’s question correctly. The Court in this case was giving its judgment on a particular issue—whether or not Prorogation of this length could be the subject of judicial control and, if so, what was the correct test to apply to that judicial control. It chose to delineate a test that suggests that from now on, a Prorogation of any length must be reasonably justified. The Court included in its analysis the fact that there was before the House, and before the country now, a particularly acute constitutional controversy, which made it even more important that the House should sit. I have to say, and I think there is nothing wrong in venturing to express respectful disagreement, that what that will mean in future is that the Court will be obliged to assess whether or not a particular political controversy is sufficiently serious, excites sufficiently heated controversy, as to warrant the House sitting for any particular length of time; but be that as it may, that is the test that the Court has set, and that is the test that now must be applied.

Dr Sarah Wollaston (Totnes) (LD): What message does the Attorney-General have for his colleagues in government who have been smearing and undermining the Supreme Court judges? Some of this is not done in the heat of the moment: we have been hearing from one journalist that he has been sent copies of articles about Iranian judges, comparing Supreme Court judges to Iranian judges, and the Supreme Court judges? Some of this is not done in the heat of the moment. The Attorney-General has said that he is going to give a unequivocal message to his colleagues that they should resign if they undermine the Supreme Court’s independence.

The Attorney General: The judges do not exist immune from criticism. There is nothing wrong at all in any member of the public, be it a Member of Parliament or otherwise, criticising a court judgment, but what is wrong is that motives of an improper kind should be imputed to any judge in this country. We are defenders of the entire democratic constitution and we must be sure, in everything we say—I agree with the hon. Lady if this is what she means—that we do not impute improper motives. With the judgments, we can be robustly critical; with the motives, we cannot.

Jeremy Wright (Kenilworth and Southam) (Con): Is it not important, even in the course of argument on matters as important as these, to remember why we have the constitutional conventions that we do, and that Governments are entitled, as any other organisation or individual is, to receive legal advice in private? If they do not, and if those who ask for it to be published get their way, that legal advice will become increasingly guarded, increasingly equivocal and progressively less useful to Government in ministerial decision making; and the consequence of that will be less good legal advice and less good ministerial decision making.

The Attorney General: My right hon. and learned Friend has great experience, as does my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve) sitting next to him, of the role that I now have the great privilege to occupy. He knows how important confidentiality is to the ability of the Attorney General to give frank, unvarnished and sometimes unwelcome advice to those who are conducting the policy of the Government. So he is quite right. He discharged his functions, as did my right hon. and learned Friend the Member for Beaconsfield, with great distinction and I am proud to have been a successor of theirs.

Ms Angela Eagle (Wallasey) (Lab): The right hon. and learned Gentleman has made it quite clear that the Supreme Court judges had every right to come to the decision they came to, and in fact they came to it unanimously, in an excoriating judgment which should put the Government’s Front Bench to shame. What is his view, therefore, of a Leader of the House who persists in believing, and makes it known that he feels, that the Supreme Court has instituted a constitutional coup? Surely he cannot remain in his post if he has that view.

The Attorney General: There is nothing wrong with expressing robust critical views about a judgment. In so far as it imputes an inappropriate or improper motive, then it is wrong. I think it is a question of wording and of being careful with one’s language, but I took that remark, in so far as I saw it reported, simply to be a robust criticism of the judgment and nothing more—to which my right hon. Friend is entitled.

Sir Oliver Letwin (West Dorset) (Ind): I have absolute respect for the integrity and competence of the Attorney General. In the light of what he has told the House this morning, can he guarantee absolutely that—save potentially a few days before a Queen’s Speech—there can be no question of his permitting Her Majesty’s Government to have a Prorogation between now and 31 October this year?

The Attorney General: What I can undertake to my right hon. Friend is that there will be no Prorogation that does not comply with the terms of the judgment of the Supreme Court.

Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): The Attorney General has said that he is going to review whether advice should be published, but in answer to the former Attorney General, the right hon. and learned Member for Kenilworth and Southam (Jeremy Wright), he upheld and defended the privacy of that legal advice. Can he tell the House the scope of the review he is undertaking? Is it just related to the Government’s defeat in the Supreme Court or will it be drawn more widely?

The Attorney General: What I am considering is the public interest, and whether or not there are factors in this case connected closely with the public interest generally that should outweigh the Law Officers’ convention and lead to disclosure, but that is not only my decision. I am in the position, in a rough and approximate way, between a lawyer and his client, and I must ensure that there is proper consultation and proper reflection on what the public interest requires. That is what I have undertaken to the hon. and learned Member for Edinburgh South West to do, and in due course I will make my mind up.
Sir Christopher Chope (Christchurch) (Con): Did it come as a surprise to my right hon. and learned Friend the Supreme Court ruled that the act of Prorogation was not a proceeding in Parliament? If that is the new law to which he has referred, would it be open to Parliament to change the law back to what we thought it was before?

The Attorney General: My hon. Friend asks whether this came as a surprise. Quite a lot about the judgment came as a surprise, but that particular part proceeded from a quite strict, narrow interpretation of the Bill of Rights on what was a proceeding. It was interpreted to apply the protection afforded by the Bill of Rights to the core and essential business of Parliament, and it was held by the Supreme Court that such a proceeding—namely, the execution of the Queen’s Commission in the Lords, in the presence of Mr Speaker and those who attended that proceeding—was not sufficiently close to its core and essential business to attract the protection of the Bill. It would, of course, be open to the House to decide to legislate otherwise, and no doubt that is one of the implications of this judgment that will have to be reflected upon in the coming months and years. I know that there was a widespread view that it was indeed a proceeding in Parliament, but the Supreme Court is as entitled to redefine, or at least to take a view of, its definition of the protection afforded by the Bill of Rights as it is to invent a new legal principle, as it did in this judgment.

Anna Soubry (Broxtowe) (IGC): I am sure many of us would like to congratulate the hon. and learned Member for Edinburgh South West (Joanna Cherry) and Gina Miller on making sure that this remains a sovereign Parliament. The hon. Lady asked a question of the Attorney General which he has not answered. She asked him whether he could confirm that the Cabinet or members of the Cabinet—he is a member of that Cabinet—had asked to see his advice but were denied that opportunity. Can he confirm that his advice was requested by fellow members of the Cabinet but was denied?

The Attorney General: Let me make it plain that I have never denied any member of the Cabinet any sight of any advice of mine. I am not certain who else asked for that advice and when, but I certainly have never denied it.

Rory Stewart (Penrith and The Border) (Ind): Does my right hon. and learned Friend agree that, rather than being some new-fangled innovative decision, this was a profoundly conservative decision by the Supreme Court, asserting the ancient sovereignty of Parliament, and that fundamentally the principle at stake here is that, of course, neither that Court nor any other court should determine whether Brexit takes place—that decision has been made by the people—but that it is for this House, the only directly elected representatives of the people, to determine the form in which that Brexit happens?

The Attorney General: Let me say to my right hon. Friend that the Supreme Court invoked the principle of parliamentary sovereignty and the convention of ministerial accountability to Parliament as a justification for making justiciable the decision to prorogue. That is what it was entitled to do, and it effectively amounts to converting a political convention into a legal rule. That, traditionally, was not thought to be possible; the Supreme Court has decided that it is, and I certainly do not in any way complain with its right to do so. I agree that Parliament has to determine the terms on which we leave, but this Parliament has declined three times to pass a withdrawal Act to which the Opposition had absolutely no objection.

Mr Speaker: Order.

The Attorney General: We now have a wide number in this House setting their face against leaving at all. When this Government draw the only logical inference from that position, which is that we must leave therefore without any deal at all, they still set their face, denying the electorate the chance of having their say in how this matter should be resolved. This Parliament is a dead Parliament. It should no longer sit. It has no moral right to sit on these green Benches, and whatever—

Mr Speaker: Order. The House must come to order. We have a lot of business to transact: there is a further urgent question and there are no fewer, I say for the benefit of those observing, than five ministerial statements. The Attorney General must be heard, and so, I hope, will lots of other people.

The Attorney General: They don’t like to hear it, Mr Speaker. They don’t like the truth. Twice they have been asked to let the electorate decide whether they should continue to sit in their seats, while they block 17.4 million people’s votes. This Parliament is a disgrace. Given the opportunity—[Interruption.] Since I am asked, let me tell them the truth. They could vote no confidence at any time, but they are too cowardly to give it a go. They could agree to a motion to allow this House to dissolve, but they are too cowardly to give it a go. This Parliament should have the courage to face the electorate, but it won’t, because so many of them are really all about preventing us from leaving the European Union at all. But the time is coming, Mr Speaker, when even these turkeys won’t be able to prevent Christmas.

David Hanson (Delyn) (Lab): I think the Attorney General will find that the moral right I have to sit in this House is due to an election called by the right hon. Member for Maidenhead (Mrs May), in which she lost 13 seats. I will represent my constituents as long as I sit in this House, and I am elected by the people to do so.

Will the Attorney General tell the House how much taxpayers’ money he has spent on closing down our voice?

The Attorney General: All I am suggesting to the right hon. Gentleman is that he give his constituents the chance to elect him again.

Mr Speaker: Order. I say to the hon. Member for Kingston upon Hull East (Karl Turner) that, as a result of my prodigious efforts last week, audiences in New York, Boston and Zurich are now aware that he is the noisiest Member of the House. I always enjoy listening to him, but preferably when he is on his feet rather than in his seat.

The Attorney General: If the right hon. Member for Delyn (David Hanson) is so confident that his electorate will consider that his moral right to sit here is so strong,
why does he not submit it to them now? All we need—I offer this to the Labour Front Bench—is a one-line Bill, which we could put through with Mr Speaker’s help, to fix the date of a general election by a simple majority, and we could have the election. Why does he not tell his Front Bench to put his confidence in his constituents to the test?

Mr Iain Duncan Smith (Chingford and Woodford Green) (Con): I wonder if my right hon. and learned Friend, having read the full summary of yesterday’s judgment by the Supreme Court, was also struck by something that seems to be missing within its methodology. When it stood up, it said, for the right of Parliament to hold any Executive to account, at no point did it reference that one of the ways of avoiding or dismissing a Prorogation would have been to pass a vote of no confidence in the Government or to vote for a general election. Does he agree that that would have been a sure-fire way for the Opposition parties to secure an end to any Prorogation and an immediate change of Government, if they so wished, but that they were frightened?

The Attorney General: I entirely agree with my right hon. Friend. In our constitution, when a Government can no longer govern because Parliament has withdrawn its assent, the moral and constitutional thing to do is to have the courage of your convictions, which this spineless gang on the Opposition Front Bench do not, and to table a motion of no confidence, but they have not got the guts to table that motion of no confidence because most of them do not want their own leader in power.

Carol Monaghan (Glasgow North West) (SNP): None of us on the SNP Benches is worried about a general election. The Chancellor of the Duchy of Lancaster has suggested that the unanimous verdict of the Supreme Court is the equivalent of the view of just a few academics, and the Leader of the House has described the verdict as a constitutional coup. Unfortunately these views gain traction among members of the public, so will the Attorney General take this opportunity to give a strong statement of support both for the judgment of the Supreme Court and for the importance of the independence of the judiciary?

The Attorney General: In answer to the hon. Lady’s last point, I completely and firmly support the independence of our judiciary. In Scotland, in England, in Wales and in Northern Ireland we have one of the finest judiciaries in the world. The fact of the matter is that the Supreme Court gave its judgment, and its judgment must be respected, but that does not prevent robust criticism of the terms of that judgment, which will no doubt be subjected to that criticism—that is onside. What is not onside is the imputation of improper or inappropriate motives.

Sir Desmond Swayne (New Forest West) (Con): My right hon. Friend the Member for Chingford and Woodford Green (Mr Duncan Smith) is right: we had notice of the intention to prorogue. With your assistance, Mr Speaker, we could have entertained motions against it, or even a motion of no confidence. So it was a coup, wasn’t it?

The Attorney General: I know that my right hon. Friend knows that, when it comes to the judges—though not to this shower on the Opposition Benches—I want to be, if I can, respectful and careful. It is important that we understand that these judges are protectors of all our freedoms and all our rights—

Mr Speaker: Order. I do not normally offer stylistic advice to the Attorney General, but his tendency to perambulate while orating is disagreeable to the House. He should face the House with confidence and assurance, and an acknowledgement that the House wishes to hear his every utterance.

The Attorney General: I wonder if you, Mr Speaker, in a well-earned retirement, would like to give lessons to Front Benchers. It could be the beginnings of a new and very glorious—or even more glorious—career.

I have now lost my thread entirely—

Hon. Members: Sit down!

The Attorney General: The Opposition want me to sit down, so I will gratify them and do so.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): I came into the Chamber today thinking I felt sorry for the Attorney General—I did!—but every word he has uttered today shows no shame, no shame at all. The fact is that this Government cynically manipulated the Prorogation to shut down this House, so that it could not work as a democratic assembly. He knows that that is the truth, and to come here with his barrister’s bluster to obfuscate the truth, and for a man like him, a party like his, and a leader like this Prime Minister to talk about morals and morality is a disgrace.

The Attorney General: I am not sure I discerned a question in that marshmallow of rhetoric, but in so far as there was a question, there is an answer. If the hon. Gentleman thinks the Government should no longer be governing, he should tell his leader to bring a motion of no confidence this afternoon and to agree to a simple one-line statute that fixes the election by a simple majority. We would be delighted to meet the right hon. Gentleman wherever he chooses in front of the electorate, who will judge whether the machinations he supports and the devices to which he resorts to make sure that this dead Parliament continues are right or wrong.

Antoinette Sandbach (Eddisbury) (Ind): The Attorney General speaks of moral and constitutional courage. Can he explain to the House why the Government did not have the moral and constitutional courage to file in the Supreme Court a witness statement attesting to the truth of the position that was outlined to the Supreme Court judges?

The Attorney General: I cannot comment on matters that are plainly covered not only by the convention but by legal professional privilege, but I say to my hon. Friend that the Government’s position was set out clearly in argument—if she followed it all, she will know it went on for a very long time—and the Supreme Court decided against it. We accept that position.

Nick Boles (Grantham and Stamford) (Ind): Having lost in court, the Attorney General is keen to try his hand at another test—an election. Perhaps I can help him. In paragraph 41 of the unanimous judgment, the Supreme Court refers to

“Two fundamental principles of our constitutional law”,

[The Attorney General]
saying:

"The first is the principle of Parliamentary sovereignty: that laws enacted by the Crown in Parliament are the supreme form of law in our legal system, with which everyone, including the Government, must comply."

Can the Attorney General confirm that he and the Government will comply with the law known as the Benn Act, recently passed by this Parliament and which has received Royal Assent?

The Attorney General: Yes.

Mr Steve Baker (Wycombe) (Con): Is it not the case that, contrary to the shouted opinions from the Opposition Front Bench, the Supreme Court has invented a new constitutional rule, just as Lord Sumption told us on the “Today” programme this morning? Lord Sumption also said that this was a revolution—he described the decision as revolutionary. Is it not the case that—[Interruption.] The hon. Member shouts “shocking”, but it was Lord Sumption who said it. Is it not the case that, prior to this revolutionary decision by the Supreme Court, it is quite likely—indeed probable—that my right hon. and learned Friend’s advice was correct, but the Supreme Court changed the law?

The Attorney General: I am grateful to my hon. Friend for the question. I cannot disclose what advice I gave. The hon. and learned Member for Edinburgh South West, who first asked this urgent question, had that answer, and I am afraid I am going to have to keep giving it today. However, what I would say is that the Supreme Court did indeed, as it overtly and explicitly said, develop the law. It took what was a political convention—hitherto, in all the constitutional textbooks, described as unenforceable by a court—and decided that it would set a test and convert it into a legal principle and legal test. It was perfectly entitled to do that, just as this House will, in the coming months and years, have to reflect on the implications and on whether it is content to leave that position untouched. However, for the moment, that is the law, and the law must be obeyed.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): Can the Attorney General be very clear? Were the director of legislative affairs, Nikki da Costa, and the Cabinet Secretary, or indeed any other advisers, including in the office of the Leader of the House, asked to make sworn statements in these cases? Did they refuse to do so, and, if so, why?

The Attorney General: I simply cannot comment on matters that pertain to the internal preparation of cases, which are covered by legal professional privilege. It is simply not reasonable to ask people to do so, particularly when it relates to individuals. The hon. Gentleman should make no assumptions one way or the other from what I am saying. The fact is that cases are covered by privilege, and that must be respected.

Vicky Ford (Chelmsford) (Con): There are many extremely distinguished and experienced lawyers in this House, but some of us are not lawyers, and many of our constituents are not lawyers, so could my right hon. and learned Friend the Attorney General explain the situation very clearly? Is this a new law? Does it set a new precedent? If it is a new law and a new precedent, will the Government comply with the new law and the new precedent?

The Attorney General: It is a new principle of law, which has been found to exist by the Supreme Court, and where, hitherto, it has not been thought that a court could go. However, the Court is entitled to develop the common law, and that it has done. This does set a precedent; it is binding, unless this House, in due course, considers that it should take action to alter that position.

Caroline Lucas (Brighton, Pavilion) (Green): While yesterday’s Supreme Court decision upholding parliamentary sovereignty was extremely welcome, it should never have come to this. Our centuries-old unwritten constitution, based on gentlemen’s agreements, is not fit for purpose when dangerous populists are in office. Will the Attorney General therefore consider urgent proposals for a written constitution, developed with real citizens’ engagement, since our democracy belongs to all of us, not just those who think they are above the law?

The Attorney General: I have a degree of sympathy with what the hon. Lady says. I think that, as we depart the European Union, there is ground for thinking again about our constitutional arrangements and how they should be ordered. I think that, in doing so, a widespread public consultation of the kind that she is describing would be essential, because any new constitutional arrangements would have to be sanctioned by the widest possible public support and assent, so I do have some sympathy. No doubt over the coming months and years, this will be a subject of important concern to the House.

Dr Julian Lewis (New Forest East) (Con): Given that three of the most distinguished lawyers in the country, including the Master of the Rolls and the Lord Chief Justice, found in the lower court that the Government’s case was entirely correct, can the Attorney General enlighten puzzled non-lawyers like me as to why not even one out of 11 Supreme Court judges could be found to agree with them?

The Attorney General: My right hon. Friend is asking me to look into a crystal ball. Far be it from me to fathom the inscrutable minds of their lordships in the Supreme Court as to why they chose not to dissent if they were minded to dissent, or to agree if they were minded not to agree.

Chris Bryant (Rhondda) (Lab): I for one am delighted that we are sitting, but the Attorney General is absolutely right about one thing: the result of yesterday’s ruling is that all future Prorogations will be justiciable by the courts. The only answer to that, frankly, is legislation by this House. My gentle suggestion is that it might be a good idea if, in the future, Prorogation were only allowed with the possible public support and assent, so I do have some sympathy. No doubt over the coming months and years, this will be a subject of important concern to the House.

The Attorney General: Well, if I may say to the hon. Gentleman, that is as I would expect from him, particularly in his new guise as an aspirant to even higher office—it is constructive, helpful, impartial and a model to us all.
Mr Speaker: I think, but I am not sure, that the Attorney General is seeking to help the hon. Gentleman.

Charlie Elphicke (Dover) (Ind): In applying this new legal principle that has been created or invented by the Supreme Court, how many Prorogations in the last century would have passed muster to the test that has been created? How can this longest Session of this century would have passed muster to the test that has been created?

The Attorney General: As to my hon. Friend’s first question, I say that, plainly, if one re-examines the historical records, there is no doubt that there would have been some—possibly quite a few—Prorogations that, under this test, might have had difficulty in passing. For example, Ramsay MacDonald prorogued this Parliament in 1930 for some months, during the course of a minority Government, at a time when the great Wall Street Crash had happened in 1929 and when I have no doubt that some would have said that the House should sit to determine the onset of the great depression and debate those important matters, but the courts looked on—they looked on impassively—as that Labour Government decided to prorogue. It happened again in 1948 and right up into the 1990s when it was said that a Parliament had been prorogued in order to avoid an embarrassing Select Committee inquiry. From now on, when a Prime Minister has to prorogue Parliament, he will have to look at all the Select Committees, see what inquiries they are doing and which Chairmen of which Select Committees might say in a mortally wounded and offended manner, “Why, to prorogue and not to allow my Select Committee to report is a matter of public importance, for which I will go to court and stop the Prorogation.” I do think that this test set by the Supreme Court invites quite a number of significant questions.

Luciana Berger (Liverpool, Wavertree) (LD): The Attorney General has told us that he does not agree with the judgment and that he argued against it. If that is the case and the Attorney General was so convinced that Prorogation was lawful, why did not he and the Government provide a witness statement to the Supreme Court to make that case?

The Attorney General: There are all kinds of reasons why, in judicial reviews, witness statements are not given in cases of this kind. I cannot discuss the internal counsels of the preparations of a legal case because, as I am sure the hon. Lady understands, they are covered by the wholly appropriate legal professional privilege.

John Stevenson (Carlisle) (Con): Given that Parliament is at the apex of our constitutional system, does the Attorney General believe that the appointment of Supreme Court judges should receive the formal approval of Parliament?

The Attorney General: I understand my hon. Friend’s question and say to him, quite frankly, that I think it is a matter which this House may need to reflect upon in the coming months and years, depending on the status of our constitutional arrangements, as indicated by the hon. Member for Brighton, Pavilion (Caroline Lucas).
The Attorney General: The same consequences that flow from any good-faith implementation of advice that, at the time, is perfectly respectable and tenable advice, as this was. The fact of the matter is that the Government’s position was that the Prorogation was lawful and it was constitutional. That was the advice that the Government had, it was the advice that they gave to those who asked them, and the Supreme Court has decided we are wrong. We accept that, as I have said. It was a tenable, reasonable and respectable point of view.

Dr Caroline Johnson (Sleaford and North Hykeham) (Con): My constituents voted to leave the European Union, and many of them have written to me since yesterday’s judgment concerned about whether that will be delivered. Can my right hon. Friend the Attorney General confirm that there is nothing in this judgment that will prevent us from leaving the EU on 31 October, as they voted for in the referendum?

The Attorney General: There is nothing in this judgment that applies directly to the question of our departure from the European Union. As the justices made clear, this was a decision solely on the lawfulness of the Prorogation.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): Further to the question by my hon. Friend the Member for Grantham and Stamford (Nick Boles), have the Government been seeking a route not to comply with the Benn Act, as several Ministers have made clear, and has the Attorney General been asked to offer legal advice to that effect?

The Attorney General: I cannot answer the last question, as the hon. Gentleman well knows, as Attorneys General have long maintained the convention that we cannot disclose either the fact or content of any advice. But I will deal with the first point. There is no question of this Government not obeying the law. There is a question as to precisely what obligations the law might require of the Government, what on those obligations are ascertained with clarity—and I am not saying that they are not clear; I am just saying that it is a legitimate consideration the Government must go through—the Government will obey them.

David Tredinnick (Bosworth) (Con): Set alongside the decision of the Supreme Court, what force in law does the decision of the British people to leave the European Union have?

The Attorney General: The law in relation to the referendum is that it was not binding upon this Parliament. It was binding in every moral sense upon those who promised the British people that it would be implemented, but it was not binding as a matter of law.

Deidre Brock (Edinburgh North and Leith) (SNP): The Attorney General excuses recent comments by Members of this House as simply the expression of robust critical views, but would he agree that in fact those who have been arguing recently that Brexit would give back control to the UK courts and the UK Parliament have now completely U-turned and are actively working to undermine those institutions?

The Attorney General: No, I think that is a ridiculous assertion, in fact. The reality is that what we who believe in leaving the European Union have fought so long for is to return to the United Kingdom the power to chart its own course unchallenged by unelected or other institutions in the European Union. How we arrange our constitutional arrangements is a matter for us, and it should be a matter for us. It should be a matter for the democratic assent of all the people of the United Kingdom. So I do not believe for a moment that this Government or those on this side of the House are trying in any way to avoid that. What we are trying to do is make sure that those powers come back to the British people, where they should reside.

Andrew Bridgen (North West Leicestershire) (Con): Does my right hon. and learned Friend agree that, contrary to the repeated claims of the Prime Minister’s many political opponents that the moment he announced Prorogation, he broke the law, the fact is he did not, because as we all know now, the Supreme Court judgment yesterday set new law?

The Attorney General: The Supreme Court judgment said that the Government got the law wrong. We have to accept that, but it is perfectly true that in doing so, it effectively invented or created a new legal principle which hitherto had been a political convention and defined that principle in a new legal test. It is crystal-ball gazing to know whether any court would decide to do that. It did, though the Court below, led by the Lord Chief Justice, concluded that it should not.

Ian Murray (Edinburgh South) (Lab): During the Attorney General’s theatric rant earlier, he inadvertently forgot to answer the question from my right hon. Friend the Member for Delyn (David Hanson). How much has this Prorogation and all the legal advice and legal consequences cost the UK taxpayer?

The Attorney General: I do not know—that is the answer to the question—but if the hon. Gentleman wants to know, he can put down a written question, or I am happy to write to him if he would like. I am very happy to disclose that in due course, once the costs are known. But I say to him that all those costs could have been saved if he had just voted for an election. We could have avoided these cascades of cash falling upon so many lawyers in so many jurisdictions by the simple act of him having the moral guts and not being chicken.

Dame Cheryl Gillan (Chesham and Amersham) (Con): On the subject of taxation, could my right hon. and learned Friend advise me? These legal actions, I believe, have been part-funded by crowdfunding. Will that funding be taxable, and will the tax payable on that crowdfunding have to be paid by the individuals bringing the cases?

The Attorney General: I do not believe that it is taxable, but if my right hon. Friend will permit me, I would need to look into it, and if she wishes, I will certainly write to her on the subject.

Helen Goodman (Bishop Auckland) (Lab): Earlier this morning, the Attorney General set out again his long-held views about why publishing his advice is not a good idea, so has he requested a leak inquiry to discover...
who gave documents to Sky News last night? If he has not, is that because he is worried it will unmask machinations in No. 10?

The Attorney General: They are not just my long-standing views, as I know the hon. Lady will accept; they are the long-standing views of successive Attorney Generals of all Governments over many, many years. As to her second question, I am not aware whether there is a leak inquiry, but these days, I am so used to the porousness of Government that, frankly, I use Cabinet to advertise whenever there is some particular cause that I want to espouse. The reality is that this Government and this Parliament are in a position where we need to go to the electorate, and I urge her to support that as soon as possible, because the only morally right thing to do is subject these debates to the public again.

Amber Rudd (Hastings and Rye) (Ind): I must raise my concerns about the Attorney General constantly saying that this Parliament is dead. This Parliament was elected in 2017. It reflects the divisions in this country, the divisions in our communities and the divisions in our families. The failure is that we have not yet reached a compromise. Many of us long to leave the European Union, as we set out in the referendum, but are frustrated somehow I should have affected greater humility. I think he should be on his knees to his own constituents, begging their forgiveness for his betrayal. The fact of the matter is that the question is subject to the Law Officers’ convention as he knows, and I cannot answer him. I suggest that he asks me when he is back here, re-elected by his constituents, as no doubt he has confidence that he will be, and maybe I’ll give him an answer outside.

The Attorney General: Words fail me; they really do. The hon. Gentleman rises in the full force of his morality, having been elected for one party and sitting on the Benches opposite for another—and with the hon. Member for Totnes (Dr Wollaston), who did the chicken run, or the rat run, before him having said already that she thinks there should be a by-election when Members change their parties—and has the nerve to suggest that somehow I should have affected greater humility. I think he should be on his knees to his own constituents, begging their forgiveness for his betrayal. The fact of the matter is that the question is subject to the Law Officers’ convention as he knows, and I cannot answer him. I suggest that he asks me when he is back here, re-elected by his constituents, as no doubt he has confidence that he will be, and maybe I’ll give him an answer outside.

Jeremy Lefroy (Stafford) (Con): Does my right hon. and learned Friend agree that if Her Majesty’s Government choose to push their prerogative powers to the limit, as they are entitled, if perhaps not well advised, to do, they should both expect the challenge that they have had and the conclusion that has arisen from it? [Interruption.]

The Attorney General: I am very sorry but I did not hear a word of that.

Mr Speaker: There was a very unattractive rant fest taking place between hon. Members on opposite sides of the House, gesticulating aggressively at each other. It is a very undesirable state of affairs. Let us have a bit of calm and have the question again and the answer, but we want to proceed very quickly.

Jeremy Lefroy: You are most generous to hear me again, Mr Speaker. Does my right hon. and learned Friend agree that if Her Majesty’s Government wish to push their prerogative powers to the very limit, as they are entitled, if perhaps not always well advised, to do, the kind of consequences we have seen in the past few days are inevitable?

The Attorney General: In any situation where constitutional powers are pushed to their limits, strain is bound to be caused. I completely accept that we are in an unprecedented time, when constitutional limits are being pressed on all sides, in this House, by seizing control of Order Papers, by rejecting the opportunity for a general election, and by not letting the Government govern. These are factors that place huge strain upon our constitutional arrangements, and I agree with my hon. Friend that it would be good if we resumed calmer waters, which we no doubt will as I have every faith and confidence in the good sense of this country and, in the end, the good sense of this House to be able to come to a solution. That solution must be, I believe, a general election.

Several hon. Members rose—

Mr Speaker: Order. A number of hon. and right hon. Members are standing to contribute who were not standing at the start of the statement. That in itself is perfectly reasonable and I will seek to accommodate them if a thought has occurred to them that they want to convey, or a question that they want to put would
otherwise go unasked, but once those who are standing have asked their questions pithily, we must move on to the next urgent question. I call Clive Efford.

**Clive Efford** (Eltham) (Lab): The Attorney General has tried to take the high moral ground, but I have to wonder what morals were applied by the Government that led to yesterday’s Supreme Court decision. When did he first become aware that the advice given to Her Majesty the Queen, the Speaker of the House and the House itself about the reasons for Prorogation was not true?

**The Attorney General:** In advocacy terms, that is what we used to call a “When did you stop beating your wife?” question. I do not accept the premise of the question. There is no question that the Supreme Court found in any way that any advice that had been was consciously or knowingly misleading.

Mr John Whittingdale (Maldon) (Con): Does my right hon. and learned Friend agree that there is a judgment that is superior to that of any court’s? That is the judgment of the British people. It has once been given on the question of whether this country should remain a member of the European Union, but it has twice been prevented from being expressed in a vote of this House. Is it not now time that we allow them to give their judgment on this Parliament?

**The Attorney General:** I could not agree more with my right hon. Friend. The time has come. The fact is that this Parliament has no further point. There is no possibility of our governing while this Parliament continues to block everything we do.

Several hon. Members rose—

**Mr Speaker:** Extreme brevity is now required. Single-sentence questions, please, without preamble. I call Lady Hermon.

**Lady Hermon** (North Down) (Ind): Thank you. Mr. Speaker. I have listened very carefully to the Attorney-General—I have not agreed with a fraction of what he has said—but I would like him to answer a specific question. Did it never cross his mind that if the Prime Minister’s chief adviser, Dominic Cummings, did he first become aware that the advice given to Her Majesty the Queen for giving unlawful Prorogation was not true?

Mr John Whittingdale (Maldon) (Con): Does my right hon. and learned Friend agree that there is a judgment that is superior to that of any court’s? That is the judgment of the British people. It has once been given on the question of whether this country should remain a member of the European Union, but it has twice been prevented from being expressed in a vote of this House. Is it not now time that we allow them to give their judgment on this Parliament?

**The Attorney General:** I could not agree more with my right hon. Friend. The time has come. The fact is that this Parliament has no further point. There is no possibility of our governing while this Parliament continues to block everything we do.

**Several hon. Members rose—**

**Mr Speaker:** Extreme brevity is now required. Single-sentence questions, please, without preamble. I call Lady Hermon.

**Lady Hermon** (North Down) (Ind): Thank you. Mr. Speaker. I have listened very carefully to the Attorney-General—I have not agreed with a fraction of what he has said—but I would like him to answer a specific question. Did it never cross his mind that if the Prime Minister made a ridiculous decision to prorogue Parliament for five weeks in the run-up to Brexit, which is the greatest constitutional change to the UK for years, the courts would rule that to be an unlawful Prorogation of Parliament?

**The Attorney General:** If I were to answer that question—tempting though it is, particularly from the hon. Lady, who is also a friend—I would be transgressing the Law Officers’ convention, because I would be telling her what advice I had or had not given. But if she is asking, “Did it occur to me?”, my answer is that of course it did. Any barrister who enters into litigation without it occurring to him that he might lose is a bit of a nit, isn’t he? Of course it occurred to me that we might lose; it would be ridiculous for it not to occur to me.

**Rehman Chishti** (Gillingham and Rainham) (Con): Does the Attorney General agree with the view of the overwhelming majority of my constituents that the continued delay in delivering on the result of the referendum by 31 October is leading to a lack of public confidence in our democratic process, and that the only way to resolve that now is to have an election and let the public decide?

**The Attorney General:** I completely agree with my hon. Friend, who has put his finger right on it. This continuing artificial prolongation of this dead Parliament is undermining people’s confidence—[Interruption.] I know why Opposition Members are not doing it; they know they will not survive, but they have to have the courage of their convictions, get on it, and put it to the country.

**Rachael Maskell** (York Central) (Lab/Co-op): The Attorney General is trying to exonerate his and the Government’s determinations by saying, at the Dispatch Box, that the Supreme Court created new law. Is it not the role of the Supreme Court to interpret existing law, and is that not the action it took?

**The Attorney General:** That is, of course, one function of a court’s role, but a court is perfectly entitled to develop the common law. I do not think there can be any doubt that that is what happened in this case.

**Martin Whitfield** (East Lothian) (Lab): It is often said that a lawyer who acts for himself has a fool for a client. It is also worrying if the lawyer is not aware of the costs of continuing with the advice. When the Attorney General makes a statement about the costs to the taxpayer, could he include the costs to the House authorities of having to reconvene on 24 hours’ notice and the inconvenience to staff?

**The Attorney General:** May I place on the record, Mr Speaker, my endorsement entirely for your expression of gratitude to the staff of the House? They do an extraordinarily great job. We are deeply grateful to them for that and for the speed with which they have been able to facilitate the resumption of Parliament.

**Angela Smith** (Penistone and Stocksbridge) (LD): The question remains unanswered of who had sight of any such advice. It is covered by the Law Officers’ convention. The question, “Was the advice shown?” presumes that there was advice. It simply contradicts the Law Officers convention. I wish I could answer her question, but I cannot.

**Wayne David** (Caerphilly) (Lab): I presume that following yesterday’s Supreme Court judgment the Prime Minister got in touch with Buckingham Palace and offered his apology to Her Majesty the Queen for giving unlawful advice. Did the Attorney General speak to the Prime Minister before that conversation took place?

**The Attorney General:** I did not, no.
Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): Does the right hon. and learned Gentleman agree that any reasonable Attorney General, acting with due care, would query, challenge and perhaps even laugh at any suggestion that five weeks of Prorogation was necessary in order to prepare for a Queen’s Speech?

The Attorney General: I think I understood the hon. Gentleman’s question, but I do not agree with its premise.

Geraint Davies (Swansea West) (Lab/Co-op): The Attorney General has accepted the Supreme Court’s judgment that the Government acted illegally in closing down democracy. Does he accept that his fundamental duty is to uphold the rule of law and democracy, not to fan the flames of hatred, pitting the people against the courts and democracy on the road to fascism, as he appears to be doing today by making fun of the Supreme Court and saying that the justices are making things up.

The Attorney General: The hon. Gentleman really needs to listen more closely to what I say. The Supreme Court was perfectly entitled to reach the view it did. It did so by reasoned decision making and it was entirely within the scope of its jurisdiction, but there is no question but that in doing so it developed the common law. That is all I have said, and that is what courts often do.

Mr Sam Gyimah (East Surrey) (LD): It is not fear of the electorate that drives some of us in this House, but our determination to do the right thing by our constituents and the country against a Government who are determined to deliver Brexit at any price. Government Ministers have said today that somehow the judgment handed down by the Supreme Court could be disputed by other parties, but they never say which aspects of it they disagree with and on what basis. When Ministers cast doubt on this judgment, what exactly do they disagree with and why are they saying it in public?

The Attorney General: The hon. Gentleman asks why Ministers might contest parts of the judgment. There is nothing wrong with the Government, the hon. Gentleman or any member of the public seeking to argue that parts of the judgment were either mistaken or poorly reasoned. I would not necessarily agree with that, but there is no harm in people doing it, because that is part of democratic debate. What is wrong, and what I deplore and urge all Members of this House not to do, is to impugn the motives of those who make the decisions. These are fine judges who reach their decisions impartially on what they think is the best view of the law. I have no doubt that that is what the Supreme Court did in this case.

I am not going to go into all the areas of the judgment that are fragile or vulnerable to alternative arguments. The arguments of the Government were set out in writing. The judgment of the Lord Chief Justice in the divisional court was brilliantly reasoned and was, in the Government’s view, entirely right, but the Supreme Court chose to disagree with it.

Peter Grant (Glenrothes) (SNP): Despite the Prime Minister’s repeated denials, it is obvious from the angry reaction of Brexiteers over the past 24 hours that this attempt at Prorogation was about Brexit and nothing else. Is not the real reason why nobody would testify under oath as to what the Government’s reasons were that nobody, even in Government, believed that the Prime Minister’s reasons were the truth?

The Attorney General: If the Prime Minister had wished to prevent this House from debating Brexit, he would have prorogued it from 5 September to 14 October. Is the hon. Gentleman seriously suggesting that the Government were blind to the possibility that in the first few days of resumption after 4 September it was not possible that exactly what happened would happen? If we had wished to close down all debate and prevent the option of legislation, which was ultimately taken by this House with the consent of Mr Speaker, we could have prorogued it from the 5th, but we did not.

Furthermore, from 14 October there would have been two and a half more weeks for this House to act. With respect, all this talk about a coup is just nonsense—infamed political tripe, invented and inflated so that this gang can justly clinging to the Opposition green Benches for another few undeserved weeks. That is what it is all about.

Ian C. Lucas (Wrexham) (Lab): The authors of this failed political trick—the Prime Minister and Dominic Cummings—have form in treating Parliament with contempt. What is truly contemptible and cowardly is Dominic Cummings, who refuses to give evidence to a Select Committee and has been found in contempt of Parliament, hiding behind the skirts of the Prime Minister. The Prime Minister is supporting an individual who works for the Government but who will not give evidence to a Select Committee. Does the Attorney General think that that is a respectable position?

The Attorney General: I am not sure that that is a question for the Attorney General. I am sure the hon. Gentleman can find somebody who is able to deal with it better than I could, but what I will say is that attacking people who cannot answer for themselves in this House is not appropriate and I would not choose to do it myself.

Alan Brown (Kilmarnock and Loudoun) (SNP): Will the Attorney General explain why there was a lack of signed witness statements? Is it the case, as we all know, that civil servants could not defend the indefensible and thought that the Government were at it all along?

The Attorney General: As I have said in the past, I cannot answer questions about witness statements or the internal preparations of the Government’s case for this Supreme Court.

Alex Norris (Nottingham North) (Lab/Co-op): The Attorney General says that this Parliament does not want to do any work and does not wish to legislate. He is wrong. We are desperate to legislate on many very important issues, none more so than the Domestic Abuse Bill, on which Members across this place and the other place have worked together for two years. It could easily come before this place and we could get it into law and improve the lives of tens of thousands of people across the country. Will the Attorney General put aside his confected outrage and ask the Leader of the House to schedule for tomorrow and next week the important stages of this crucial Bill?
The Attorney General: I certainly will talk to the Chief Whip about the matter. If there is consent from all parties, we might as well do something while we are waiting for the Opposition to make up their minds to go for an election.

Patricia Gibson (North Ayrshire and Arran) (SNP): The Queen has been misled, the law has been broken and Scotland’s Supreme Court has ruled that the Prime Minister has been less than honest, yet there is not a hint of humility from the Government Benches. What sanctions does the Attorney General think that the Prime Minister’s playing fast and loose with our democratic institutions merit? Is the Attorney General seriously before us today to tell us that the Prime Minister’s position is tenable? Is it not the case that the decent thing for the Prime Minister to do is go?

The Attorney General: May I then encourage the hon. Lady to ensure that we vote for the election motion that will come before the House shortly? That way she can try to ensure that what she hopes for will take place. However, I do not agree. The Supreme Court found no impropriety on the part of the Government, the Prime Minister or anybody else.

Ian Paisley (North Antrim) (DUP): Does the Attorney General believe that the judgment has left 17.5 million people feeling more disfranchised than ever? How should the Government and the House repair that damage?

The Attorney General: I completely agree. This House’s actions are bringing it into discredit. It is abandoning almost all reasonable precedent. The time has come for a general election, and to resist it is immoral, unparliamentary and undemocratic, but that is the decision that the Opposition have taken. Let us wait and see what the electorate make of it, but I hope they will understand that the Government are trying to fulfil the mandate of those 17.4 million people. We will never cease until we succeed.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): It is reassuring to see that we are indeed carrying on where we left off. As a senior lawyer, does the Attorney General agree that any attempt to describe the considered, unanimous and unambiguous decision of the Supreme Court as a constitutional coup is nothing more than constitutional bull?

The Attorney General: I am not sure I could have put that language in a parliamentary way. The Supreme Court’s decision was legitimate, perfectly reasonable and proper. We should be proud of our judiciary and proud of its independence in all jurisdictions—I apply that to the inner house, the outer house, the divisional court. Lawyers will disagree on some of those complex and fundamental principles, and that is what has happened here.

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): On a point of order, Mr Speaker.

Mr Speaker: If the point of order relates to the matter of which we have just treated, I will take it.

Emma Hardy: During the urgent question, the Attorney General made a joke about the phrase, “When did you stop beating your wife?” Part of the reason people are so upset about Prorogation is that the Domestic Abuse Bill has fallen, as my hon. Friend the Member for Nottingham North (Alex Norris) just said. May I seek your advice on how the Attorney General can perhaps learn to moderate his language and not make jokes about domestic violence?

Mr Speaker: It is open to the Attorney General to respond if he wishes, although he is not obliged to do so.

The Attorney General: If I have given offence, I certainly did not mean to. It is an old saying at the Bar, which simply relates to a cross-examination technique of asking a question that presumes the premise. It is the way in which we were taught. If I have given offence, I apologise.

Mr Speaker: I thank the Attorney General for responding. It is a matter of extreme sensitivity and it is incredibly important that we are sensitive to the wider implications and interpretation of what we say. Society’s mores change and sometimes one can find that things that one has freely said in the past without causing offence can no longer be said without causing offence, but each Member must make his or her own judgment. The Attorney General made his and he has said what he has said. I thank him for that.

Craig Mackinlay (South Thanet) (Con): On a point of order, Mr Speaker. I apologise for not giving notice of this point of order, but I seek advice that is relevant to our discussions. We have heard much about the way in which the Supreme Court has extended its remit to the actions of the Executive and how that may play out in future. Can you give advice, perhaps to your successor, about whether the Speaker’s actions and decisions should be similarly subject to judicial review and how that may work in future?

Mr Speaker: I am extraordinarily grateful to the hon. Gentleman, but as an attempted point of order, frankly, in old-fashioned O-level terms, with which I am familiar and of which the hon. Gentleman is probably aware, it would get an Unclassified. It was not even a good try. I do not bear the hon. Gentleman any ill will, but if people are going to have a go at these things, a degree of nuance, subtlety and ingenuity would at least command respect. There is a grade and I am afraid that the attempt was way below it.

Hannah Bardell (Livingston) (SNP): On a point of order, Mr Speaker.

Mr Speaker: I will take the point of order if it is on the matters we have been discussing and not beyond.

Hannah Bardell: Apologies for not giving you notice, Mr Speaker. During the previous exchanges, the Attorney General repeatedly said that this Parliament was a dead Parliament. He said that it should no longer sit and that we had no moral right to sit on these green Benches. How can we ensure that the Attorney General makes a statement to retract those words? They are beneath him
and this place. I was sent here by the people of Livingston and of Scotland, as my colleagues were sent by their constituents. Our position should not be undermined by such flippant and ridiculous language.

Mr Speaker: There is an important issue here. Is something that causes offence required to be withdrawn? I say in all candour to the hon. Lady, whose sincerity I respect, that the answer to that is no. Lots of things are said that may cause offence or provoke umbrage and about which there will be dispute, but there was nothing disorderly about what the Attorney General said. The hon. Lady has registered her view with considerable force and alacrity, and it will be on the record for her constituents to observe. No impropriety has taken place.

Hacker House

1.17 pm

Layla Moran (Oxford West and Abingdon) (LD) (Urgent Question): To ask the Secretary of State for Digital, Culture, Media and Sport if she will make a statement on payments made by her Department to Hacker House, and on how her Department manages possible conflicts of interest.

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Matt Warman): I thank the hon. Lady for raising this question today. I am answering it because it is part of my portfolio.

As hon. Members may know, the Department runs a programme known as the cyber-security immediate impact fund. It is one of a range of programmes designed to increase the number and diversity of people who pursue careers in the cyber-security profession. Through the fund, we want to support new, creative and innovative projects that are delivered by a range of organisations, including start-ups and small and medium-sized enterprises.

We have supported a variety of initiatives, awarding grants of between £20,000 and £500,000 since March 2018. Hacker House is one of the businesses that was awarded a £100,000 grant in February 2019 as part of our second funding round. To date, it has been paid around £47,000 for work completed. The grant was awarded by officials from DCMS, the Department for Education, techUK and, indeed, people from the National Cyber Security Centre. If the hon. Member for Oxford West and Abingdon (Layla Moran) wishes to impugn the motives of those officials, I invite her to think carefully before she does so.

To date, we have awarded 11 companies grants to deliver 12 initiatives. More than 400 people have benefited from support through the fund. Our objective is that even more people will benefit as the businesses with which we partner further invest in a sector that I know the hon. Lady agrees is vital to the future of our security and our economy. That is part of our mission as a Department to identify untapped talent and help a broader range of individuals who have the capabilities and aptitude to develop their careers in cyber-security. I assure the House that all grants are awarded through an open, transparent and competitive process. Each grant is judged on specific assessment criteria and is approved by the panel I referred to earlier, with cross-departmental and industry representation. We are, of course, aware of the claims raised recently by The Sunday Times, and the Department is reviewing the decision that was taken, but we monitor all initiatives that have been awarded grant funding and we treat any allegations of impropriety with the utmost seriousness. As soon as I have any further information to share on this matter, I will, of course, update the House at the earliest possible opportunity.

Layla Moran: I thank the Minister for his reply. I should make it clear that I care very little about the personal life of the Prime Minister, but I care a lot about how this Government manage conflicts of interest and how they spend taxpayers’ money. On that basis, I am concerned that the Department appears to have given Hacker House a £100,000 grant in January 2019 as part of the cyber skills immediate impact fund, a
grant that was open to initiatives based in, and that operate from, Britain. Furthermore, these grants should not exceed 50% of the company’s revenue.

We now know that Hacker House is not based in the UK. The Sunday Times reports that its owner, Jennifer Arcuri, moved back to the USA in June 2018. The grants were not open for application until November. The registered address of the company is in fact a house in Cheshire that she used to rent, and the current occupant apparently sends any post addressed to Ms Arcuri back to the sender.

Where is the due diligence? What steps did the Department take to ensure that Hacker House was indeed based in and operating in the UK? Why did officials waive the rule that the grants could not exceed 50% of the company’s collective income? How many of the other companies that we now find have had these grants have had this kind of preferential treatment? Did the Prime Minister, then a Back Bencher, make any representations, official or otherwise, to the Department recommending Hacker House for the funding? The Department says that it will investigate the award of the grant, but will the Minister tell us when will that review conclude and will it be made fully public?

The misuse of public funds and conflicts of interest in relation to Ms Arcuri run deeper than just this matter. I appreciate that the Minister will not be able to speak for the actions of the Prime Minister when he was the Mayor of London, but would he, on behalf of the Government and the Prime Minister, ensure that all Departments fully co-operate with the investigation being launched by the London Assembly’s oversight committee into how the Mayor’s office handled conflicts of interest?

We are back in the Commons today because the Prime Minister has been shown to ride roughshod over the laws of this land. It would indeed be disappointing if we were to find that the Prime Minister has form in bending the rules for personal or political gain.

**Matt Warman:** I want to start by saying that the Prime Minister and his staff have had absolutely no role in the award of this grant; I suspect I will be saying that a number of times, but it will remain the case.

In answer to the hon. Lady’s other questions, the review will report by the end of next month, and I have said that I will update the House where necessary. Of course, we will fully co-operate with any other inquiry. She raises the matter of the match funding of 50%. The officials involved in awarding such grants scored the application very highly in all other aspects; as they routinely do in a number of other situations, they decided that the other aspects more than outweighed that particular criterion.

On the question of where the company is based, the officials have done the usual due diligence on the company. The hon. Lady herself mentioned the address where it is based. It will, of course, be a part of the review that we are doing, but, as I say, this is a company that is based in Britain as far as Companies House is concerned. It is a company with a British phone number. We will review that, but we have no reason to think that there is anything untoward in this particular matter.

Finally, to address the range of issues that the hon. Lady raised at the end of her question, if she wants to raise matters about a grant that was awarded by officials through the proper process, this is of course a completely legitimate forum for her to do so. If she wants to use this opportunity to try to spread tittle-tattle that is much more about politics, she should think very carefully before doing so.

**Damian Collins (Folkestone and Hythe) (Con):** I welcome what the Minister said about the review being conducted in the Department. He will know that the Secretary of State is due to give evidence to the Select Committee on Digital, Culture, Media and Sport on 16 October. Will he or the Secretary of State write to the Select Committee before then with an update on the terms of reference for the review and the results of the review so far, as well as the details of other awards made to other companies and how much was given under the same scheme?

**Matt Warman:** I thank the Chair of the Select Committee for that question. My right hon. Friend the Secretary of State assures me that we are more than happy to write to his Committee. Of course, the awards that were made to other companies are no secret. A press release was put out about these things. We are of course happy to provide him with more details of that.

**Tom Watson (West Bromwich East) (Lab):** I welcome the Minister to his new role, and I thank the hon. Member for Oxford West and Abingdon (Layla Moran) for her forensic questioning this morning. This company, Hacker House, got a grant of £100,000. I have looked at the stated aim of the fund, and it says that it is “to increase the diversity and numbers of those working in the UK’s booming cyber security sector” and “developing a sustainable supply of home-grown cyber security talent”.

As I understand it, Hacker House is a company headquartered in California and the principal owners of the company live in the United States. The company claims to have employees in London, but refuses to reveal who they are or where they are.

It is very difficult to see how the company fulfilled the criteria for these grants, so will the Minister explain to us how Hacker House did so? Was the connection with the then Foreign Secretary, or any other MP in this House, declared when the application was made? Will all applications and paperwork relating to the Hacker House grant now be published in the Library or made available for public scrutiny? Did any MPs lobby on behalf of the company in regard to this or other grants granted by Government Departments?

The broader questions that the Minister has alluded to need answering, because they keep coming back to the current Prime Minister. The issue of whether he has represented the interests of the company or other companies requires scrutiny, as the Chair of the Digital, Culture, Media and Sport Committee alluded to. This is fundamentally a question of character and of suitability. Is the Prime Minister of sufficient character to occupy high office and disburse public funds? Is he suitable? Does he understand that the trappings and privileges of power come with restrictions and restraints? Is he capable of restraining himself?

The truth is that our Prime Minister does reckless things. He is a man whose character renders him unsuitable
and unfit for the office he holds. I want answers to these questions, but we all know the broader essential truth. We can all see who Boris Johnson is.

Matt Warman: The hon. Gentleman said that it was a pleasure to see me in my place, and it is a pleasure to see him still in his, although I am not sure how many of his friends share that view.

I am, of course, happy to repeat what I said before. The Prime Minister has had no role whatsoever in this application, and it is, I think, important to bear in mind that this is a decision made by officials, including people from the National Cyber Security Centre, the Department for Education and the Department for Digital, Culture, Media and Sport. These are honourable people doing the right thing, and their reputation should not be impugned in the way the hon. Gentleman seeks to impugn it.

I have said that there was no lobbying, from either the Prime Minister or any other Member of Parliament, and we will seek to make public the bid submitted by Hacker House—I have it here—so long as there are no commercial sensitivities. The aim of the cyber skills immediate impact fund is to build our strength and depth in what is, as I know the hon. Gentleman will agree, a vital area. The Hacker House bid seeks to train people and to build a platform to train more people. That platform has already been built. He can check it out online for himself—he could even sign up—and we will seek to ensure it reaches hundreds of people. That is part of the bid and an important part of this country’s national cyber-security strategy. I would have hoped that he would have supported it, rather than raise a whole host of issues that are not relevant to this question.

Margot James (Stourbridge) (Ind): I congratulate my hon. Friend on the assumption of his office. I quite agree that the cyber skills immediate impact fund is a crucial driver for Britain to upweight its skills in this vital and growing area. I commend the DCMS officials and those at the National Cyber Security Centre who have managed this fund, but I ask him to look closely at its performance in relation to the grant given to Hacker House in the light of the information shared with the House by the hon. Member for Oxford West and Abingdon. Close scrutiny of what it is doing with the money is of paramount importance.

Matt Warman: I pay tribute to the hon. Lady. Lady for her work as my predecessor. It is an honour to follow her at the Dispatch Box. She is completely right. She will know that we as a Department routinely talk to those in receipt of grants and ensure as much oversight as possible, and that process will continue. As I have said, there is a review into this particular grant to make sure it delivers maximum value for money for the taxpayer.

Hannah Bardell (Livingston) (SNP): I too welcome the Minister to his place. I wonder if when he was discussing accepting the job he knew he would be doing the Prime Minister’s bidding in cleaning up his mess.

It is fair to thank and to pay tribute to the bravery and determination of those who fought through the courts to ensure we could be back here today and able to hold the Government to account: my hon. and learned Friend the Member for Edinburgh South West (Joanna Cherry), Gina Miller and Jo Maugham of the Good Law Project. We thank and salute them.

The blame and bluster that has come out of this Government over this issue and the matter of what happened in the Supreme Court is outrageous. The Prime Minister is under significant pressure to declare what interests and relationship he had with Jennifer Arcuri. There is no disputing that the work is important—I agree with the Minister on that—but, despite what he says about other Members impugning her character, in reality it is the Prime Minister who is impugning her character because of the lack of transparency and his unwillingness to answer questions about their relationship.

The Minister will be aware that Hacker House received £100,000 from the DCMS. Members have already raised the matter of where that business is domiciled. Given the huge amount of public money spent, does he think it appropriate that his Department is investigating itself in those discussions and in that process? I would suggest that is highly inappropriate and that there should be an independent—

Mr Speaker: Order. I am extremely grateful to the hon. Lady, but she has exceeded her time by 50%, so that’s the end of that I’m afraid.

Matt Warman: I am glad that the hon. Lady welcomes the importance of this work. This process, like all Government grant-giving processes, is conducted in a transparent way. The review will not be the Department marking its own homework, and as I said, we will put any further updates to the House as they become available, which will be by the end of next month.

Steve McCabe (Birmingham, Selly Oak) (Lab): I understand that Ms Arcuri’s mother has described the Prime Minister as her daughter’s sponsor? What kind of sponsorship does he provide?

Matt Warman: I struggle to see how that question is directly relevant to the one that I am here to answer, but I would say, as I have said before—[Interruption.] I am not here to answer for anyone’s mother. As I have said before, the Prime Minister had no role whatsoever in the application, but none the less we are reviewing the process.

Kevin Hollinrake (Thirsk and Malton) (Con): I welcome the hon. Member for Edinburgh South West (Joanna Cherry), Gina Miller and Jo Maugham of the Good Law Project. We thank and salute them.

The blame and bluster that has come out of this Government over this issue and the matter of what happened in the Supreme Court is outrageous. The Prime Minister is under significant pressure to declare what interests and relationship he had with Jennifer Arcuri. There is no disputing that the work is important—I agree with the Minister on that—but, despite what he says about other Members impugning her character, in reality it is the Prime Minister who is impugning her character because of the lack of transparency and his unwillingness to answer questions about their relationship.

The Minister will be aware that Hacker House received £100,000 from the DCMS. Members have already raised the matter of where that business is domiciled. Given the huge amount of public money spent, does he think it appropriate that his Department is investigating itself in those discussions and in that process? I would suggest that is highly inappropriate and that there should be an independent—

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Stella Creasy (Walthamstow) (Lab/Co-op): Many of us will have constituents who represent companies that might bid for Government funding and constituents with concerns about this place and the probity of anything that happens. It was a former Prime Minister who said that sunlight was the best disinfectant. The Minister has already said he is looking to publish the details of the bid, which might contain commercially sensitive information. If he wants to defend the Prime Minister’s reputation, why does he not save us all the freedom of information request and commit to publishing all the documentation regarding the bid, including anything his officials received? I am sure some of those trainers could show him how to do it online today if he wanted.

Matt Warman: As I have said, we are doing a review into the decision, and I hope we will be able to publish as much as possible as a result. She is right that sunlight is the best disinfectant in many cases. It is a policy that the Government apply very widely, including in this Department.

Wes Streeting (Ilford North) (Lab): Probity and ethics seem to have gone out the window with this Government, so can the Minister assure us that the Prime Minister will co-operate fully with the Department’s inquiry and with the Greater London Assembly’s inquiry? If not, is it not only right that the Metropolitan police open an inquiry into whether there has been any misconduct in public office?

Matt Warman: The hon. Gentleman is obviously right to ask the question, but the review will go wherever it needs to, and I have had no indication that anyone is not going to co-operate, be it the Prime Minister or anyone else.

Melanie Onn (Great Grimsby) (Lab): The Minister insists on calling this a review. Why is he shying away from referring to it as an inquiry? What will the scope and terms of the review be?

Matt Warman: I have already said to the Chair of the Select Committee, who is no longer in his place, that we will write to him with more information on that. All I can say now is that the review will leave no stone unturned.

Bill Wiggin (North Herefordshire) (Con): I congratulate my hon. Friend on his new position. I am sure he will also thank you, Mr Speaker, for choosing this UQ from the 44 that were submitted. Can my hon. Friend tell the House how long ago this took place and for how long the 44 that were submitted. Can my hon. Friend alluded to. He is right to refer to the fact that this matter concerns a company that was founded in 2012. We had a Labour Mayor of London who could have investigated this before now?

Matt Warman: I am grateful to you, Mr Speaker, for providing me with my Dispatch Box debut, as my hon. Friend alluded to. He is right to refer to the fact that this matter concerns a company that was founded in 2016 and that the Government did not hide anything—we put out press releases. Perhaps the Mayor of London does not check the gov.uk website as often as we might like.

Wera Hobhouse (Bath) (LD): Some £47,000 of the £100,000 grant money has now been awarded to Hacker House. Will the remaining £53,000 be withheld until a review has been concluded?

Matt Warman: As with all such processes, while the review is ongoing that process will be paused, but I should like us to get on with ensuring that the good work done under this fund continues as rapidly as possible.

Tulip Siddiq (Hampstead and Kilburn) (Lab): The Times revealed today that the Prime Minister previously planned to set up a £100 million fund with the owner of Hacker House. May I remind Members that, as Mayor of London, the Prime Minister oversaw the Garden Bridge project, which was the subject of allegations of corruption and was riddled with conflicts of interest? Will the Minister reassure the House that there will be no further examples of “friends with benefits” funding from the Department for Digital, Culture, Media and Sport or any other Department?

Matt Warman: Of course I speak for the DDCMS, but, as I have said, this is a process that is scrupulously transparent, it is a process that is rigorous, and it is applied equally to all. The hon. Lady mentioned something about the Garden Bridge; perhaps she was pre-empting the Secretary of State for Transport, who will be here shortly.

Anna Turley (Redcar) (Lab/Co-op): The Minister has said that this whole process has been rigorous, open and transparent, and he is rightly making the bid available and accessible to all MPs in the Library. However, if he is completely confident that there have been no issues with this process, and if he does indeed believe in its being open and transparent, why does he not put all correspondence relating to the bid in the Library so that we can see it, instead of hiding behind his own governmental review? Show us the evidence!

Matt Warman: That is, of course, part of the point of having the review. As I said earlier in answer to another question, I will encourage those conducting the review to make as much of its material as is commercially possible in any circumstances as public as possible. The hon. Lady shakes her head, but I have agreed to the premise of her question, and we will do it.

Alison Thewliss (Glasgow Central) (SNP): This is not just about money. It is also about influence, because it has been alleged that the Prime Minister and former Mayor of London obtained access to trade missions for Jennifer Arcuri, despite her apparently not meeting the criteria for those trips. Can the Minister tell me on how many other occasions the Prime Minister has intervened to secure junkets for his pals?

Matt Warman: As I have said repeatedly, there is no input from the Prime Minister at any stage in this process. Opposition Members can say it as often as they like, but that will not make it true.

Tracy Brabin (Batley and Spen) (Lab/Co-op): Last week’s open letter from the Committee on Standards in Public Life to all public office holders describes the “long-established principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership” as “a personal responsibility”. Given the Prime Minister’s seeming disregard for conflicts of interest and his refusal to answer questions, does the Minister agree that he has not the character to lead this country?
**Matt Warman (Kingston upon Hull West and Hessle) (Lab):** The Minister has given assurances that no Member of the House of Commons was involved in lobbying for Hacker House, but can he give the same reassurances about the House of Lords?

**Matt Warman:** As I have said, we are having a review. I have no indication whatsoever before me that there is a positive answer to the hon. Lady’s question, but we are having a review. We are not seeking to make it go away, and we will leave no stone unturned.

**Emma Hardy (Kingston upon Hull West and Hessle) (Lab):** The Minister has given assurances that no Member of the House of Commons was involved in lobbying for Hacker House, but can he give the same reassurances about the House of Lords?

**Matt Warman:** It will not surprise the hon. Gentleman to learn that I do not accept the vast majority of the premise of his question, but he says that this is not something that will go away, and he is right. We are having a review. We are not seeking to make it go away, and we will leave no stone unturned.

**Jamie Stone (Caithness, Sutherland and Easter Ross) (LD):** A great number of people out there are trying to get start-up businesses off the ground, and to those people a grant would be hugely welcome. Can the Minister at least see that the impression—I use my words carefully—of money being dished out to mates is corrosive to public confidence in the grant system, and that that, in turn, is damaging to the reputation of any Government?

**Matt Warman:** I agree that that impression is, in part, why we are having the review, but I would also say very gently to the hon. Gentleman that one of the things that is corrosive to public confidence in that process is people repeatedly making allegations when we have not had that review, and have not yet had any proof.

**Dr Paul Williams (Stockton South) (Lab):** There have been reports that the Prime Minister, when Mayor of London, had a close relationship with Jennifer Arcuri, which included receiving personal, one-to-one technology lessons from her. Can the Minister assure us that, even if no representations were made directly by the now Prime Minister, no representations were made on his behalf?

**Matt Warman:** I have said that, and I am happy to say again that there was no undue lobbying to the best of my knowledge. As I have said, we are having a review and we will make that public, but I think that the hon. Gentleman’s attempt to broaden the scope of this will not change the fact that there is no evidence whatsoever that the Prime Minister sought to do anything improper.

**Mr Gavin Shuker (Luton South) (Ind):** Has this company, or its directors, applied for any other Government funds? If so, over what period, and successfully or unsuccessfully?

**Matt Warman:** The two other companies that are related to Miss Arcuri have not made any applications whatsoever to this Department. Of course we will be double-checking that as part of the review, and I am sure that the review will also look at other Departments, but, as I have said, this is a process that is scrupulous, transparent, and rigorous in its independence, whichever company is in receipt of Government money.

**Patricia Gibson (North Ayrshire and Arran) (SNP):** I am sorry that the Minister is rattled, as evidenced by his dismissal of questions about the Prime Minister’s possible conflict of interests when he was London Mayor as “tittle tattle”. That is contemptible, and sadly shows—as did yesterday’s announcement of the result of the court case—the staggering sense of entitlement that is at the heart of this Government, with a Prime Minister who thinks that he can do as he pleases. Will the Minister confirm that he believes that this Parliament and the public are perfectly entitled to hold the Prime Minister and his Government to account, and that any hints or suggestions to the contrary about “tittle tattle” only show yet more disrespect for the democratic process?

**Matt Warman:** The hon. Lady tells me that I am “rattled”. I am enjoying this debut rather more than I expected, but none the less, it is always a pleasure to answer pre-written questions. [Interruption.] / The hon. Lady shows me that it was pre-written; that is very good to see.

To be fair, the hon. Lady has raised an important constitutional principle. It is an important constitutional principle that this Government absolutely respect, and will continue to do so.

**Tom Watson (West Bromwich East) (Lab):** On a point of order, Mr Speaker.

**Mr Speaker:** Does it appertain to these exchanges?

**Tom Watson** indicated assent.

**Mr Speaker:** Very well.

**Tom Watson (West Bromwich East) (Lab):** Earlier in our exchanges, Mr Speaker, the Minister suggested that I try to register with Hacker House. I looked at social media, and saw that many people online had tried to do that, but had received the error message “502 Bad Gateway”. Can you explain why Hacker House seems to have disappeared?

**Mr Speaker:** The Minister is under no obligation to respond to the point of order, but it is open to him to do so if he wishes.
Matt Warman: It is, of course, a part of the Department’s processes that we will make sure that the services we procure are properly delivered. We are very happy to have a look at that, and we will continue to do so.

The Secretary of State for Transport (Grant Shapps): With your permission, Mr Speaker, I would like to make a statement about the steps that the Government have been taking to support those affected by the collapse of Thomas Cook, particularly for the 150,000 passengers left abroad without a flight back and the 9,000 people here who have lost their jobs in the UK.

This is a very sad situation. All parties considered options to avoid the company’s being put into administration. Ultimately, however, Thomas Cook and its directors themselves took the decision to place the company into insolvency proceedings, and it ceased trading at 2 am on Monday 23 September. I recognise that this is a very distressing situation for all those involved. I assure Members of the House that the Government are committed to supporting those affected, including by providing repatriation flights free of charge for all those people.

We have been contingency planning for some time to prepare for this scenario, under Operation Matterhorn. The Government and the Civil Aviation Authority have run similar operations in the past and have been working hard to minimise the disruption to passengers and to try to assist Thomas Cook’s staff. Even with our preparations, and previous experience with Monarch, the task before us represents the largest peacetime repatriation ever undertaken in the UK. Some disruption and delay is therefore inevitable, and we ask for understanding, particularly for Thomas Cook’s staff, many of whom are still working, alongside the Government, to try to help ensure the safe return of their customers.

For example, the media reported on the situation in Cuba overnight. That aircraft has now left this morning, and all the passengers from Cuba who were scheduled to come home today are on that flight.

Normally, the CAA’s responsibility for bringing back passengers would extend only to customers whose trips are covered by the ATOL scheme. However, there would have been insufficient capacity worldwide in the aviation market to allow people whose trips were not covered by the ATOL scheme to book tickets independently and bring themselves home. Some passengers would have had to wait for perhaps a week or longer, and others would have suffered financial and personal hardship as they waited for another flight. In my view, that would have created further economic problems, with people unable to return to work and unable to be reunited with their families. With tens of thousands of passengers abroad and with no easy means of returning to the UK, I instructed the CAA to ensure that all those currently abroad were able to return, ATOL or non-ATOL.

Due to the size, complexity and geographical scope of the Thomas Cook business, it has not been possible to replicate the airline’s own flying programme and its schedule. In the case of the Monarch collapse back in 2017, the CAA was able to source enough aircraft of the right size and the right types to closely match the airline’s own aircraft. But Thomas Cook was a much bigger airline, and it also provided a global network of package holidays; as a result, this operation has been much more challenging. Some passengers will be travelling home on commercial flights, where other airlines have available seats. I know that the whole House would
want to thank all the airlines and ground staff who have offered assistance to Thomas Cook passengers in this difficult situation.

I would like to update the House with the latest information and give hon. Members a sense of the scale of the operation that has been going on. We have put arrangements in place to bring back 150,000 people, across 50 different countries. That requires over 1,000 flights by CAA-chartered aircraft over the next two-week period. Passengers will be able to complete their holidays, so that they should not be leaving early, and should return on the day that they were intending to.

So far, in the first two days of the operation, we have brought home nearly 30,000 of the 150,000 passengers, on over 130 dedicated CAA flights. We hope to repatriate a further 16,500 passengers today, on about 70 flights. I checked before I came to the House, and the operation is proceeding according to these amended schedules.

So far, 95% of people have been repatriated to their original point of departure. Again, we have not been able to bring everybody back to the airport from which they left, because of the difference in size and shape of available aircraft. In the first two days, we have therefore provided onward travel for 2,300 passengers, and have arranged an additional flight from Gatwick to Glasgow to relocate passengers who have flown back to the wrong airport because of that scheduling issue.

The CAA has reached out to over 3,000 hotels, issuing letters of guarantee to ensure that British holidaymakers can remain in the hotels in which they are booked, and that has been followed up by calls and contact from FCO officials.

Over 50 overseas airports are involved—around the Mediterranean, in north Africa and in north America—and 11 UK airports are engaged in this programme. There have been over 100,000 calls to our customer service centres, and on the first day alone there were over 2 million unique visitors to the CAA’s dedicated website—thomascok.caa.co.uk—with close to 7 million page views. In total, 10 Government Departments and agencies have been involved, including the Department for Transport, Foreign and Commonwealth Office, Department for Business, Energy and Industrial Strategy and Department for Work and Pensions, in London, and our extensive diplomatic and consular network in the affected countries.

I have been hugely impressed, as the programme has been rolling out in the past couple of days. The response from everyone involved, including Thomas Cook passengers, has been generally positive, with many praising the CAA, local staff and government officials, even though there has been considerable disruption. For example, people have not been able to check in in advance, as they are used to doing these days, but have instead had to queue to check in for every single flight. That has caused some of the queues that we see on television. The programme has, though, been generally well organised and all those involved have been extremely professional.

Despite these robust plans and their success so far, this is an incredibly distressing situation for all concerned. One of my top priorities remains helping those passengers who are losing their jobs. DWP’s Jobcentre Plus rapid response service is in place, helping workers get back into employment. The Jobcentre Plus rapid response managers across the UK are ready to engage with the liquidators to start that vital work. Special arrangements are in place for UK employees who are owed redundancy pay and notice pay by their insolvent employer: the redundancy payments service in the Insolvency Service can pay statutory amounts owed to the former employees through the national insurance fund. I want to say more about that later, but I will do so in answer to questions.

My colleague the Secretary of State for Business, Energy and Industrial Strategy is establishing a cross-government taskforce to address the impact on employees and local communities. That will help to overcome barriers to attending training, securing a job or self-employment, such as by providing child care costs, tools, work clothes and travel costs.

My colleagues and I have been in contact with those Members whose constituencies will have been hardest hit by these job losses, and have given assurances that we will work with the industry to offer what support we can. In fact, pretty much every hon. Member’s constituency is affected in some way, even if only through the number of people working in a single shop location.

My right hon. Friend the Secretary of State for Business, Energy and Industrial Strategy has written to the Financial Reporting Council to ensure that it prioritises, as a matter of urgency, an investigation into both the causes of the company’s failure and the conduct of its directors and auditors.

I am also aware of the duty that this Government have to the taxpayer, and while affected passengers have been told they will not have to pay to be flown back to the UK, we have entered into discussions with third parties with a view to recovering some of the costs of this large operation. Around 60% of passengers have ATOL protection, and the CAA’s air travel trust fund will contribute proportionately to the costs of the repatriation, as well as refunding ATOL future bookings. We will also look to recoup some of the costs from the relevant credit and debit card providers and travel insurers, and will look to recover costs from other travel providers through which passengers may have booked their Thomas Cook holiday. We are also in discussion with the Official Receiver to understand what costs can be recouped through the company’s assets.

The final cost of the operation to repatriate Monarch passengers back in 2017 was about £50 million, including ATOL contributions. The repatriation effort for Thomas Cook is now known to be about twice the size and is more complicated, for reasons that I have explained.

I have also seen it suggested in the press that the Government should have avoided the collapse with a bail-out of up to £250 million for the company and shareholders. Given the perilous state of the business, including the company’s own reported £1.5 billion half-year loss—which was reported in May and followed by a further profit warning in November, this simply was not the case, with no guarantee that an injection would have secured the future of the company. Our concern was that if we put in £250 million, we would risk throwing

away good money after bad and still having to pay the cost of this repatriation. It is quite clear that in the last several years the company ran into a number of problems by trying to expand itself through investing more in the high street rather than less, while the entire market was moving in the opposite direction.

The loss of an iconic British brand with a 178-year history—one of the oldest travel companies in the world—is an extremely sad moment. However, this should not be seen as a reflection on the general health of the UK aviation industry, which continues to thrive. Passenger numbers are actually up, and people are traveling more. However, the truth is that the way people book their holidays has changed an enormous amount over the years, but it did not change as much within the company. None of this should distract us from the distress experienced by those businesses reliant on Thomas Cook, by passengers and by Thomas Cook employees who, as I have said, have worked above and beyond, particularly in recent days during this distressing situation.

We have never had the collapse of an airline or a holiday company on this scale before, but we have responded swiftly and decisively. Right now, our efforts are rightly focused on getting those passengers home and looking after those employees who have lost their jobs, but we also need to understand whether any individuals have failed in their duties of stewardship within the company. Our efforts will then turn to working through the reforms necessary to ensure that passengers do not find themselves in this ridiculous situation again.

We need to look at the options within ATOL, and also to ascertain whether it is possible for airlines to be wound down in a more orderly manner. They need to look after their customers, and we need to be able to ensure that their planes can keep flying so that we do not end up having to set up a shadow airline for no matter what period of time. This is where we will focus our efforts in the next couple of weeks, but in order to do this we will require primary legislation and, dare I say it, a new Session of Parliament.

In what has been a challenging time, I want to put on record my appreciation for the work of all those involved in this effort, particularly Richard Moriarty, the chief executive officer of the CAA. He and his team, and my officials in the Department for Transport, have done an extraordinary job so far. I am also grateful for the support of others, including the Mayor of Manchester, who has acknowledged the Government’s repatriation effort and its work with all the agencies involved in helping to get people home. This has been an unprecedented response to an unprecedented situation, and I am grateful to all the parties who have stepped in to support these efforts. I commend this statement to the House.

2.3 pm

Andy McDonald (Middlesbrough) (Lab): I would like to thank the Secretary of State for giving me timely advance sight of his statement; that is a welcome change. What I do not welcome is the collapse of Thomas Cook, which is a tragedy for the 178-year-old business, its customers and its staff. The travel company went under because successive chief executives failed to steer the group effectively or to evolve this situation. Thomas Cook had five offers for its airline business, yet these were rejected by the board. I, too, would like to pay tribute to Richard Moriarty and his team at the Civil Aviation Authority for the work done yet again to repatriate holidaymakers. I applaud their sense of public service and duty.

Aviation is a fiercely competitive industry that has lost services because of terrorism and Brexit uncertainty. The Government’s dithering on their aviation strategy has only added to these difficulties. In May, speaking on airline insolvencies, the Secretary of State’s predecessor said that the Government “will work swiftly to introduce the reforms that are needed to ensure a strong level of consumer protection and value for money for the taxpayer.”—[Official Report, 9 May 2019; Vol. 659, c. 33-34WS] This was misleading. The Government have done nothing to protect consumer or taxpayer interests. The Government have sat back and let the company fold.

Yesterday, Governments in Scandinavia stepped in to back Thomas Cook subsidiaries in that region. The German Government also stepped in with a loan of €380 million for the Thomas Cook subsidiary Condor, to help that company to survive. The chief executive of Thomas Cook Airlines, Christoph Debus, has seamlessly just gone to work for Condor, and jubilant scenes of the survival of the subsidiary are doing the rounds on social media. Can the Secretary of State tell the House what steps his Government took to enter into a joint investment with other interested nation states? It is reported that the Governments of Spain and Turkey were understandably willing to do this, but seemingly the UK Government were not.

We are somewhat reassured that there is provision to return holidaymakers to the UK, but sadly there is no provision for the return of Thomas Cook’s staff. The unions Unite and the Transport Salaried Staffs Association have valiantly fought for their members, while this Government have done nothing. Can the Secretary of State guarantee that all staff will be repatriated? Can he say what provisions he is putting in place to ensure that customers who have lost their planned holidays are fully compensated and able to make alternative arrangements at no expense to themselves?

The Government learned nothing from the Monarch collapse two years ago. Monarch cost taxpayers £40 million in repatriation costs and Thomas Cook looks set to cost a similar amount or more, not to mention redundancies and future welfare payments. Can the right hon. Gentleman give us an estimate of what the total costs are likely to be? Monarch was the victim of financial engineering by Greybull Capital two years ago, and of conflicts of interest with the company’s administrator. Similarly, the collapse of Thomas Cook raises major questions about the accounting of the firm by PwC and EY, never mind the bonuses paid to senior executives. On that point, will the Secretary of State make it clear to those executives that they should return their undeserved and unwarranted multi-million pound bonuses, including that of Peter Fankhauser, who has had £4.6 million in bonuses since 2014?

I say again that the Government have not acted to protect the public interest, and that nothing has been learned or done to improve how our insolvency arrangements deal with such exceptional and complex circumstances. What is more, the ATOL fund has been much reduced by the Monarch fiasco and has had to rely on insurance to make up the shortfall. Does the Secretary of State believe that the reforms of ATOL enacted by his Government have been effective? The
Government must confirm that they will immediately guarantee the workers full compensation for unfair dismissal, given the lack of proper consultation, and that those workers will not have to pursue the matter through the courts. Can he confirm that they will be relieved of that burden and stress?

In a further sad development, we also learned today that Northern Ireland’s last manufacturer, Wrightbus, has gone into administration with the loss of 1,400 jobs. In July, the Prime Minister said that “we will do everything we can to ensure the future of that great UK company.”—[Official Report, 25 July 2019; Vol. 663, c. 1496.]

Is it not the case that this Government are guilty of the industrial neglect of this country? In contrast to other countries, UK Ministers have stood by and let some of our great companies wither and die. This Government are engulfed by inertia and incompetence. They are not a functioning Government, because of the Brexit chaos and Prorogation paralysis that they have brought upon themselves. The people of Britain are paying a high price for their inadequacy. They have failed to reform insolvency rules and failed to improve financial reporting. This is a colossal failure of political leadership from this Government. They were warned, but they did nothing. That is a shameful failure to fulfil their duties and their responsibilities.

Grant Shapps: Let me see what we can deal with here. It is true, as the hon. Gentleman outlined, that the world has changed. In 2007, Thomas Cook bought MyTravel just as the internet was starting to take off. In 2016, when the high street was clearly struggling because the internet had taken off, it bought the high street shops of Co-op Travel, further expanding its problems and its massive debt to £1.7 billion. I agree with him that this was, in the end, a very poorly run business that was going in the wrong direction at the wrong time.

The hon. Gentleman made a very sensible point in his query about the return of the bonuses that we have all been reading about. I have described how my right hon. Friend the Secretary of State for Business, Energy and Industrial Strategy has written to the Insolvency Service. Under the Insolvency Act 1986, the official receiver has the power to require the return of bonuses in certain circumstances. I absolutely agree with the hon. Gentleman that that needs to be fully looked into, including the role of the auditors.

That is where we agree. Where we disagree is that it is not the case that this situation is somehow unique to Thomas Cook. As I mentioned, airlines elsewhere in the sector are in good health. Many of them have been very helpful in bringing Thomas Cook passengers home over the past couple of days and have offered extraordinary help, even lending aircraft and, in the case of one well-known airline, cutting prices for Thomas Cook customers, rather than charging more. However, in response to what the hon. Gentleman said about this insolvency, it is only right to point out that Germania, a German airline, went bust; Primera Air, a Danish airline, went bust; Air Berlin, a German airline, went bust; Cobalt Air of Cyprus and FlyVLM of Belgium. This is not a UK issue; this is an issue where some airlines manage to do the right things and succeed, and others do not.

The hon. Gentleman rightly mentioned what has happened with Condor. Here, we will find partial agreement and partial disagreement. Condor was operating under a somewhat different business model. In Germany, people do not book holidays in quite the same way as they do in the UK, partly because UK citizens tend to use the internet in a different way and are much more becoming their own travel agents. With Condor, the business remained profitable. [Interruption.] The hon. Member for York Central (Rachael Maskell) asks what difference that makes. The difference is that it was a profitable business, unlike the business here.

It is also the case—that is where I think there will be a degree of agreement—that German insolvency rules allow for administrations to take place, and then for aircraft to carry on being used and for other buyers to come in during the administration process. That is not something that our current rules on airline liquidation and insolvency allow for.

The hon. Gentleman rightly pointed out that the previous Secretary of State said he wanted to do something about that and commissioned a review. So that we are all clear on the timeline, that review reported on 9 May 2019. It suggested that we should have rules that are not dissimilar to the German rules to allow our airlines to trade in administration. That would make repatriation massively easier, because we could use those airlines. I entirely agree with the hon. Gentleman on that. Perhaps he did not hear me mention it during my statement, but we need a new Session of Parliament to introduce that primary legislation in order to bring that in. We are very happy to have a new Session of Parliament. If we get agreement, perhaps that is something we can progress.

I believe that, given the number of people and the number of lives that have been affected by this situation, we should be working together cross-party to get this job done. I welcome the hon. Gentleman gesturing that he will provide support to sort out this problem, because that would clearly be in everybody’s interest.

The hon. Gentleman referred to whether foreign Governments were prepared to ride to the rescue. I confirm that I received no approach from the Turkish Government and that the only contact via the Spanish Government was not a viable plan and came so late in the day that the company was already starting its administration proceedings. There was no viable plan out there at the time.

I agree with the hon. Gentleman that the ATOL system should be reformed. As he rightly pointed out, although the funds are limited because of Monarch, ATOL itself is reinsured to cover most of that cost. Finally, on a point of accuracy, he mentioned that £40 million has been spent on Monarch. In fact, we think that the final cost was £50 million.

Antoinette Sandbach (Edisbury) (Ind): On a point of order, Mr Speaker.

Mr Speaker: We cannot take points of order during a statement. Points of order will flow after either this statement or other statements at the discretion of the Chair.

Mr Shailesh Vara (North West Cambridgeshire) (Con): The UK headquarters of Thomas Cook are based in my constituency. The collapse of the company has meant the loss of 1,200 local jobs. Our thoughts go out to all
those people and to the thousands more across the UK who have been affected. Will my right hon. Friend join me in paying tribute to the many local organisations and companies that have come forward offering jobs to those who have been affected? The local newspaper, the Peterborough Telegraph, has been co-ordinating the activities. We have also seen acts of kindness. Peterborough United and Peterborough Phantoms, a local ice hockey team, are offering free tickets to those who have been affected. Does my right hon. Friend recognise that at this difficult time we need to appreciate and applaud the generosity that is coming through?

Grant Shapps: May I start by paying tribute to my hon. Friend, who has been working very hard through the last few difficult days with people from Peterborough who have found themselves without work? He has done tremendous work with his community to support all those who have lost their jobs. There are 630 jobcentres running the rapid response service that has been mobilised to pick up this issue for every single former Thomas Cook employee who has lost their job as a result of this appalling news. I should say that the best thing we can do is to make sure that we operate an economy where there is record high employment and record low unemployment, because that will give people the best opportunity to get back into a good job.

Alan Brown (Kilmarnock and Loudoun) (SNP): I thank the Secretary of State for advance sight of the statement. I pay tribute to the work of the CAA and to the Thomas Cook employees who have gone above and beyond to help stranded holidaymakers. I express my sympathies for all those who have lost their jobs.

Instead of the UK Government using the mantra that this is the biggest peacetime repatriation, they should be apologising for this collapse happening on their watch. The Secretary of State spoke of reforms and new legislation that are required to stop this happening again with another company, but why were lessons not learned from the collapse of Monarch just two years ago? What are the timescales for the new legislation? I point out that, procedurally, a new Session is not required for legislation. The Government could bring it forward.

Will the Secretary of State explain the position with Spain and Turkey, and the fact that they were looking at ways to keep Thomas Cook trading, while the UK Government were not willing to? The German Government led the way in keeping Condor going.

The Secretary of State said that £250 million would have been good money after bad, but what discussions did the Government have with Thomas Cook and what financial appraisal did the Government make before saying that they could not fund that money? This is a Government who can find £100 million to advertise that Brexit is good for us. I think they should spend that good money after bad. We would probably be back here in a very short time to offer a bail-out to get people home, rather than to bail out the company. This company just could not be allowed to go round in circles. The House must know that no Government can be expected to provide a blank cheque to any company, but it is also worth noting that the sector has seen some notable collapses over the years.

The hon. Gentleman asked a number of other questions that I have previously answered, and I do not want to go round in circles. The House must know that no Government would want to lose an iconic, 178-year-old famous British name. I hear people ask, “Why don’t you just put the money in?” All those people have to do is open the books to realise that there is a £1.7 billion debt, with £1.5 billion lost in six months alone, and that another profit warning had been issued.

I am afraid that this situation is entirely different from that with Condor, which is a fundamentally profitable airline, and it just would not be responsible to throw good money down the drain. We would probably be back here in a very short time to offer a bail-out to get people home, rather than to bail out the company. This company just was not a going concern with which we could do that.

The hon. Gentleman asks sensible questions about whether other holidaymakers are being held to ransom or being held captive elsewhere in the world, and I am not aware of any other location in which that is the case at the moment. However, it is a live and moving situation, and under our direction the CAA has been issuing proactive letters to explain that holidaymakers’ bills will be settled in places where some hotels have not had bills settled for the past three months because of the company’s bankruptcy. I pay tribute to and thank our foreign mission in Cuba for proactively getting in touch with Ministers yesterday to resolve that appalling situation.

I think that covers the majority of the questions that I had not previously answered.

Andrew Jones (Harrogate and Knaresborough) (Con): As somebody who worked in the travel industry for many years, I am saddened to see the demise of Thomas Cook, but it is also worth noting that the sector has seen some notable collapses over the years. The scale and complexity of this repatriation operation are significant, and I thank my right hon. Friend for his update. After this
urgent work on repatriation has been completed, and because this sector is prone to significant collapses, may I ask him to focus on the industry structure and a sector insurance scheme that would protect passengers and taxpayers in the future?

**Grant Shapps**: My hon. Friend is absolutely right. The airline insolvency review, which reported in May, provides a few useful ideas about things that could be done, including some that require primary legislation and others that do not and on which we have already started to act. We cannot keep returning to this situation. It is terrible for passengers and for all those involved, and there is a problem in finding sufficient aircraft to solve this problem when it happens.

**Mr Speaker**: The Secretary of State will be aware that the hon. Member for Harrogate and Knaresborough (Andrew Jones) is a distinguished former Transport Minister. Indeed, I well recall that when he served as Parliamentary Under-Secretary of State for buses, being a man of the people as he is, he was wont to come to work on the bus, no doubt to the very considerable delight of his fellow passengers.

**Lisa Forbes** (Peterborough) (Lab): Following the sudden collapse of Thomas Cook, which was headquartered in Peterborough, and the loss of 1,200 jobs there, many of my constituents turned up for work only to find that their jobs were lost with Christmas fast approaching. The hon. Member for North West Cambridgeshire (Mr Varah) is absolutely correct that there has been an incredible outpouring of unity from individuals and businesses in Peterborough who have stepped up to show their support and solidarity at an extremely difficult and distressing time for so many in Peterborough.

Can the Secretary of State tell me what specific support the Government are giving to my constituents, who have mortgages and bills to pay and families to support, in finding alternative employment? What measures have they put in place to support the city’s economy as a whole, given the loss of so many good jobs?

**Grant Shapps**: The hon. Lady is absolutely right, including on the response in Peterborough, which I have been tracking closely through hon. Members, including my hon. Friend. Friend the Member for North West Cambridgeshire (Mr Varah) and others. A bespoke service will be available through Jobcentre Plus, and I have spoken at length to my right hon. Friend the Secretary of State for Business, Energy and Industrial Strategy, who is leading a cross-Government taskforce that is meeting again tomorrow afternoon to continue to work on the issues of helping people to find new jobs.

I mentioned in my statement the additional assistance that is available through retraining, or even simple things like childcare while people go for interviews and the like. It is heartening to know that jobs are available regionally, but it would be an economic shock to any region to lose 1,000-plus jobs. Through the various mechanisms, particularly the rapid response service, we are determined to support all the constituents of the hon. Member for Peterborough (Lisa Forbes) and my hon. Friend the Member for North West Cambridgeshire.

**Robert Halfon** (Harlow) (Cons): I thank my right hon. Friend for what he is doing, but my constituents have lost their jobs. The directors go back to their £1 million-plus houses, having taken £47 million in bonuses and wages over the past few years. My constituents worry about their jobs and their pensions. Should we not be seizing the assets of the directors who plundered this company and took it to ruin? Will he guarantee that my constituents’ pensions will be protected?

**Grant Shapps**: I understand my right hon. Friend’s concern, and I congratulate him on his work over the past few days with his constituents who have lost their jobs.

We have touched on this before, and there have been a lot of reports in the newspapers, but it is important to allow the correct channel, the official receiver, to do its job. I stress to the House that, under the Insolvency Act 1986, the official receiver, as liquidator, may seek to overturn a range of transactions made prior to the liquidation, which includes things like bonuses, although I think we need to leave it to due process to see whether that would be appropriate.

There is also the Company Directors Disqualification Act 1986, and I fully support that idea. As I said in answer to a previous question, the Government were concerned to ensure that we did not prop up an organisation that was already doing things wrong.

**Lilian Greenwood** (Nottingham South) (Lab): I begin by welcoming the tremendous efforts of the Civil Aviation Authority, staff across Government and others to repatriate and support the many thousands of stranded holidaymakers, but I ask the Secretary of State to provide clarity on two points in relation to his previous answers. Can he confirm that all Thomas Cook staff will be helped to return home? He referred to some of them, which I do not understand. Why not all of them?

In the four and a half months since the airline insolvency review reported, what action have the Government taken to implement its recommendations?

**Grant Shapps**: First, with regard to the repatriation of staff, it is not the case that all the staff necessarily want to come straight back. Aircrew, for example, have been or are being repatriated, but many others are still assisting with the operation on the ground in many different locations, and we are hugely grateful to them.

The next two weeks are critical. The largest group of people, the 150,000 holidaymakers, is so large that there is no way to get them back other than chartering aircraft to fly them back. The number of other people involved is of a size at which commercial flights can be used to return them.

We are urgently addressing not only the cabin crew and that side of things but the other employees and the scheduling for when they need to get back. I have been clear with the CAA that it should offer them every possible assistance along the way.

Sorry, I have forgotten the hon. Lady’s second question.

**Lilian Greenwood**: If they are important, what have you been doing in the past few months?

**Grant Shapps**: I did not come into this job until 23 July. Some recommendations of the airline insolvency review have already been taken into account and, indeed,
used in this particular case, but we also require primary legislation and I am happy to have cross-party discussions about that.

It is not, as one might imagine, quite as simple as it seems. There are ideas around, including allowing what happens in Germany, where the airline is run in administration, and, separately, the interaction between ATOL and a proposed additional charge per flight of perhaps 50p or so for every flight taken, regardless of whether it is a holiday destination. There are different ideas to be worked through; discussions are ongoing and I am keen to accelerate them.

Huw Merriman (Bexhill and Battle) (Con): I find this situation maddening, because two years ago, during the statement on Monarch, I welcomed the then largest peacetime repatriation effort—I welcome the current largest peacetime repatriation effort, too—and I called for reform, so that we had an insolvency regime for airlines similar to the chapter 11 arrangement in the United States and the regimes in Germany and Italy. I was told by the then Secretary of State that the Government would consider that. Two years on, we have had a review but not delivered anything. Rather than repeat what has happened before, will the current Secretary of State make sure that we reform the sector, so that jobs are not put at risk, holiday experiences are not ruined and taxpayers’ money is not lost? It is all about actions, not words.

Grant Shapps: In simple terms, yes. As I mentioned, the review reported on 9 May, and I have been in my post since 23 July. However, the answer is yes, we will get on with it.

Luciana Berger (Liverpool, Wavertree) (LD): Further to the important question from the hon. Member for Bexhill and Battle (Huw Merriman), will you indulge me, Mr Speaker, by allowing me to repeat three important sentences in the statement the Secretary of State shared with the House? It says: “our efforts will turn to working through the reforms necessary to ensure passengers do not find themselves in this position again.”

Grant Shapps: I reject the assertion that nothing has happened. The airline insolvency review required time—in fact, the final version was published only on 9 May. A few months later, we are getting on with it. I will ensure that we work on this, and I hope we can do so on a cross-party basis. It is not quite as simple as one might imagine, because there are multiple facets to address, not one single thing to be done, but the hon. Lady has my undertaking that we will get on with this.

Mr Owen Paterson (North Shropshire) (Con): I thank my right hon. Friend for his statement. I especially liked the passage on employees, having received a call today from a constituent who was a senior employee of Thomas Cook Airlines and has been made redundant. He is, quite rightly, seriously aggrieved that directors of Thomas Cook Airlines are continuing to function as directors of Thomas Cook Condor, and to be remunerated. My right hon. Friend mentioned in his statement that our right hon. Friend the Secretary of State for Business, Energy and Industrial Strategy has asked for a report from the Financial Reporting Council. Will he commit to looking at the relationships between Thomas Cook Airlines and Thomas Cook Condor, and the propriety of directors continuing to receive compensation while other employees are all being made redundant?

Grant Shapps: It is for the official receiver to do that work. The official receiver has the powers of the Company Directors Disqualification Act 1986, and will no doubt use them. I should say that we know, rightly, about all the payments to executives because of the transparency established, also rightly, over the past few years to ensure that, among other things, shareholders can see and hold CEOs to account.

Several hon. Members rose—

Mr Speaker: Order. To this point, the erudition of questions has been equalled only by their length. Unfortunately, there is a premium on time, as we have other matters with which we have to deal, so I appeal to colleagues to cast aside pre-written scripts and to confine themselves to single sentence—preferably short sentence—questions, without preamble, so that we can make progress.

Rachel Reeves (Leeds West) (Lab): The BEIS Committee believes that Thomas Cook’s directors and auditors have serious questions to answer. In the past five years, £20 million in bonuses has been paid to directors, and the company has now gone under with debts of more than £3 billion. Will the Secretary of State for Transport confirm that the directors of Thomas Cook will not be able to continue as directors at any other firm until the Insolvency Service has completed its investigation? Will the Government commit to replacing the FRC with a regulatory framework that holds directors to account, as our Committee has called for?

Grant Shapps: I think I answered the first question about the Insolvency Act and the Company Directors Disqualification Act. As the hon. Lady knows, it is for the official receiver to do that part of the work, and I cannot pre-empt it. She tempts me to stray into other areas, which are a long way from the transport brief, so I think I had better not answer now.

Several hon. Members rose—

Mr Speaker: In my experience, the hon. Member for Stafford is a notably well-behaved fellow, so I am sure he will confine himself to a single sentence.
Jeremy Lefroy (Stafford) (Con): Is there any way the disgraceful hiking of prices—often double or triple—by other providers can be looked at under competition regulation?

Grant Shapps: My hon. Friend will be interested to hear that I put those questions to the CAA just yesterday, and asked it to investigate for me. The CAA believes that automatic pricing kicked in and was then quickly overridden. I mentioned in my statement that some airlines have done the opposite—Easyjet actually cut its prices by 15% for Thomas Cook passengers—and I am grateful to them and to the airlines that have lent their aircraft.

Lucy Powell (Manchester Central) (Lab/Co-op): With more than 3,000 Thomas Cook employees in Greater Manchester, our economy is being hit particularly hard. May I press the Secretary of State on what has been done in the past four or five months, when the warning signs were all there but people could still buy package holidays 24 or 36 hours before the collapse? Should we not be doing more when the warning signs are so clear?

Grant Shapps: I do have a lot of sympathy with the hon. Lady’s comments. To me, the process of knowing that an airline is struggling and having Operation Matterhorn underway without being able to say anything, lest it precipitate collapse, is highly unsatisfactory. Many hon. Members have mentioned the need to have a route out of this situation—one that includes administration, so that there is no instant collapse and there is a much better and more controlled path for everyone, including employees. I agree absolutely with the hon. Lady, and we will get something done about this.

Antoinette Sandbach (Edisbury) (Ind): Will the Secretary of State join me in praising Thomas Cook employees who turned up for work on Monday to help to repatriate passengers? Will he make sure that the inquiries by the Insolvency Service take in the impact on Thomas Cook of the 20% depreciation in the pound against the euro, to help an assessment of whether other travel industry firms based in the UK are vulnerable to those currency movements?

Grant Shapps: My hon. Friend is absolutely right. He mentioned some airlines, and I should mention British Airways, TUI, Virgin, EasyJet and Ryanair. All of them, and others, have been incredibly helpful. It is also worth mentioning that many of them are very profitable; there is nothing systemic in the British business that is causing a problem, and most of these British airlines are doing very well. I have already answered the point about chapter 11 or an equivalent.

Ronnie Cowan (Inverclyde) (SNP): I have two constituents who are stuck in Mexico. They were told they were on a flight; when they turned up for it, they were told they were not. They face the real possibility of no accommodation and no flights. They are tired, they are anxious and they are running out of money. What have the Government done under Operation Matterhorn to help people stuck in transit who are trying to get home?

Grant Shapps: Although I do not want to reveal the contents of the Queen’s Speech, I hope the hon. Gentleman will appreciate that I have hinted broadly at where we want to go. With the reassurance of those on the Opposition Front Bench, I think he will have his asks answered.

Henry Smith (Crawley) (Con): Will the Transport Secretary join me in paying tribute to airlines such as Virgin Atlantic and EasyJet and to travel operators such as TUI, which have reached out to former Thomas Cook employees offering employment? I encourage the Government to get on with changing insolvency law and adopting a system similar to chapter 11 protection, which has saved so many US airlines.

Grant Shapps: My hon. Friend is absolutely right. He mentioned some airlines, and I should mention British Airways, TUI, Virgin, EasyJet and Ryanair. All of them, and others, have been incredibly helpful. It is also worth mentioning that many of them are very profitable; there is nothing systemic in the British business that is causing a problem, and most of these British airlines are doing very well. I have already answered the point about chapter 11 or an equivalent.

Nigel Mills (Amber Valley) (Con): Given that we cannot distinguish in this situation between passengers on a package holiday booking and passengers on a flight-only booking, does the Secretary of State agree that we should now bring flight-only bookings into the ATOL regime so that we have a fair contribution from those passengers and airlines?

Grant Shapps: It is not quite the case that we cannot distinguish, although I take my hon. Friend’s point. We can distinguish between the two, but there is a strong
the argument for making sure that, when someone books a flight one way or the other, it is insured and that the cost does not ultimately fall on the taxpayer.

Mr Kevan Jones (North Durham) (Lab): The directors have walked away with millions while hard-working employees of Thomas Cook, such as Jemma Lynch in my constituency, who contacted me at the weekend, have lost their jobs. Will the Secretary of State outline how she and others can contact the Department for Work and Pensions for the help that has been outlined? Secondly, will he comment on the pensioners in receipt of pensions and on the future pension arrangements for those who have already paid into the pension schemes?

Grant Shapps: On the pensions front, I think there are four different Thomas Cook pensions, the largest of which is a £1 billion fund. That will now be handled through the usual insolvency pension fund process. It is, of course, a worrying time for everyone involved. With regard to the constituent the hon. Gentleman mentioned, the DWP is ready for her to make contact through the rapid response unit. If there are any difficulties, will the hon. Gentleman please alert me? I will make sure that the Business Secretary and the taskforce are immediately switched on to any problem that occurs. We are very keen to get real-time feedback on this.

James Cartlidge (South Suffolk) (Con): Like many colleagues, I have a Thomas Cook branch, in Sudbury, in my constituency, which has closed, and I am grateful to the Secretary of State for the work he will be putting in place to support redundant staff. However, does he agree that the biggest cause of the collapse was the unsustainable debt that the company had, which came from a merger strategy that was completely flawed? Does he agree that those who oversaw those mergers, who would have earned handsomely from them, and those who have run this company into the ground must be held to account?

Grant Shapps: I entirely agree with my hon. Friend. Look, companies do sometimes go bust. The problem here is that they are going bust leaving a massive number of people and leaving this country with an enormous problem to resolve. That is why he is right about everything he has just said.

Daniel Zeichner (Cambridge) (Lab): Airports such as Stansted have really stepped up in terms of helping people come home, but they also offer job opportunities. Can I have an assurance from the Secretary of State that every Thomas Cook employee will be made aware of the opportunities that are available at airports such as Stansted?

Grant Shapps: The hon. Gentleman is absolutely right. Stansted and, in fact, all the other airports—I have been in touch with many of them—have been very forthcoming with their assistance. Stansted is building a science, technology, engineering and maths college, with lots of job opportunities. The hon. Gentleman has made the point, which is on record, that Thomas Cook employees, who are losing their jobs, will no doubt find some of those travel-related jobs very interesting.

Douglas Ross (Moray) (Con): Moray had two Thomas Cook branches prior to the collapse—one in Buckie and one in Elgin. I have been in discussions with the Business Secretary over the last few days, but can the Secretary of State reiterate what the Government are doing to support, advise and help former employees of the company, not only in high streets across Moray and the United Kingdom but abroad?

Grant Shapps: Yes, absolutely. This Jobcentre Plus rapid response service is absolutely set up, ready and mobilised to assist. As I said in a previous response, if any of my hon. Friend’s constituents walk in and find that that is not the case, I will certainly want to know about it, so that we can work on the cross-Government taskforce to ensure people are getting the help they need.

Wera Hobhouse (Bath) (LD): Following the closure of 588 Thomas Cook outlets, including the one in Abbeygate Street in Bath, what are the Secretary of State and the Government doing about halting the further decline of the high street?

Grant Shapps: My right hon. Friend the high streets Minister has already been in contact with me about the further hole that this leaves in our high streets. He has a number of fantastic programmes, and the local authorities of many of us in the House will be bidding under them to enhance and improve high streets. As this latest collapse has shown, our high streets are dramatically changing as people need to come to the high street for an experience or a service that they cannot get elsewhere, including perhaps online. My right hon. Friend will be very happy to speak to the hon. Lady about that.

Richard Graham (Gloucester) (Con): I welcome the action taken on the priorities, which are to repatriate customers as soon as possible and to help innocent staff, such as those at Thomas Cook in Gloucester, to get new jobs as quickly as possible. However, does my right hon. Friend agree that, as well as carrying out an investigation into the corporate behaviour, the directors’ decisions, the future protection for pensioners and so on, his Department should also look at the aviation sector, and at great British strengths in general, to see whether parts of that sector—particularly package tour operators—have not adjusted to changing circumstances as quickly as they should and to see what more can be done?

Grant Shapps: My hon. Friend is absolutely right: there are very profitable parts of this sector. One large British airline has just made record profits, which shows that there is money to be made in the sector. However, I would not want to be in the position of dictating to the sector how it runs its businesses—some will succeed, and some will not. What I am passionately interested in is that, when they do go wrong, as has been discussed, the problems do not fall on the taxpayer’s shoulders.

Alison McGovern (Wirral South) (Lab): I can tell the Secretary of State that my constituents are not happy with the Government’s response. However, at the heart of this problem is a company that was signed off by auditors last year. The Government know that the audit system is not working well, and they had the Kingman review into this issue and made recommendations. In terms of the cross-Government arrangements the Secretary of State is speaking about, what have the Government done to reform audit, alongside the recommendations that they themselves asked for?
Grant Shapps: The hon. Lady is well versed in these matters, and she will know that there are moves afoot to change the process. We have expressed concerns ourselves over the audit approach in this country. I do not want to completely jump to conclusions; because someone reads something in the weekend paper, that does not always mean that it is true. I read that repatriation would cost the taxpayer £600 million, but that is not the case. We do need to allow the process to work its way through. I know that the hon. Lady is actively involved in ensuring that the way that auditing takes places in this country is changed and improved. The taskforce will no doubt work on that as well.

Alan Mak (Havant) (Con): I thank the Secretary of State for the support he has given to Thomas Cook employees in my constituency. Can he reassure me that British officials at embassies and missions around the world are also working hard to provide support where needed?

Grant Shapps: I must pay tribute to the extraordinary work that has been done in the foreign missions around the world. We are very grateful to the Foreign and Commonwealth Office staff, without whom we could not carry out that work. I also want to put on record my thanks to the surge staff from HMRC and the Civil Aviation Authority who have been absolute troopers in airports across the world.

Lisa Nandy (Wigan) (Lab): Thousands of people in Greater Manchester, including many in Wigan, have lost their jobs, but the Scandinavian and German subsidiaries of Thomas Cook are still flying. The Government have failed not just to provide the financial assistance that would have been necessary to keep those companies going, but to bring forward legislation that would enable those airlines in the UK to continue flying in protective administration. It did not have to be like this. This Government have barely brought anything to this House in recent months. They do not need a Queen’s Speech to do that; they should do it right now.

Grant Shapps: The hon. Lady confuses two points. It is absolutely true, as I have said many times, that we need a new administration regime, but the fundamental difference that she refers to in the Scandinavian and German examples is the profitability of the underlying business there due to the different influences in their particular markets and the way that the businesses have been run at that sub-level.

Kevin Hollinrake (Thirsk and Malton) (Con): Does my right hon. Friend agree that we should always be cautious about bailing out private sector businesses, particularly ones that are £1.9 billion in debt and struggle to make money even in a good year? We should also look at our competitions policy and try to avoid businesses getting so big that when they fail, they have a widespread effect on UK consumers.

Grant Shapps: My hon. Friend makes a very good point. We do get back to this fundamental point that I know is causing some concern on the Opposition Benches, which is that the underlying business has to be profitable; otherwise there is nothing to bail out—there is nothing to lend money to. When money is being lost at that rate, the idea that yet more taxpayers’ money is pumped into something that will lose it in a matter of weeks or months seems to me to be crazy.

Stewart Malcolm McDonald (Glasgow South) (SNP): What advice does the Secretary of State have for my constituent, Alan Paterson, who is stuck right now in Ibiza? He did not realise that he was entitled to a repatriation flight home, and, as he wanted to get back for his new job this weekend, he spent hundreds of pounds on flights that he did not need to buy in the first place. KLM is now refusing to refund him that money. Does he agree that that is mean-spirited, and that it should not be profiting from this disaster?

Grant Shapps: I am very sorry to hear about his constituent’s situation. No airlines should be trying to profit out of this situation. As I have mentioned, the UK airlines in particular have really tried to assist once we got over this issue of some initial surge pricing that seemed to kick in. For the most part, they have been extraordinarily helpful, lending aircraft and cutting some of their prices. I am very concerned to hear about this KLM case.

Vicky Ford (Chelmsford) (Con): We are living through a digital age, and businesses that do not adapt will struggle, but may I thank the Government for thinking about the people who have been affected here? What assistance is there likely to be for people who have bought flights or holidays that have not yet started?

Grant Shapps: A large number of people have bought holidays that are yet to start. If they were package holidays, they are ATOL-protected and people will simply get their money back. Those who have bought flights-only will not automatically get that money back, and will want to refer to their credit cards, debit cards, holiday insurance and, sometimes, an alternate travel agents from whom they have booked.

Anneliese Dodds (Oxford East) (Lab/Co-op): Yes, there are legal differences between the UK and Germany, but there is a big, big difference in political will as well. The Secretary of State keeps mentioning Air Berlin, so I have one little general knowledge question for him. The German Government loan that was provided to Air Berlin enabled its operations to be transferred in a planned manner into other companies. Has it, or has it not, been paid back?

Grant Shapps: The big difference with the airlines that are surviving or even sub-surviving within this group is their profitability. I think we have gone round this quite a few times. I am in agreement with the hon. Lady that we do need to have an airline administration system that enables airlines to continue flying, but those two differences—profitability and/or the ability to be in administration—are fundamental differences from the situation that existed here. This idea, which I think is the third option that she is trying to inject into this, that somehow for some crazed reason the Government would not want to do everything possible to try to save a 178-year-old British icon is completely ridiculous. Of course, we want to save it.

Paul Masterton (East Renfrewshire) (Con): The Thomas Cook branch in Clarkston was operated by a small but excellent team who are now worried about their futures...
and it also occupied a key high street unit. I very much welcome the cross-departmental taskforce, but can the Secretary of State ensure that Members across the House continue to be updated as to its progress, so that we can continue to provide the best support and advice to our constituents?

Grant Shapps: I will ask my right hon. Friend the Secretary of State for Business, Energy and Industrial Strategy, who is part of the cross-departmental taskforce, to make sure that that happens and I will continue to take a keen interest in the matter myself.

Susan Elan Jones (Clwyd South) (Lab): My constituents and many, many other constituents across the country have been affected by this awful situation. What I do not understand is the fact that this Government and the Opposition, and pretty much everyone, have recognised that we need new legislation. Why the heck do we have to wait for a new Queen’s Speech? Why can we not have emergency legislation next week?

Grant Shapps: This has been the most interesting part of this afternoon. As has been discussed, we have an airline insololvency review that has now reported, and there seems to be a very strong desire across the House to do something with that. So let us talk about it.

Mike Wood (Dudley South) (Con): Will my right hon. Friend work with other travel companies, as well as ministerial colleagues, to ensure that the skills of Thomas Cook employees up and down the country can be retained within the sector?

Grant Shapps: My hon. Friend will be pleased to know that the skills are in high demand and that many of the other travel companies are employing. Indeed, as we have heard from other hon. Members, both airlines as well as skill centres, such as those in Stansted, are actively reaching out. I am very hopeful that those who have lost their jobs through Thomas Cook will, in fact, be employed very quickly within the travel sector.

Kate Green (Stretford and Urmston) (Lab): What discussions are the Government having with the commercial lending sector, both in relation to the very substantial debt that will be the legacy of this debacle, and to the personal debt of employees? Some of my constituents are extremely concerned about the attitude of their creditors to their mortgages and other loans.

Grant Shapps: My right hon. Friend the Business Secretary is writing to the lenders on this specific point, and so perhaps can provide more detail about what she has asked them to do at this Dispatch Box, or I will ask her to write separately. It is also the case that we will be looking to provide as much support as possible. It is important to remember that the deal that Thomas Cook was trying to arrange was actually with a Chinese company for £900 million, so the corporate funding issue is another interesting part that will, I know, be unpacked over time.

Andrew Bowie (West Aberdeenshire and Kincardine) (Con): On behalf of my constituents in Aberdeenshire, who have found themselves in difficulty of late, may I thank my right hon. Friend, all the staff at the Department for Transport and the CAA? For those people who might find themselves in difficulty after the two-week period of the official operation has ended, will he commit his staff at the Department for Transport and the CAA to continue their support for those who find themselves in difficulty in a fortnight’s time?

Grant Shapps: I should mention why it is a two-week period. It is actually because the holidays mostly coincide with those dates when people are coming back on the normal day of their holiday, after which point there would be sufficient capacity in the travel system to get people home on regular commercial flights. We will stand by people who have already booked, who are already out there, and who are perhaps on a two-and-a-half week holiday, to get them home by alternative means.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): I have many constituents who are pilots. Two holiday reps who have been affected by this crisis have contacted me. Is the Secretary of State aware that some former and current employees until very recently of Thomas Cook are affected themselves, because employee holiday benefits do not appear to be covered by ATOL? I know of one constituent whose relative is now currently stuck in Turkey. They used employee holiday benefits and are not covered by ATOL. Will he look urgently at that matter, because it is a double whammy for the employees of Thomas Cook?

Grant Shapps: Yes, that is right. The hon. Gentleman will know the strict rules that apply through the Insolvency Service on people’s redundancy pay, which cover the holiday element as well as the non-holiday element being tax free. If the hon. Gentleman wants to write a letter to me, I would be very happy to look into the case for his constituent.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): Will the Secretary of State pay tribute to Peel Park firm AGO Outsourcing in my constituency, which is very keen to offer job opportunities to the staff affected at the two stores in my area? It really is remarkable and we are so pleased that the company is doing that. East Kilbride is particularly affected by the situation, so I would be grateful if the Secretary of State would arrange for me to have a meeting with the taskforce to ensure that I can help people on the frontline.

Grant Shapps: I am very pleased to pay tribute to the employers in the hon. Lady’s constituency that are providing or offering employment. She is not the first Member this afternoon who has suggested that others are stepping in to offer employment. I would also be very happy to ask my right hon. Friend the Business Secretary to set up that meeting.

Bill Esterson (Sefton Central) (Lab): Those of my constituents who have lost their jobs tell me that the airline was indeed profitable, so why did the Government not intervene to ensure that the airline and any other parts of the business that were profitable—along with the jobs in those businesses—could have been saved?

Grant Shapps: I am interested to hear that the hon. Gentleman’s constituents say that, because the accounts clearly show that the company lost £1.5 billion within a
six-month period alone, and then issued a further profits warning. There is obviously a lot of detangling of the business to be done. As the hon. Gentleman will understand, the Government are not in the business of running a travel company, but we do want to ensure that whatever went wrong here is properly investigated and we will certainly ensure that that happens.

**Liz McInnes** (Heywood and Middleton) (Lab): The Secretary of State talks about throwing good money after bad, but surely it would have been better for British business if Thomas Cook had been bailed out, rather than spending millions of pounds on repatriating holidaymakers.

**Grant Shapps**: I mentioned the £900 million Fosun deal that eventually fell through to indicate the extent of the money required just to keep the business afloat. That was the deal that was on the table while this was all going on. It then turned out, at the eleventh hour, that even Fosun was not happy to go with a deal, because it had concerns. A new number then started to emerge: an additional £250 million. Any rational person—including, incidentally, the accounting officers throughout Government—would have looked at the deal and refused to sign off such a payment. I am absolutely certain that anyone looking into this matter in detail will demonstrate that the deal would have been a very poor move for the taxpayer, and that it would probably have led us to exactly the position we are in today of repatriating 150,000 people—yet having spent up to £250 million of taxpayers’ money as well.

**Paula Sherriff** (Dewsbury) (Lab): I have been contacted by a constituent—and I am aware of a small number of others—who has been contacted by a person purporting to be responsible for delivering refunds on behalf of Thomas Cook Group, asking for their credit card details. These people are adamant that they have not booked flights or holidays, and that they do not have any outstanding financial arrangements with the Thomas Cook Group. Is the Secretary of State aware of what appears to be a scam? If so, what is he doing about it?

**Grant Shapps**: That is obviously very distressing. I would be pleased to meet the hon. Lady and to take up the case with the Insolvency Service.

**Julie Cooper** (Burnley) (Lab): I have constituents who are due to travel on their holidays in October—holidays provided by a third party, booked using Thomas Cook travel agency services—but who have found out this week that the final moneys have not been paid to the holiday provider and that there is going to be no holiday for them. Can the Secretary of State tell me what support will be available to people in that position?

**Grant Shapps**: Yes. That situation will depend on whether the holiday was in the end booked through an ATOL-protected scheme or not. From the hon. Lady’s description, it sounds like it may have been, but I suggest that she writes to me with the full details and I will ensure that the case is investigated.

**Douglas Chapman** (Dunfermline and West Fife) (SNP): In this House on 16 May, I raised the issue of the sustainability of Thomas Cook following a Brexit-related trading warning. The ministerial response at that point reeked of complacency on stilts. What discussions have taken place between the Government and Thomas Cook during this period, and what actions were agreed between the Government and Thomas Cook to avoid the company’s collapse?

**Grant Shapps**: The CAA holds a large part of the duty of ensuring the sustainability of an airline. In fact, it would have been responsible for renewing the airline’s licence at the beginning of October, so it was keeping a close eye on things. The Department will—latterly, as things got much more serious, particularly through the later profit warnings—have become increasingly involved. I was made aware at some point after I joined the Department of the difficulties that the company may have been in. Of course, everyone was hoping that the airline would be rescued, and there were very serious and full talks in place to rescue it. The problem for anyone commenting on such things is that they can precipitate exactly the thing they are trying to avoid.

**Hannah Bardell** (Livingston) (SNP): My constituent, Mr Boland, lost his wife Elizabeth last year in Cuba on a Thomas Cook holiday. It now turns out that the cause of death was wrong on the death certificate, and for the last year I have been trying to get Thomas Cook to investigate the issue properly and to give due compensation. In the past day, I have been told that the company will not investigate because it has gone under and that the case is closed. I am sorry, but this is not good enough for my constituent. Will the Secretary of State meet me to discuss the issue?

**Grant Shapps**: As the hon. Lady knows, I share her concerns. I do not want to abuse Mr Speaker’s counsel, so I refer the hon. Lady to my previous comments and will have the Insolvency Service look fully into the situation.

**Gavin Newlands** (Paisley and Renfrewshire North) (SNP): About 250 Thomas Cook staff based at Glasgow airport in my constituency, along with countless others in shops across Renfrewshire, have lost their livelihoods; my thoughts are very much with them. Can the Secretary of State agree that this shows just how broken our system is?
of State tell us whether, in taking his deeply disappointing decision not to intervene, he asked his Department and other Departments to calculate not only the cost of Operation Matterhorn itself, but the related costs, including out-of-work benefits, the loss of tax revenue to the Exchequer and the wider economic impact of the collapse?

Grant Shapps: As the hon. Gentleman will know, there are pretty strict rules involved in when the state can and cannot intervene in private businesses. If it intervened all the time, other much more successful businesses would be disadvantaged and those employments could be affected. As I mentioned briefly earlier, an accounting officer would not have signed off that kind of intervention because it simply would have represented a big problem for the state, and we almost certainly would have ended up having to repatriate people in any case, as we are today.

Jim McMahon (Oldham West and Royton) (Lab/Co-op): Three thousand people in Greater Manchester—the loyal workforce of Thomas Cook—are affected by this situation, and we are disgusted by the greediness of the directors and management of the company. The Secretary of State mentioned that the Turkish Government did not make an approach, and that the Spanish Government did but were too late. Why were the UK Government not proactive? Why did they not pick up the phone and make the call to those Governments?

Grant Shapps: Let me explain so that the House fully understands the situation. This is a private company that was getting on with trying to put together its own rescue deal, which—just to be clear—the British Government would absolutely want it to do. As I said before, why on earth would we want to lose a landmark British company? Of course, we would not want to do so. But it is for the directors of that business properly to organise for its rescue. Had any kind of substantial plan been put to us by the company, or by other interested parties or countries, we would have been very interested in it, but the truth is that no viable plan was put forward.

Chris Ruane ( Vale of Clwyd) (Lab): I thank the Minister for his answers to questions about Thomas Cook workers who work abroad, but they were a little bit woolly, so let me ask him specifically: can he give a cast-iron guarantee that not one of those workers will be left stranded abroad, and that each and every one of them will be paid in full for the hours that they have worked since the company was declared bankrupt?

Grant Shapps: I have tried to be as clear as I can about Thomas Cook workers abroad. I have asked the CAA to work on the matter urgently. Obviously the first priority is getting 150,000 people home. In terms of getting the employees home, we are obviously not going to leave people stranded. As regards pay, that is very tightly set out under legislation in an insolvency situation, and that is exactly what will be followed.

Mr Gavin Shuker (Luton South) (Ind): When Monarch collapsed in my constituency, we learned that many people with sector-specific skills, such as pilots, cabin crew and so on, could walk into a new job, but those who were lower-paid with less sector-specific skills really struggled. What is the Secretary of State doing on that particular issue? If his honest answer is that it had not occurred to him, will he look at it urgently?

Grant Shapps: It absolutely has occurred to us. There are 630 jobcentres and the Rapid Response Service, alongside the National Careers Service. They are already working with local partners in all the different areas to try to ensure, through the national employer partnership teams, that people get back into employment. I have already mentioned some of the other support to do with childcare and the tools needed when people are going for interviews. We absolutely stand behind that. I say to the hon. Gentleman and everyone in this House that, at a time of record employment and record low unemployment, I hope that people find that that support helps them into another job very quickly.

Mary Glindon (North Tyneside) (Lab): Given the importance of the rapid response teams, will the Secretary of State say what extra Government resources they are receiving so that they can fully support these unemployed workers?

Grant Shapps: Yes, I will.

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): I used to work for Thomas Cook and ABTA doing holiday protection, so I know that the ATOL scheme covers repatriation and also refunds. The Secretary of State has set out the repatriation costs. Will he set out how much the refunds cost is, because I understand that it is nearly £1 billion? Is that a figure he recognises?

Grant Shapps: I know that the hon. Gentleman has considerable expertise in these areas. The answer to his question is that £420 million is the projected cost of future bookings through the ATOL system, insured or through its funds.

Christian Matheson (City of Chester) (Lab): Over the weekend I was contacted by numerous constituents, most of whom work out of Manchester airport. The message that they were giving me was that trading could have continued, if not a bail-out but a £200 million line of credit guaranteed by the Government had been extended. Is that correct, and if so, why was it not extended?

Grant Shapps: We have this slightly strange situation where everyone is acknowledging how badly they think the company may have been run and expressing concern about the decisions that have been made and the directors, but at the same time saying, please bail out this failing—what people think is a failing—organisation. The simple answer is that if we thought that it was possible, we absolutely would have done something.

Justin Madders (Ellesmere Port and Neston) (Lab): My constituents who have lost their jobs are absolutely furious at the sight of directors waltzing off to Germany with their jobs intact, as I am sure the Secretary of State can understand. I hope that in due course the directors’ disqualification proceedings come in. In the meantime, people need the statutory payments due to them as soon as possible, so can he assure me that the Redundancy Payments Office is sufficiently well resourced?
Grant Shapps: Yes, I absolutely can. In fact, early indications are that the first payments will start flowing this Friday the 27th.

Several hon. Members rose—

Mr Speaker: I will take remaining questioners if they have a short sentence each, but if it is longer I am afraid I will have to cut it off.

Chris Stephens (Glasgow South West) (SNP): Going back to the question of the £250 million, will the Secretary of State confirm that that was for credit purposes—that it was effectively in order for Thomas Cook to be able to say to the bank that it had that reserve fund of £250 million?

Grant Shapps: Yes. The problem was that it was never apparent that there was a package to sit behind that that somebody putting money in would support—in other words, that it was not necessarily going to save the company even then.

Mike Amesbury (Weaver Vale) (Lab): Penny Jepson has lost her job after working for Thomas Cook for 16 years—one of 9,000 people. She is concerned about the inept response from the Government. It is costing an absolute fortune to repatriate people. Why not simply invest in this company via a bridging loan?

Grant Shapps: I know the hon. Gentleman has heard this answer before, but Governments are not about putting money in to save the company. The Government’s purpose in that loan was to ensure that the company was able to maintain a cash reserve in order to keep the company going, to make sure that outstanding wages are paid to them.

Grant Shapps: I certainly will. The hon. Gentleman’s question has helped to highlight the issue, and I will do my best to do the same.

Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): It would be helpful if the Secretary of State set out the cost to the taxpayer of Operation Matterhorn so far and what likelihood there is, realistically, of getting money back from individual people’s travel insurance.

Grant Shapps: Broadly speaking, we know that the previous Monarch operation was £50 million, and this issue is probably about twice the size, so that indicates a cost of some £100 million.

Patricia Gibson (North Ayrshire and Arran) (SNP): My constituents in Largs and Saltcoats will be keen to make sure that outstanding wages are paid to them.

What words of advice does the Secretary of State have for the other airlines that are clearly and ruthlessly profiteering on the back of this collapse?

Grant Shapps: There were some early examples of what looked like incredible surge pricing, and that is very unwelcome. We contacted the airlines through the CAA. Most of them have overridden that system, as I mentioned. Some of them are undercharging and others have lent their planes. I would therefore be interested to see any ongoing examples that I can ask the CAA to investigate.

Tulip Siddiq (Hampstead and Kilburn) (Lab): The EU package travel directive protects those who are travelling if their package holiday has been cancelled. Does the Secretary of State believe that we should be retaining this protection for future generations of travellers?

Grant Shapps: Yes, absolutely, or even enhancing it.

John McNally (Falkirk) (SNP): I would like to make the Secretary of State aware that one of my constituents has had three emails today wondering why he has cancelled his direct debit for his Thomas Cook holiday next year.

Grant Shapps: Again, I am very happy to look into any individual circumstances that the hon. Gentleman might write to me about.

Ruth George (High Peak) (Lab): There are many young, vulnerable travel reps stuck abroad. The Secretary of State’s statement that he is talking to the CAA about their position does not offer them much reassurance when they have no right to continue working in the EU after 31 October. What will he do to make sure that he can give them the assurances they need that their costs of coming home will be paid?

Grant Shapps: It is important not to worry unnecessarily worry people who are already in a very distressing situation. This will be done well before 31 October, given that we are not even into October yet and this operation is going to run for another 12 days, plus time to bring people home. The two issues are not connected. I absolutely want to reassure anyone working for Thomas Cook, “We absolutely are with you.”

Martin Docherty-Hughes (West Dunbartonshire) (SNP): The Secretary of State has sought to assure my constituents in the Vale of Leven and in Clydebank, and in offices across the UK, that their pensions are fine and that employment opportunities are available for the future. Nevertheless, can he take a step forward and also assure them that if they need to claim universal credit they will not need to wait six weeks for it; and more specifically, for those abroad who are UK nationals, that Thomas Cook has paid their national insurance contributions, allowing them to claim social security when they return home?

Grant Shapps: As I said, the pension set-up is very clearly described through the usual channels. It depends on whether somebody is retired, what stage they are at and so on. With regard to universal credit, if people go in for it now, they can get an advance payment on it.
Ian Murray (Edinburgh South) (Lab): What discussions has the Secretary of State had with the travel insurance sector to ensure that individual claims can be put in easily and no obstacles will be put in the way of settling those claims?

Grant Shapps: We will absolutely put every pressure on to make sure that these claims are settled as quickly as possible. Along with my right hon. Friend the Business Secretary, we are on the case.

Alison Thewliss (Glasgow Central) (SNP): I appreciate what the Secretary of State has said about employment opportunities, but my constituent, a Thomas Cook employee of 17 years, is pregnant and worried about her prospects for future employment. Is there anything specific he can say to assist my constituent at this time?

Grant Shapps: As I say, I am very heartened by the fact that we live in a time of high employment levels that will give the hon. Lady’s constituent the very best opportunity. Also, the sort of bespoke arrangements being made through Jobcentre Plus should enable her constituent—I would be grateful to the hon. Lady for keeping me posted on the case—to find herself in new work. I would be very happy to follow up the case with the hon. Lady.

Brendan O’Hara (Argyll and Bute) (SNP): Can Thomas Cook employees, including those in my constituency—particularly, in the towns of Dunoon and Helensburgh—be assured that there is absolutely nothing more the Secretary of State could have done to help? If he was given the chance again, would he follow exactly the same path as he has done?

Antoinette Sandbach (Eddisbury) (Ind): On a point of order, Mr Speaker.

Mr Speaker: Is it a continuation of the exchanges?

Antoinette Sandbach: No.

Mr Speaker: Does it appertain to what has just been said?

Antoinette Sandbach: It does.

Mr Speaker: Very well.

Antoinette Sandbach: At the start of this session, the Secretary of State gave the impression that primary legislation could not be introduced in this House without a further Prorogation of Parliament and a Queen’s Speech. I seek your guidance on whether that is, in fact, the correct position.

Mr Speaker: In procedural terms, there is no bar to the introduction of primary legislation in the course of the current Session, if the Government are minded to schedule it. I think, to be fair to the Minister, what he was probably driving at is that the Government have to take a holistic view of a wide range of potential legislative options, and that the best or most propitious time for considering the inclusion of a new measure might be in the context of the Gracious Speech. I am sure that that is what the Secretary of State meant to say, and as he did not quite get round to saying it, I know that he will be inordinately and probably permanently grateful to me for saying it on his behalf. We will leave it there for now.
Brexit Readiness: Operation Yellowhammer

3.20 pm

The Chancellor of the Duchy of Lancaster (Michael Gove): With your permission, Mr Speaker, I would like to make a statement on our preparations to leave the European Union and the steps that we are taking to be ready for every eventuality.

Some 17.4 million people voted in the referendum in June 2016 to leave the European Union—more than have ever voted for any proposition in the history of our democracy—and this Government are committed to honouring that verdict. The Government are determined to secure a good deal with our EU partners. Negotiations have been led by the Prime Minister, the Brexit Secretary and the Foreign Secretary, and those negotiations have seen significant movement over recent weeks. Until recently, the EU has maintained that the withdrawal agreement was sacrosanct, but now it has acknowledged that it can be changed. Up until this point, the European Union has also said that the backstop was inviolable, but again, European leaders have said that they are not emotionally attached to the backstop and that there are other ways of ensuring that we can safeguard the gains of the Good Friday/Belfast agreement and also ensure smooth trade flows across the island of Ireland.

I want to commend the Prime Minister and his colleagues for the progress that has been made in those negotiations, and I hope that everyone in the House will agree that it is better for all of us if we can leave the EU with a withdrawal agreement in place, but Government need to be prepared for every eventuality. Since the PM took office, he has created a new Cabinet structure to ensure that, across Government, we take all the steps necessary to prepare for exit. A new Cabinet Committee—XO—has met 48 times and brought greater focus and urgency to our preparations. Our top economic priority is to ensure that we can maintain a smooth and efficient flow of goods and people from the UK into the EU and vice versa. We need to make sure that businesses are ready for changed circumstances and new customs requirements. There are, of course, some goods that require not just customs checks but other procedures—particularly food and products of animal origin—and we have been working with the Department for Environment, Food and Rural Affairs and the relevant sectors to ensure that those businesses are ready.

We take very seriously our responsibility to ensure that the rights of millions of EU citizens in this country are protected, and we are working with our European partners to ensure that UK nationals in EU nations also have their rights safeguarded. The XO Committee has also taken steps to safeguard and enhance national security and the operation of our criminal justice system, to enhance the free flow of personal data across borders, to ensure that we can support the devolved Administrations in their work and, in particular, to support the Northern Ireland civil service in its vital work.

With your permission, Mr Speaker, I would like to go into a little more detail about how we can facilitate the free flow of goods across borders, and it is in that context that I would like to explain the role of Project Yellowhammer in the Government’s planning. If the UK leaves the European Union without a withdrawal agreement, we will be a third country, subject to the EU’s common external tariff and trading on World Trade Organisation terms, and exports will be subject to new customs and sanitary and phytosanitary checks. These are unarguable facts, they pose specific challenges, and they constitute the base scenario with which we all have to work.

The Government’s Civil Contingencies Secretariat has used these facts to develop a reasonable worst-case scenario of what might happen, including in cases where appropriate mitigations are not put in place and readiness measures are not implemented. That reasonable worst-case scenario and the steps required to mitigate it are the work undertaken under the name Operation Yellowhammer. As the National Audit Office reported in March, work on Operation Yellowhammer has been going on since June 2018. The NAO made it clear that “Departments are working on the basis of a reasonable worst case scenario.”

Many of the challenges that Operation Yellowhammer identifies relate specifically to flow at the border. It contains careful estimates of how flow might be affected through a range of factors, including if steps are not taken to help businesses to be ready. That is why this Government have taken significant steps to ensure that businesses are ready. Specifically, we know that in adjusting to this new situation, businesses require support to deal with those new customs procedures, and Her Majesty’s Revenue and Customs has acted to support traders. Importers will have access to transitional simplified procedures, which ensure that businesses have time to adjust to new duties. Businesses exporting to the European Union will need a specific economic operator registration and identification number from HMRC, and HMRC has already allocated EORI numbers to 88,000 VAT-registered businesses that currently trade with the EU and not beyond it.

We have introduced postponed accounting for import VAT and negotiated access to the common transit convention, so that both imported and exported goods can continue to flow across international borders without the payment of any duties until they reach their final destination. We have established new transit sites in Kent and Essex, to ensure that trucks can flow freely, carrying goods into France and beyond to the wider EU. We are also providing tailored information to hauliers and businesses through a range of sites across the country, to ensure the greatest level of readiness. We have funded business representative organisations to share information with enterprises large and small, and they are preparing for exit. We have also worked with the authorities in both Dover and Calais to smooth trade, and I want to take this opportunity to thank the French authorities for the work they have done to ensure the operation of a smart border at Calais, so that compliant consignments should experience no delay.

The steps we have taken are designed to ensure that businesses are ready for exit without a deal on 31 October, but these steps will in any case be necessary for life outside the single market and the customs union when we secure a new free trade agreement with the EU. Thanks to work undertaken under the previous Government, and accelerated under this Administration, many businesses are already well prepared. For any business that is in any doubt about what is required, the Department for Business, Energy and Industrial Strategy...
is conducting roadshows and visiting businesses in their premises, and gov.uk/brexit provides all the information required.

As I mentioned, there are specific additional requirements for those who are exporting food and products of animal origin, with sanitary and phytosanitary checks. Traders will require export health certificates for food and catch certificates for fish. Hundreds of vets have now been trained to issue those certificates and additional personnel certified to support them. Again, the French authorities have taken steps to ensure the smooth flow of critical produce. They have specifically created a new border inspection post at Boulogne-sur-Mer to ensure that fish and shellfish products can be caught in the UK today and be on sale in the European Union tomorrow.

Of course, as well as making sure that commerce flows, we must safeguard the rights of individuals. That is why this Government have provided the most comprehensive and generous offer to EU citizens in this country, in order to guarantee their rights. It is already the case that under the EU settlement scheme, more than 1 million people have been granted status, and the Home Office is helping thousands of new applicants every day. If any Member of Parliament finds that any of their constituents are having difficulties with that process, I would welcome their getting in touch directly with me and the Home Secretary.

In the same way, we have taken steps to secure the rights of UK nationals in the EU, including access to healthcare after exit, and we will continue to work with our partners in member states to provide further protection for UK nationals. It is important that UK citizens in those countries register with the appropriate authorities. On gov.uk/brexit details are outlined, member state by member state, to enable every citizen to have the rights they deserve.

Also this month, the Government committed to increasing the UK state pension, which is paid to nearly half a million people living in the EU every year, for three years after a no-deal exit. Previously the commitment was solely for the financial year 2019-20. As well as making sure that UK nationals in the EU, and EU citizens in the UK, have their rights protected, we want to make sure that UK citizens can continue to travel in the EU without impediment. That is why UK nationals will have visa-free travel into the EU. We are also talking to member states to understand how people who provide professional services can continue to do so, member state by member state.

On security, it is vital to ensure, as we leave the EU, that we have the right approach to safeguarding citizens. That is why we have been talking to the EU about making sure we continue to have access to law enforcement and national security instruments. It is also important to recognise that, as we leave the EU, new tools will be available to ensure that we can better deal with people trafficking, smuggling and other criminal activity.

On the situation in Northern Ireland, the Government are absolutely committed to the Good Friday/Belfast agreement, absolutely determined to ensure there will be no infrastructure at the border and absolutely determined to uphold the functioning of the all-Ireland economy. That is why we will have no checks at the border and no tariffs. We wait to see what Ireland and the EU Commission will decide, but we stand ready to work with them to help to safeguard commerce and rights across the island of Ireland.

I do not shirk from the fact that leaving the EU without a deal provides economic challenges, but it is also provides economic opportunities. There is the opportunity to secure new trade deals and become a strong voice for free trade at the WTO; the opportunity to develop new technologies that will help feed the world and enhance the environment; the opportunity to over haul Government procurement to better support growing British businesses; the opportunity to introduce a fairer, more efficient and more humane immigration system; the opportunity to deal more effectively with cross-border crime; the opportunity to invest more flexibly and generously to support overlooked communities; and the opportunity to strengthen our democratic institutions.

The British people gave us a clear instruction to leave the EU. This House now has a clear choice. Do we honour that instruction, or do we continue to delay and seek to frustrate the British people's vote? The Government are clear that we must honour that decision. I commend this statement to the House.

3.31 pm

Keir Starmer (Holborn and St Pancras) (Lab): I thank the Chancellor of the Duchy of Lancaster for an advance copy of his statement. Let us get to the detail and test what he says.

First, the right hon. Gentleman says that the negotiations have seen significant movement over recent weeks. Will he confirm that three papers were submitted to the EU last week and one was submitted today, but they are what the EU called non-papers, because they are for discussion and do not commit the member state to the policy outlined in them, and at the moment they are being kept secret from the EU27? What is the thrust or gist of those papers? If we are to assess the likelihood of success in negotiations, we need to know.

Secondly, may I challenge the right hon. Gentleman's statement that many businesses are already well prepared for no deal? At 3 o'clock last Wednesday, I sat round a table with the leaders of pretty well all the business sectors, and the one message they wanted to get across was how concerned they were that businesses were not prepared for a no-deal Brexit. I do not believe those businesses are saying one thing to me and another thing to the Government. Will he therefore clarify what he meant?

The statement significantly and studiously avoids giving any detail of the scenario that we are told the Government's civil contingencies secretariat has drawn up. On 9 September, just before we were shut down, an order was made that all the documents prepared within Her Majesty's Government since 23 July relating to Operation Yellowhammer and submitted to Cabinet or a Cabinet Committee should be laid before the House by 11 o'clock on 11 September. The Government are spending a lot of money telling businesses and the country to get ready, and they want to know what they are to get ready for. They need to know what could happen so that they can prepare. On 11 September, the Chancellor of the Duchy of Lancaster wrote to the Chair of the Brexit Select Committee,

I thought it would be helpful to publish the Operation Yellowhammer document based on assumptions drawn up by the last Government:“
I have that document in my hand; it was the only document disclosed. He went on to say,

It is...my intention...to publish revised assumptions in due course".

Nothing else has been produced.

The document disclosed to the Chair of the Select Committee is dated 2 August. Will the Chancellor of the Duchy of Lancaster explain how it is a document of the last Government, not this one? As he knows, it was leaked pretty well in full to The Sunday Times. Just so that the Chancellor of the Duchy of Lancaster does not try to avoid this by saying that he will not comment on leaked documents, I understand that it also went to the Welsh Government. In response to that leak, the Chancellor of the Duchy of Lancaster said on the Marr show on 1 September that the document

"predated the creation of this new government"

and that its predictions were the “worst possible eventuality.”

The impression he was trying to create was that it is an old document and a worst-case scenario. [Interruption.] Thank you—that is exactly the point I want to come on to: the Chancellor of the Duchy of Lancaster went on to say that it is “constantly updated”. Given that the document is dated 2 August, was it produced for this Government, the last Government or both? If it was for the last Government, have this Government produced any documents of their own since 23 July relating to Operation Yellowhammer? It is no good saying, “We are going to produce them.” This Government have been in place for nine weeks, and there are only five weeks and two days to go until 31 October.

If it is an old document and it was produced for the last Government, why did somebody change the title after the leak to The Sunday Times? It used to be branded the “base scenario”. Somebody got hold of an old, apparently irrelevant document and changed the title, so it is now called, “HMG Reasonable Worst Case Planning Assumptions”. Why was it changed if it is out of date and an old document? Who did it?

Will the Chancellor of the Duchy of Lancaster confirm that the rebranded document has 20 substantive paragraphs, each word for word the same as those in the document that the rebranded document has 20 substantive paragraphs, of date and an old document? Who did it?

[Keir Starmer]

"The agri-food sector will be the hardest hit... Disruption to key sectors and job losses are likely to result in protests and direct action with road blockages. Price and other differentials are likely to lead to the growth of the illegitimate economy.”

It also mentions severe disruption at the border. The document itself concludes that the pressure will be such—[Interruption] Northern Ireland happens to be extremely important to many people in this House. [Interruption.] We are here to scrutinise the Government; let us get on with it. This document indicates that the Government’s proposed model will come under such pressure that it is unlikely to survive for more than a few days or weeks. The Government’s preferred model for Northern Ireland is unlikely, according to their own assessment, to survive for more than a few days or weeks. A model that will not last more than a week is not a plan. There must be an update. Where is it?

Has the Chancellor of the Duchy of Lancaster received any representations from the energy sector about the impact on oil and gas supplies to the UK in the event of no deal?

Anyone watching today’s proceedings and still thinking that somewhere lurks a clever and cunning plan to get through the chaos of the Government’s making needs to think again. The Government have lost six out of six votes in Parliament and the Prime Minister has lost his majority and his case in the Supreme Court. The Chancellor of the Duchy of Lancaster said on the radio this morning that the Prime Minister is a born winner. I am glad that he has not lost his sense of humour. However, this is not a game, and for the Government to be five weeks away from leaving the EU without a plan is unforgivable.

Michael Gove: I welcome the shadow Brexit Secretary back from Brighton and to the House of Commons. One thing about the House of Commons is that, whether we lose or win votes, at least they are recorded accurately.

The right hon. and learned Gentleman repeated on several occasions that he believed in constant updates. What a pity he did not update his list of questions in the light of the points that I made in my statement. What a pity he relied on a list that he had drafted many hours earlier.

On the first point, which was about negotiations, there have been detailed negotiations with the European Commission and EU member states. The Commission briefs the EU27 on those negotiations. As a result of those briefings and conversations, we have made the progress that I charted earlier. I hoped that the right hon. and learned Gentleman would have been generous enough to acknowledge that the withdrawal agreement is now in play and the backstop can be replaced by alternative arrangements.

The shadow Brexit Secretary asked about business readiness. He said that he met some business organisations and they kept him up until 3 o’clock in the morning with a single message. I imagine that it was, “Whatever you do, please replace your leader.” [Interruption.] I will treat the right hon. and learned Gentleman’s comments with the seriousness they deserve. The automotive sector, which I met earlier this week, confirmed that it was ready. The retail sector has confirmed that it is ready. Ninety per cent. of the companies measured by value that trade with the EU also trade with countries outside the EU and they are in a position to be ready.

The right hon. and learned Gentleman asked about the Operation Yellowhammer document, but he seemed to miss the point that the National Audit Office appreciated earlier this year and that has entirely passed him by,
Operation Yellowhammer is a reasonable worst case scenario. The Government have taken and are taking steps to mitigate it and the XO Committee has authorised more than 300 actions since we started meeting in August to mitigate the consequences. We will update the House on all the steps that we have taken, many of which are listed in my statement and none of which the right hon. and learned Gentleman asked about, from transitional simplified procedures to the application of EORI numbers. The shadow Brexit Secretary asked not a single question about all the things that business needs to get ready. His pretensions to speak for business are exposed as a hollow sham.

The right hon. and learned Gentleman talked about clever and cunning plans. I suppose he was thinking about the Labour party’s position on Brexit. In February 2017, he said that “politically the notion that the referendum was merely a consultation exercise... holds no water... we in... Labour... have to accept the result. —[Official Report, 31 January 2017; Vol. 620, c. 823.] Now, in some sort of political equivalent of VAR, he wants to annul that result. Now Labour’s policy is to delay Brexit further, seek an extension of indefinite duration, renegotiate a new deal, then put it to the country in a new referendum, with the deputy leader saying, “Vote remain”, many Back Benchers saying, “Vote leave” and the Labour leader undecided. Labour’s position on Brexit is as solid as a blancmange in a hurricane and as coherent as an apology from Vicky Pollard.

Mr Iain Duncan Smith (Chingford and Woodford Green) (Con): When my right hon. Friend refers to Operation Yellowhammer as a document that was introduced by the previous Administration but is being read and updated by the current Administration, does he also recognise that its purpose was to advise the Government of what more they needed to do to be ready? It was not meant to be an assistant to the Opposition spokesperson. The First Minister of Scotland has confirmed that the document—the very same document—given to the Scottish Government was referred to as a “base scenario”, yet several days later, when it is published, it is referred to as a “worst-case scenario”. That is an attempt to suggest that there are of course much better scenarios and there is nothing to see and no need to worry.

I ask again, and I do not want a joke in response: who made the decision to change that title and why? There are other things throughout the document that show the degree of sugar feeding as well, but probably one of the most bizarre things that the Chancellor of the Duchy of Lancaster has just said—he said it just a few moments ago—is that UK citizens would have visa-free travel throughout the EU in the event of a no deal. That is just rubbish. That is nonsense. The very fact of a no deal means that there will not be that—that is what no deal means. This is either an exercise in self-delusion or a wilful attempt to mislead the House, but it is most certainly not the truth. We ought to be hearing the truth.

This is my principal question for the Chancellor of the Duchy of Lancaster. Surely the time has now come to assess whether it is realistically possible to get a deal to leave the European Union on 31 October. The House has considered this question and come to a judgment that it probably would not be possible, and that therefore it is necessary for the Government to apply for an extension of the process. Will he accept that mandate from this Parliament? Will he act as a member of this Government to make sure that it is implemented, or will he continue to flout the will of the House and proceed with preparations for a situation that is now frankly unlawful according to the law of the land? This is what I want to know: will he commit to discharging the mandate given to him, will he follow the law of the land, and will he confirm to the House whether he has had discussions with the Prime Minister about doing anything other than that?

Michael Gove: I am very grateful to the hon. Gentleman for his questions, and may I also say that I am grateful to the Supreme Court for the clarity of its judgment. I am also grateful to the hon. Gentleman’s colleagues in the Scottish Government for the extensive work they have done along with colleagues from the other devolved Administrations to help us prepare for a no-deal exit. Only yesterday, I was chairing a committee meeting at which the Scottish Cabinet Secretary responsible for agriculture and rural affairs was, along with other Ministers from the devolved Administrations, actively taking steps to ensure that his constituents were actively ready to prepare for a no-deal Brexit. It is only right that we should record our thanks to the civil servants of the devolved Administrations for that work, too.

I do not shirk the fact that there are serious challenges. We are all aware of them, and we would all much prefer to leave with a deal. The hon. Gentleman asked what preparations are being made to secure a deal. I listed some of the advances that have been made in negotiations earlier, but one thing that I would say is that we have
had a chance in this House of Commons to vote for deals before, and it was the choice of his party resolutely not to vote for a deal. We could have—[Interruption.]

Mr Speaker: The right hon. Gentleman should plough on.

Michael Gove: We could have had a withdrawal agreement if only Scottish National party Members had been as good as their word and put the interests of Scotland ahead of narrow sectarian, secessionist and separatist arguments.

The hon. Member also asked about the Yellowhammer document. As I mentioned earlier, the NAO confirmed earlier this year that it was a reasonable worst-case scenario, and it is one that, as I mentioned in response to both the right hon. and learned Member for Holborn and St Pancras (Keir Starmer) and my right hon. Friend the Member for Chingford and Woodford Green (Mr Duncan Smith), we have taken steps to mitigate. Those steps, many of which have been taken in co-ordination with devolved Administrations, extend to everything from the provision of infrastructure to ensure catch certificates for the Scottish fishing industry to the licensing of new people to ensure export health certificates for other areas of agriculture.

Finally, the hon. Member made a point about lawfulness. It is vital that we all uphold the law in this House of Commons, but it is also important that we recognise that we passed a Bill in order to create a referendum in Commons, but it is also important that we recognise that the people’s verdict would be respected. Our democracy depends not just on respect for the rule of law but on respect for the people’s verdict.

Damian Green (Ashford) (Con): I thank my right hon. Friend for the information he shared with me and other Kent MPs earlier this week about the accelerating preparations for ensuring that freight traffic approaching the port of Dover can run smoothly. I am sure he agrees why we are contacting traders in the UK who use those short strait come from EU countries, which is why we have published guidance in more than 10 EU languages, and why we are contacting traders in the UK who use those hauliers to make sure they are ready. Steps are also being taken to ensure that the traffic management in Kent under the aegis of the Kent resilience forum is as effective as possible. That said, further steps do need to be taken, and I hope to update him and the House as they are taken.

Tom Brake (Carshalton and Wallington) (LD): How will the British people be safer than ever before if we lose access to EU crime-fighting databases in a no-deal scenario?

Michael Gove: Because Border Force will have considerable new powers to intercept people smugglers, human traffickers and those dealing in organised crime.

Sir David Lidington (Aylesbury) (Con): How well the haulage industry across Europe is responding it takes place. Can he give the House his assessment of the key indicators of smooth planning for Brexit, however it takes place. Can he give the House his assessment of how well the haulage industry across Europe is responding to the British Government’s information about the paperwork necessary to make sure that the short strait crossing in the channel works as efficiently as possible after Brexit?

Michael Gove: It was a pleasure to meet my right hon. Friend and other Kent MPs earlier this week. More than 80% of the hauliers who ply their trade through the short strait come from EU countries, which is why we have created offices in those EU countries to provide hauliers and traders with information, why we have published guidance in more than 10 EU languages, and why we are contacting traders in the UK who use those hauliers to make sure they are ready. Steps are also being taken to ensure that the traffic management in Kent under the aegis of the Kent resilience forum is as effective as possible. That said, further steps do need to be taken, and I hope to update him and the House as they are taken.

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is a reasonable worst-case scenario. The scenarios that it outlines are those that would happen if no mitigation steps were taken. However, he is right to say that Northern Ireland businesses would face specific challenges in the event of a no-deal exit as a result of having to face a common external tariff. Indeed, agri-food businesses across the UK would face those challenges. There are steps that we can take—economic interventions and others—to help those businesses, and it is important that we do so. It is also important that we continue our conversations with the European Commission and the Irish Government about making sure that the position of businesses and individuals in Northern Ireland is safeguarded.

The right hon. Gentleman made a broader point about no deal. A deal is preferable, which is why I hope that he will vote for one in the future, having not been able to do so in the past.

**Sarah Newton** (Truro and Falmouth) (Con): I very much agree with the Chancellor of the Duchy of Lancaster that it is essential for us to agree a deal with the EU, but while we are making those preparations for a no-deal Brexit, can he assure the leaders of the NHS in Cornwall that his plans will include social care services alongside NHS services, because they too are so essential?

**Michael Gove** (Normanton, Pontefract and Castleford) (Lab): The Chancellor of the Duchy of Lancaster has just claimed that Border Force will have new powers to carry out checks and that that will make us safer, but can he confirm that under no deal it will no longer have most of the information that it needs to carry out those checks, because it will lose access to the SIS II database, which contains more than 70 million pieces of criminal information, whereas the replacement Interpol database has only several hundred thousand?

**Michael Gove** (Wokingham) (Con): Can my right hon. Friend confirm that in the case of our current borders with the EU—our currency borders, VAT borders, excise borders—all the calculations and payments that those require take place away from the border; and so will not customs also be handled electronically, away from the border, not leading to queues?

**John Redwood** (Wokingham) (Con): Can my right hon. Friend confirm that in the case of our current borders with the EU—the currency borders, VAT borders, excise borders—all the calculations and payments that those take place away from the border; and so customs will not be handled electronically, away from the border, not leading to queues?

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**Sa mi Wilson** (East Antrim) (DUP): The Irish Government have made it clear that they intend to impose full tariffs on goods coming from Northern Ireland into the Irish Republic, yet without border checks. If that is the case, why is the Minister insisting that no taxes will be imposed on goods coming from the Irish Republic into Northern Ireland? Does he not recognise that, first, that places businesses in Northern Ireland at an unfair disadvantage; that it will lead to a loss of tax revenue; that it will make Northern Ireland a back door to GB; and lastly, that it will put no pressure at all on the Irish Government, who have adopted an intransigent position in these negotiations?

**Michael Gove** (Wokingham) (Con): Can my right hon. Friend of course make a very strong case for a particular approach, but we believe that the approach we are taking is in the interests of the people of Northern Ireland; and of course what will be in the interests of everyone—including the people of Northern Ireland—is for us to secure a deal, so that these mitigations are not required.

**Sir Edward Leigh** (Gainsborough) (Con): I suspect that my constituents in Gainsborough, who voted 62% to 38% for Brexit, are just fed up with this process carrying on—unless they enjoy root canal treatment every other day—so they are not fussed about what deal we get. They would take any deal—they just want the House to compromise, come together and get a deal. But they tell me that if we cannot get a deal, we have to leave on 31 October. I want an absolute commitment from this Secretary of State at the Dispatch Box that, no matter what, we are leaving on 31 October; otherwise, this Government are dead in the water.

**Michael Gove** (Wokingham) (Con): I thank my right hon. Friend for his point. He speaks very effectively and clearly for the people of his constituency, I can confirm that that is Government policy. May I also say that the way in which he shaped his question, in a balanced, thoughtful and reasonable way, recommends him as a successor for your office, Mr Speaker?

**Liz Kendall** (Leicester West) (Lab): Can the Minister confirm that according to the Government the food sector, which employs around 12,000 people across Leicester and Leicestershire, will be hardest hit by no deal,
and that people on low incomes will be disproportionately affected by any rises in food prices? Have the Government done any planning on how on earth we are going to support the thousands of food banks in this country, which tell me they are desperately worried that no deal will threaten the supply of surplus food that we, tragically, now depend on to feed the poor?

Michael Gove: The hon. Lady raises three important points. The first is whether the food or agri-food sector, in the event of a no-deal scenario, is likely to be the worst affected. It is certainly the case that our agri-food exporters will face the highest tariffs if we leave without a deal, and in this job and my previous job, when at the Dispatch Box, I have not shied away from the consequences. There are risks and challenges; that is why DEFRA has taken steps in order to be able to mitigate those risks and challenges.

The hon. Lady asks about the impact on the vulnerable of a rise in prices. It may well be that some food commodity prices rise; others are likely to fall overall. She makes the point about food banks. It is vital that we support those who work with food banks, but I have seen no evidence or indication so far—I am very happy to support those who work with food banks, but I have seen no evidence or indication so far—I am very happy to talk to the hon. Lady—that the supply of food to food banks would be affected in any scenario, deal or no deal.

Mr Dominic Grieve (Beaconsfield) (Ind): I always enjoy listening to my right hon. Friend, but I am always slightly conscious when he moves from answering questions to displacement activity. Can we go back to the issue of base case and worst case? Quite specifically, when were the words “base case” changed to “worst case”—the precise date, please, and who authorised the change? When was it done? That is the first question, because I think the House needs to be able to understand why that decision was made.

The second issue concerns the Schengen database. I am fascinated to hear about these measures of mitigation: I am familiar with the database in my role as Chair of the Intelligence and Security Committee. This is undoubtedly a key piece of data for the security of the United Kingdom. What exactly are the mitigations that my right hon. Friend is talking about that will be an adequate substitute for the loss of access to this database on a no-deal Brexit?

Michael Gove: It is always a pleasure to hear from my right hon. and learned Friend. In my statement, I drew a distinction between the base scenario, which involves those unarguable facts that we can all agree in this House will be the consequence of a no-deal exit, and a reasonable worst-case scenario. Operation Yellowhammer uses those base facts to draw up what a reasonable worst-case scenario might be. That is the distinction between them.

With respect to the Schengen information system, I would say, in fairness to my right hon. and learned Friend, that that is not the only law enforcement or national security tool that we will lose access to in a no-deal Brexit. There are others as well, but I have had an opportunity to talk to people who are involved in the provision of our national security, and I recognise that there are appropriate steps that we can take.

Anna Soubry (Broxtowe) (IGC): I am going to remind the Minister that he has yet again not answered the question about when the name on the Yellowhammer document was changed and by whom, so I would like to ask him that as well. Please will he answer the questions that he did not answer from the right hon. and learned Member for Beaconsfield (Mr Grieve) and from the shadow Brexit Secretary, the right hon. and learned Member for Holborn and St Pancras (Keir Starmer)? Could he also confirm the existence of Operation Kingfisher and Operation Snow Bunting? There is a bird theme in all this. I do not know whether there is also an operation dodo, covering his plans for a no-deal Brexit, or an operation ostrich, involving the communal sticking of heads in the sand as the realities of no deal dawn—or, indeed, an operation blue tit, upon which I will make no comment. My final question is this: does Operation Yellowhammer still exist, or has it also had its name changed? If he could answer those specific questions, we would all be very grateful.

Michael Gove: I am grateful for that ornithological outing from my right hon. Friend. The first thing to say is that Operation Yellowhammer absolutely does exist. It is the reasonable worst-case scenario, and the planning assumptions, as the National Audit Office has outlined, are those which we seek to, and have taken steps to, mitigate. She also referred to Operation Kingfisher, which is the programme led by the Treasury and the Department for Business, Energy and Industrial Strategy in order to ensure that we can intervene as appropriate in particular sectors in the event of no deal. I am afraid that there is no operation dodo, although I can well understand why the Independent Group for Change would be interested in such an exercise.

Justine Greening (Putney) (Ind): Taxpayers are funding the £100 million Get Ready for Brexit publicity campaign, but the reality is that they do not actually know what Brexit is going to mean. It is difficult for them when the two prime scenarios we are faced with are no deal and a negotiated deal. On no deal, as we have just heard, there are no real details that the Government are prepared to divulge on Operation Yellowhammer. In relation to a negotiated deal, our Government have given papers to the European Union to negotiate a settlement that the British people will have to live with, even though the British people themselves are not being allowed to see what is being negotiated on their behalf. My question to the Chancellor of the Duchy of Lancaster is: what is the problem? Is there some need for secrecy? If there is, he should explain it, but I do not think the British people want to have a secret Government. They want openness. Or is it a fact that there simply is no plan for no deal and that there is not really a plan for getting a deal? If that is the case, we ought to know about that, too.

Michael Gove: I am grateful to my right hon. Friend for the points she makes. With respect to the preparations for no deal, I listed some of them in my statement. I would welcome any Member of this House who would like to visit the Cabinet Office and the Department for Exiting the European Union to be taken through the extensive preparations that we are taking. As I mentioned earlier, there are a number of simple transitional simplified procedures and the allocation of EORI—economic operators registration and identification—numbers to the traffic management steps that we are
taking in Kent, and indeed the information that exists on gov.uk/brexit, there is plenty of information that enables businesses to prepare for no deal. And, as I mentioned in my statement, that preparation will not be wasted in the case of a deal, because we are securing—well, we are seeking to secure—a free trade agreement with the European Union. With respect to negotiations, the Prime Minister, the Brexit Secretary, the Foreign Secretary and I have been clear: we are seeking to replace the backstop with alternative arrangements on the island of Ireland, and in any withdrawal agreement we want to guarantee the rights of EU citizens and move towards a future economic partnership that is based on a best-in-class free trade agreement.

Owen Smith (Pontypridd) (Lab): In the Minister’s statement, he rightly praised the work of the PSNI in Northern Ireland. He will know that the new Chief Constable of Northern Ireland warned just a week ago that any deployment by the PSNI to monitor checkpoints or cameras at or near the border would risk his officers being killed by dissident republicans. Can the Minister offer a guarantee to the people of Northern Ireland that that will never happen, that those officers will not be asked to patrol a hard border and that he will not be putting their lives at risk?

Michael Gove: I thank the hon. Gentleman because he gives me an opportunity once again to record my thanks to the Police Service of Northern Ireland—a brave group of men and women who do so much to keep not just the people of Northern Ireland but the people of the whole of the United Kingdom safe. We have absolutely no intention of erecting infrastructure at or near the border that would require the PSNI to place its officers at risk. Moreover, I want to underline the point that the threat from dissident republicans remains, whatever future relationship we have with the European Union. It is important that we all remain vigilant and support the PSNI in its valuable work against those who would seek to disrupt the peace process.

Sir David Evennett (Bexleyheath and Crayford) (Con): I welcome my right hon. Friend’s statement. Will he update the House on the advice and funding that are available to ensure that businesses, particularly small and medium-sized businesses, are ready for Brexit on 31 October?

Michael Gove: My right hon. Friend the Chancellor of the Exchequer has significantly increased the amount of money available. He has tripled the amount of money available specifically to ensure that customs agents are trained. Money has also been supplied to business representative organisations to ensure that the information that it is necessary should be ready is widely available, in particular to SMEs, which are the backbone of our economy.

Kate Green (Stretford and Urmston) (Lab): May I return to the concerns about lack of access to the Schengen information system and the 70 million pieces of data it contains, compared with other databases that contain very much less data? Will the Chancellor of the Duchy of Lancaster guarantee that there will be in particular no vulnerable child who may be missing, abducted or at risk of criminal exploitation, will be put in any danger by the loss of access to that system?

Michael Gove: The hon. Lady makes a very good point. We have talked to the EU because it is in the collective interests of the UK and the EU to make sure that law enforcement and national security instruments which work to the benefit of both of us are shared. That is what we seek to do.

David Duguid (Banff and Buchan) (Con): I welcome my right hon. Friend’s comments in his statement on the provision of training and resources for the production of catch certificates for seafood. I presume that he is talking from the point of view of DEFRA and England, because the devolved Administration in Scotland, through Marine Scotland, are responsible for catch certificates in Scotland. What assurance has he received from the Scottish Government that adequate resources and training have been and will be provided to allow all catch certificates to be in place in time for 31 October?

Michael Gove: I know how effectively my hon. Friend stands up for the fishing sector—the catching sector and the processing sector. I have been talking to the Scottish Government and the relevant Cabinet Secretary, Fergus Ewing, to ensure that we do everything we can. We want to remain closely in touch not just with the Scottish Government but with good constituency Members like my hon. Friend and local authorities to ensure that the resources are there. Of course, if specific concerns have been expressed by Aberdeenshire as a local authority or by individual businesses, I hope he will bring them to my attention.

Tim Farron (Westmorland and Lonsdale) (LD): The chief executive of the Dale Farm dairy co-operative, who speaks for 1,300 dairy farmers across the United Kingdom, says that leaving the European Union without a deal would “wipe out” all profitability in the dairy sector. Cumbrian dairy farmers know that too, yet there is not a single explicit mention of the dairy industry in the Yellowhammer document. Is that because the truth of how badly hit dairy farming in Cumbria and elsewhere will be is so serious that it is not even written down, or is it that the Government have overlooked the interests and needs of Britain’s dairy industry?

Michael Gove: No and no.

Alberto Costa (South Leicestershire) (Con): On Monday there was a welcome announcement by the Department of Health and Social Care that, for up to six months, certain British citizens living in the EU—about 180,000 retirees and others—will have the cost of access to healthcare services in the EU met by the UK Government. What message does my right hon. Friend have for those vulnerable and elderly British citizens living in the EU who might fall ill after the six-month period and who cannot afford health insurance?

Michael Gove: I thank my hon. Friend for his outstanding advocacy on behalf of EU citizens in the UK and UK nationals in the EU.

On the broader point, the Secretary of State for Health and Social Care has written in precisely those terms, but we are also taking additional steps, member state by member state, to ensure access to healthcare. The NHS also stands ready to ensure that any UK national can get the treatment they need.
Peter Grant (Glenrothes) (SNP): When the Minister appeared before the Brexit Committee on 5 September, he was unable to answer my question about what the reaction has been in Ireland to the UK Government unilaterally reneging on the commitments around the Irish border found in the joint report of December 2017. He did say, though, that he was looking forward to meeting the Tanaiste—the Irish Deputy Prime Minister—and other Irish politicians that weekend. Now he has had a chance to meet them, can he tell us what the reaction is of the Irish Government and of the politicians who represent the majority of the population in Northern Ireland to that unilateral reneging by the UK Government?

To be fair to the Minister, I should warn him that I met the Tanaiste last week on a cross-party delegation in Dublin, so I know the answer. I would like him to tell the House what Ireland thinks of how the UK is behaving.

Michael Gove: It is always good to ask a question to which you already know the answer.

I have had cordial conversations with the Tanaiste and, indeed, other Irish politicians about the vital importance of everything possible to underpin the gains made by the Belfast/Good Friday agreement. Those gains are not simply in the economic life of the island of Ireland but, as the hon. Gentleman says, in human flourishing and in stronger cultural and personal relationships. I had the opportunity at the British Irish Association conference to underline this Government’s commitment to strengthening all those relationships.

Mrs Maria Miller (Basingstoke) (Con): I thank my right hon. Friend for so clearly setting out the contingency planning he is doing, but I am deeply concerned about the way in which leaked information has sometimes wilfully been used or misinterpreted to cause anxiety among our constituents. Can he reassure parents in my constituency whose children rely on short shelf-life medicines and liquid medical foods, which cannot be stockpiled, that those supplies will not be stopped when we leave the EU?

Michael Gove: My right hon. Friend makes two very good points. I understand that, in the political to and fro, people do not always look at the detail in every document, but she is right that it is important for all of us that we do not turn a sliver of a leak into an exaggeration. We face undoubtedly challenges in leaving the European Union, but one area where the greatest amount of mitigation has been taking place is in making sure that we can continue to provide all our constituents and the NHS with the drugs and medical supplies they need to maintain good health.

Stephen Timms (East Ham) (Lab): As the Minister knows, the Freight Transport Association says that long delays at Dover are inevitable after a no deal because hundreds of non-compliant trucks will continue to arrive. Those trucks will have lengthy inspections in a lorry park in Calais that has only 300 spaces. When the lorry park is full, the ferries will stop. On what grounds does he reject that assessment?

Michael Gove: I do not. The Freight Transport Association, the Road Haulage Association and other organisations have been invaluable in making sure that the Government can take steps to communicate with individual hauliers, companies and traders about the steps they might need to take to obviate those risks. If traders ensure their goods have the appropriate transit accompanying documents or movement reference number barcode, they will smooth their passage through Calais without needing to go into any car park at all.

Kirstene Hair (Angus) (Con): While Scottish Conservative Members actively want a deal, Scottish nationalist Members are actively pursuing no deal, because they have no desire to support any deal put to this House. Does my right hon. Friend agree that it is better that the two Governments of Scotland work together? Will he explain what conversations he has had with the Scottish Government? Does he know much of the no-deal planning and preparation money the Scottish Government has spent in Scotland?

Michael Gove: It is an interesting feature of this House that whenever a Scottish Conservative Member makes an important and honest point, the decibel level from the Scottish national party Members rises to the sort of pitch normally heard at Parkhead when Celtic scores a goal. The truth is that my hon. Friend is absolutely right: while the Scottish Government have taken some steps to mitigate the consequences, there is more that they can and must do. I salute the work of Scottish Ministers such as Humza Yousaf and the Deputy First Minister, who have taken a pragmatic approach, but it is critical that the First Minister and representatives here live up to their responsibilities to the people of Scotland and support a deal.

Mary Creagh (Wakefield) (Lab): The Government are spending £100 million on the Get Ready for Brexit campaign—the largest ad campaign for 70 years, which is clearly intended to provide a party political, partisan drumbeat to the general election that the Prime Minister has twice tried and twice failed to get through this House. An article on Buzzfeed reveals that the data collected through the Get Ready for Brexit campaign is being collected centrally, and I would very much like to know who has the data and what communications from concerned civil servants who are worried about what this Government are asking them to do. When was it decided to collect that data, by whom, and with what purposes? What security is the Chancellor of the Duchy of Lancaster providing to the 15 million citizens who use the gov.uk each week? What help has he given the Information Commissioner, who at my request is now investigating?

Michael Gove: I hope that as a result of the hon. Lady’s question, for which I am grateful, more of her constituents and others will visit the Brexit pages on the gov.uk website. The Government Digital Service has done a wonderful job in making sure that we provide information. As a result of the information campaign, which is authored, directed and supervised by civil servants, many more businesses are better prepared. It is the case that we make sure that the data we have is used better to serve our citizens.

Stephen Crabb (Preseli Pembrokeshire) (Con): One area of risk not mentioned in the redacted Yellowhammer documents relates to the UK oil-refining sector. Since my right hon. Friend and I last spoke about this, have
the Government had a chance to develop their thinking on how best to protect UK oil refineries if they are to face new tariffs for selling product into EU markets?

**Michael Gove:** My right hon. Friend makes an extremely important point. If we leave without a deal, refineries in this country will face a new tariff for selling fuel into the EU, which inevitably will have an impact on their business mode. The Business Secretary and I have been in touch with those companies to ensure that we are in a position to support them. It is vital that we recognise that those refineries, as well as being key distribution hubs for fuel, rely on exports to the EU and beyond as part of their current business model, which is why we are so anxious to support them.

**Hywel Williams** (Arfon) (PC): Although the Yellowhammer report refers to the channel ports, it does not mention the Welsh ports of Fishguard and Holyhead, even though Holyhead is the second-busiest roll-on roll-off port in the UK. In August, Department for Transport documents marked “Officially sensitive” said that following an abrupt exit from the European Union, two-thirds of vehicles would not be allowed into the ports. Why did Holyhead and Fishguard not warrant inclusion in Yellowhammer, or are the five pages crowbarred from the Government’s hands merely dust thrown into our eyes?

**Michael Gove:** I am grateful to the hon. Gentleman for the opportunity to say that I was discussing precisely how we can ensure the free flow of goods from Holyhead into the Irish Republic and vice versa with representatives of the Welsh Assembly Government earlier this week. I had the opportunity to visit Holyhead and to talk to the port authorities, ferry companies and hauliers, to bring them up to speed with the Government’s preparations and to learn from them what more the Government could do to help them.

**Stephen Kerr** (Stirling) (Con): I am grateful to my right hon. Friend for the detail he has given today, but before he goes Derek Mackay another £52 million, can he find out what has happened to the £92 million he has already had, because Scotland’s local authorities are getting precious little sight of it?

**Michael Gove:** I am disappointed to hear that Scotland’s many excellent councils are not receiving the money the Scottish Government have been allocated to pass on to them. Once again, even though there are many good Ministers in the Scottish Government, with whom it is a pleasure to work, it is a pity that the First Minister consistently puts the narrow political interests of the Scottish nationalist party ahead of the interests of Scottish citizens, for which Scottish Conservative MPs are such effective advocates.

**Ruth Jones** (Newport West) (Lab): Regarding the preparations for Brexit, the Chancellor of the Duchy of Lancaster told “The Andrew Marr Show” on 1 September that there “will be no shortages of fresh food”. He was absolute and resolve. However, the Yellowhammer documents, which we have now seen, reveal that no deal will “reduce availability and choice” of fresh products. My question is, who should the public believe—the Minister or his Department?

**Michael Gove:** The hon. Lady raises an important point. It is important to recognise that, in the event of a no-deal exit, we will have means by which we can ensure that there is a wide choice of products on our shelves and that, thanks to the efforts made by our retailers, we continue to enjoy the choice, range and plenitude of products we have grown used to.

**Neil O’Brien** (Harborough) (Con): I met local farmers recently. Like me, they generally support Brexit and are frustrated by those in this House who will vote against any Brexit deal, no matter how good it is. However, they want to know what is happening with the Government’s published no-deal tariff. They want to know whether it will be revised, whether the agriculture section will change and whether we will have a debate on it.

**Michael Gove:** That is a very good point. We published a no-deal tariff schedule in March, and it is going to be updated. It is important to recognise that there was specific protection in that no-deal tariff schedule for agrifood, as a vulnerable sector that requires that additional protection.

One thing I would say, and this question gives me the opportunity to do so, is that there are sometimes those who actively embrace no deal and think it would be the best of all possible worlds. I think that is absolutely not the case; it is far better that we have a deal. There are others who say that, in no deal, there will be consequences that are almost biblical in their horror. The truth is that no deal will generate challenges, particularly for the agrifood sector. That is why the Government are taking steps to mitigate them, and those steps are along the lines that I have outlined today. However, there is much more that DEFRA is doing, which the Secretary of State in that Department, and other Secretaries of State, will have the opportunity to acquaint the House and the public with in the days and weeks to come.

**Mr Adrian Bailey** (West Bromwich West) (Lab/Co-op): Earlier, the Minister said the Government were talking with the industry concerning the effects of EU tariffs on petrol exports. What he did not say is that the UK is proposing to have a zero tariff on petrol imports. That could result in the closure of two oil refineries, the loss of £50 million a year to the industry, the loss of 2,000 jobs and a potential loss of fuel availability. Will he be more specific and say what the Government will do about that?

**Michael Gove:** The hon. Gentleman makes an important point. Where we look at tariff schedules, there are things that we have to balance. One is appropriate protection for sectors, and that is why the agrifood sector, because of the vulnerabilities and the level of the EU’s common external tariff, is one sector that we have sought particularly to protect. However, we also need to have regard to the interests of the consumer and of industry overall. We need to make sure that we keep access to fuel at a level and a price that ensure that our economy continues to motor ahead.

**Rachel Maclean** (Redditch) (Con): A decisive majority of my constituents expect us to leave the European Union on 31 October, in accordance with that historic Brexit vote. However, they do expect the Government to take care of supplies of medicines and to ensure that
our health services are protected. Can my right hon. Friend give assurances specifically on the supply of hormone replacement therapy medicines, which are so important for women?

Michael Gove: My hon. Friend is absolutely right. The availability of HRT medicine has made a dramatic and beneficial difference to the lives of women in this country. It has been a medical breakthrough over the past few decades, which has to be celebrated. It has been the case, even before we have left the EU, that there have been particular problems with HRT supply in certain areas, and that underlines the fact that, occasionally, there can be interruptions in supply of particular medicines, which are completely unrelated to Brexit or other challenges. We are doing everything that we can to ensure that we have a free flow of medical products through the short straits and also additional capacity to ensure that medical products, including HRT treatments, are available as before after we leave.

Mr Chris Leslie (Nottingham East) (IGC): As the Minister has dodged the specific questions from the right hon. and learned Members for Holborn and St Pancras (Keir Starmer) and for Beaconsfield (Mr Grieve) and my right hon. Friend the Member for Broxtowe (Anna Soubry), he is giving the House the impression that those Yellowhammer document versions were improperly manipulated by the Government from the ones that were leaked to the ones that were eventually published. May I now ask him very specifically for the fourth occasion: when was the title changed from base case to worst case?

Michael Gove: As I have said on more than four occasions, it is the case that the base scenario relates to the unalterable facts; a reasonable worst-case scenario relates to the Yellowhammer assumptions.

Derek Thomas (St Ives) (Con): In his statement, my right hon. Friend referred to the measures that were taken to ensure that fish caught today along the coast of Cornwall would be sold the following day in the EU. This welcome statement will reassure fishermen in Newlyn, but uncertainty, lack of investment, and concerns over ownership of the quota are already causing problems. Will my right hon. Friend say something to reassure fishermen that we can get on with this, so that they can know exactly where their future lies?

Michael Gove: My hon. Friend is a brilliant advocate for the fishing industry. It is the case that, in the event of a no-deal exit, we anticipate that we will be able to negotiate as an independent coastal state at the Fisheries Council in December 2019. It is also the case that, if we do leave without a deal on 31 October, we anticipate that the current level of access to particular stocks should be maintained in a continuity approach.

Mrs Sharon Hodgson (Washington and Sunderland West) (Lab): In response to written questions, the Government had this to say in the event of a no-deal Brexit:

“A system of hardship payments, benefit advances and budgeting loans will be available for those who need them.”

Operation Yellowhammer warns of food and medicine shortages and soaring prices. That will drive thousands of the most vulnerable people in our society into debt—debt with loans—and despair. How will people qualify for these hardship payments and loans, and when will they be made available to them?

Michael Gove: It is important to make two points. The first is that Operation Yellowhammer, as I have pointed out, deals with a reasonable worst-case scenario for which mitigating steps have been taken since it was first drawn up. On the second point, of course Government and the Department for Work and Pensions always stand ready, in the event of any change in economic circumstances which has an adverse effect on vulnerable people, to step in and to help. None the less, the steps that we are taking in order to mitigate those impacts will, I hope, ensure that we do not need to intervene in that way.

Steve Brine (Winchester) (Ind): What assurances has my right hon. Friend been able to give the port of Portsmouth, which is, as he knows, a roll-on roll-off port? He is aware of my concerns about lorries parked on the M27 and the A31 in my constituency in particular. Hampshire County Council has already invested significant amounts of my constituents’ money in preparatory work. Can he reassure me that his Department will see that Hampshire gets its share of this new welcome Government investment to prepare for a no-deal exit if it happens, and, specifically, that the very latest DfT modelling is with the local resilience forum in Hampshire so that it can plan practically and responsibly for whatever scenario comes forth?

Michael Gove: My hon. Friend makes a very important point. Portsmouth is one of our most important ports. It is important for a host of reasons—for the commercial life of this nation, for access to medical supplies and, of course, for access to our Crown dependencies and the Channel Islands. It is the case that we need to work closely with the local resilience forum in Hampshire to ensure that it understands what our modelling assumptions are and take appropriate steps. I know that it is the case that both the Secretary of State for Transport and the Secretary of State at the Ministry of Housing, Communities and Local Government have been in touch with the LRF recently, but obviously more work needs to be done.

Eleanor Smith (Wolverhampton South West) (Lab): The recent Operation Yellowhammer report notes that low-income groups will be disproportionately affected by any price rises in food and fuel. What plans have the Government put in place to offset the effect on low-income families in the event a no-deal Brexit on 31 October?

Michael Gove: I am grateful to the hon. Lady. She is absolutely right that it is the most vulnerable who should be at the forefront of our minds in the event of price rises in any commodity. As I mentioned in response to the hon. Member for West Bromwich West (Mr Bailey), one reason that we have taken the overall approach to tariffs that we have is that we want to ensure that the impact of leaving means that we can keep tariffs as low as possible so that we can keep prices as low as possible. Although it may be the case that one or two specific commodities will see price rises, we also anticipate that prices will drop for some other food commodities.
Gareth Johnson (Dartford) (Con): It is essential that we prepare fully to avoid any congestion around the port of Dover that could be caused by lorry drivers arriving without the necessary customs paperwork. Could the Minister therefore please confirm that HMRC in particular is doing all it can in this regard, and specifically that it is recruiting and training sufficient numbers of staff to cope with the process?

Michael Gove: HMRC is not only recruiting and training staff for itself; money has also been made available by the Chancellor of the Exchequer to ensure that business has the support and staff that it needs to be ready. My hon. Friend is absolutely right. One of the things we need to do is contact those businesses that do the most trade with the EU. There are some 3,000 businesses over a particular size that are responsible for a significant amount of trade with the EU, and HMRC is in touch with them this week to ensure that they fully understand what is required of them by way of customs procedures.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): The Minister has said that in the event of a no-deal Brexit, people will have “the food they need”, raising the terrifying spectacle of him deciding what we in the north-east should be eating. What actually puts food on the tables of many people are our excellent manufacturers with their closely-integrated European supply chains. That is why Make UK has said that we stand to lose the most from a no-deal Brexit. What specific financial support is available for north-eastern manufacturers facing a no-deal Brexit?

Michael Gove: I would never seek to tell anyone in the north-east what they should eat. Having spent five happy months working in the north-east, I know that the range and quality of cuisine offered to the people of Newcastle and the surrounding area is second to none.

On the hon. Lady’s specific point about manufacturing, I had the opportunity earlier this week to meet manufacturers in the west midlands that represent companies with manufacturing interests across the United Kingdom. One of the things that I underlined there is that money is available through business representative organisations and others to help such companies to prepare. If, in the event of no deal, businesses that are fundamentally viable experience any particular economic turbulence that requires us to step in to see them over that turbulence so that they can survive in the future, we stand ready to do so.

Simon Hoare (North Dorset) (Con): My right hon. Friend is a former DEFRA Secretary, so will he confirm once again the pivotal importance of securing a deal for our British farmers and food producers? May I also gently nudge him on the rather lackadaisical approach to the pressing needs of Northern Ireland in the absence of Stormont—just waiting to see what might turn up, when businesses and individuals across Northern Ireland are now starting to panic as 31 October looms large? This rather lackadaisical approach of “Let’s wait and see what happens” is no longer sufficient.

Michael Gove: I absolutely take my hon. Friend’s points. First, I think it has been the case that farmers’ unions across the UK—the Ulster Farmers’ Union, NFU Scotland, the Farmers’ Union of Wales and the NFU in England—have been clear that they would infinitely prefer a deal, as would I. As I had occasion to state earlier and will happily repeat again, the sector that is most vulnerable in the event of no deal is the agrifood sector, which is why we need to be conscious of its concerns.

With respect to Northern Ireland, I hope that nothing I have said suggests or implies that the Government take a lackadaisical approach. Nothing could be further from the truth. The Northern Ireland Secretary, Home Office Ministers and I have made regular trips to Northern Ireland, and are in contact with the Northern Ireland civil service. We are acutely aware of the difficulties that the Northern Ireland civil service would be in under a no-deal situation if the Assembly were not restored. I would also say that we need—and I hope we can get—greater clarity about what might happen on the other side of the Irish border, but that is a sovereign matter for the EU and the Irish Government. I do not make any criticism of them, but obviously it would be in all our interests if we were able to work to mitigate the impacts in the event of no deal.

Catherine West (Hornsey and Wood Green) (Lab): Eighty per cent. of cheddar cheese is from dairy farms in Northern Ireland. It is manufactured in Ireland and then comes across at Holyhead into other parts of the UK. What assessment has been made of the impact on the dairy industry across Ireland and the UK? Can the Minister rule out food riots as a result of a lack of basics like cheddar?

Michael Gove: That was a very serious point but the final twist. I felt, was wrong. [Interruption.] The reason it is a serious point, to be fair to the hon. Lady, is that a significant amount of raw milk from Northern Ireland is processed south of the border. The two most vulnerable agrifood sectors in the UK are sheep meat, across the UK, and the Northern Ireland dairy sector. She is absolutely right to raise that. As for the prospect of food riots, I am afraid that that is precisely the sort of exaggerated language that, as my right hon. Friend the Member for Basingstoke (Mrs Miller) pointed out, does nothing to enable us to focus on the real risks and challenges and the importance of mitigating them.

Luke Graham (Ochil and South Perthshire) (Con): I welcome my right hon. Friend’s comments that our one united civil service is preparing for Brexit. Can he reassure the House that there will be direct due diligence in Scotland to make sure that companies, community groups and Government agencies are getting the support they need to prepare for Brexit? Can he also confirm how much of the £90 million given to the devolved Administration in Scotland has been spent on supporting frontline services there?

Michael Gove: My hon. Friend makes a very important point. We are doing everything possible to make sure that the funding is there. If there are community groups and others in Scotland who are not receiving the funding from the Scottish Government that they should, I hope he will bring that to my attention. I know that Scottish Government Ministers would never want to stand in the way of helping Scottish citizens.
Deidre Brock (Edinburgh North and Leith) (SNP): The Minister’s statement suggests that progress has been made since the Operation Yellowhammer document was leaked, but it is a little bit difficult to check against delivery, so when will he publish the most up-to-date version?

Michael Gove: I have just updated the House on the many, many steps that we have taken in order to ensure that we are better prepared.

Antoinette Sandbach (Eddisbury) (Ind): On 19 August, I tabled a question asking the Minister to publish his no-deal planning, so I am very grateful for his invitation to MPs to attend his Department to view that. On 9 September, I received an answer to that question saying that due to Prorogation it was not possible to respond. I have also asked that the up-to-date Yellowhammer document be published and that each version of it be published. The written answer to that question was the same—that due to Prorogation it was not possible to respond. Will he now commit to publishing the various versions of Yellowhammer?

Michael Gove: I am very sorry that the hon. Lady's questions were not answered. We will and we have published extensive information about our preparations for exit, and I would be more than happy to direct her to those. However, I would stress that Yellowhammer—a reasonable worst-case scenario—is just one aspect of the preparations that we have undertaken, and it would be wrong to think that it was the only thing that the Government were concentrating on.

John Woodcock (Barrow and Furness) (Ind): The Minister has repeated his assertion that in the event of a no-deal Brexit some food prices will go up and some will go down, but our constituents deserve a straight answer. Will the cost of the weekly food basket of an average low-income family be higher, lower or the same in the event of a no-deal Brexit?

Michael Gove: That is a very fair point, but it is one of those questions that it is impossible to answer, because none of us can predict the variety of factors, from fluctuations in exchange rates to harvests to world grain prices, that will all affect the price of food. The one thing that I would say is that the Government are doing everything they can, and everything all of us can, in order to ensure, through application of the correct tariffs and through making sure that we have correct flows at the border, that people can continue to have access to not just plentiful but competitively priced and healthy food.

Tim Loughton (East Worthing and Shoreham) (Con): I should probably declare an interest, as the parliamentary RSPB species champion for the yellowhammer. The Minister has sought to give assurances about the transportation of goods and the status of people in particular but has given little detail on services, so can he answer a question from a solicitor constituent of mine who uses European enforcement orders for legal judgments against companies registered in other EU countries? In the event of no deal, will existing EEOs remain enforceable after no deal, and after no deal, how will people be able to enforce judgments against EU-registered entities?

Michael Gove: That is a very good point. I believe it is the case that work is going on with individual EU member states to provide reassurance and guarantees on that, but I will write to the hon. Gentleman about the situation that pertains to the provision of services in each of those member states and the impact it will have on UK businesses and citizens.

Mr Speaker: He was an hon. Friend, and I very much hope he still is.

Michael Gove: He is a very honourable Friend.

Mr Speaker: It is good to hear it. Not merely an hon. Gentleman, but an hon. Friend—I am sure the hon. Member for East Worthing and Shoreham (Tim Loughton) will rejoice in the fact of that approbation.

Richard Burden (Birmingham, Northfield) (Lab): The Chancellor of the Duchy of Lancaster may recall that the Society of Motor Manufacturers and Traders, representing the UK auto industry, described the prospect of a no-deal Brexit as an “existential threat” to their sector. Nobody could complain that they have not made preparations for a no-deal Brexit—they have spent millions of pounds in so doing—but I have not heard them say anything that indicates that they have changed their mind about the severity of the threat they face in the event of a no-deal Brexit. Has he?

Michael Gove: I had the opportunity to meet representatives of the Society of Motor Manufacturers and Traders and of others in the automotive sector earlier this week, and it is fair to say that the hon. Gentleman makes a very good point in saying that those businesses have undertaken extensive preparations. We heard earlier some doubt from the right hon. and learned Member for Holborn and St Pancras (Keir Starmer) about the extent to which business is prepared. Extensive preparations have been undertaken, but it is the case that in the event of no deal, there will be particular challenges in making sure that we have the effective flow of products to the just-in-time supply chains of these companies. That is why we are taking the steps we are, to ensure that we have effective border flow. The steps that I have outlined and other steps that Government are taking are designed explicitly to ensure that the highly skilled, highly talented and hugely valuable workforces in all those companies can continue to produce the automobiles that are the envy of the world.

Dr Julian Lewis (New Forest East) (Con): Was there a plan equivalent to Operation Yellowhammer back in 2016 to deal with the widely predicted run on the pound and financial catastrophe if the country dared to vote for Brexit, and is there any reason to believe that our current worst-case scenario is any more likely to materialise than that which applied three years ago?

Michael Gove: My right hon. Friend makes a characteristically elegant point, and it goes to the heart of this. None of us can predict with absolute accuracy what will happen in the future. During the run-up to the 2016 vote, a number of people made lurid predictions about what a vote to leave might lead to, and those lurid predictions were not found to be true. Government can take and have taken steps to mitigate the impacts of a reasonable worst-case scenario.
Janet Daby (Lewisham East) (Lab): Like the right hon. Member for Basingstoke (Mrs Miller) and my hon. Friend the Member for Washington and Sunderland West (Mrs Hodgson), I am concerned about the supply of medicines in the event of a no-deal Brexit, especially when a constituent of mine, Des, tells me that his local pharmacy is not receiving certain prescriptions because the suppliers say they are not sure what will happen after 31 October. What would the right hon. Gentleman say to my constituent, and what steps is he taking to ensure the supply of medicines for hospitals and independent pharmacies in the event of a no-deal Brexit?

Michael Gove: I am disappointed to hear that Brexit is being cited in these circumstances, because obviously it has not yet happened, and we enjoy the free flow of goods through the short straits and elsewhere. I would be interested to know further details, and I hope that I can put the hon. Lady’s constituent’s mind at rest; it is important that people have peace of mind when we are talking about these important issues. It is the case that appropriate steps have been taken to ensure that we have the maximum level of flow at the short straits. That is why I stressed earlier that business readiness is so important. If all businesses are ready, it means that flow for everyone is easier. It is also the case that the Department for Transport and the Department of Health and Social Care have put in place provision to ensure that there is additional freight capacity specifically for what are called category 1 goods, and those include the medicines that her constituents rely on.

Mike Wood (Dudley South) (Con): What assessment has my right hon. Friend made of ferry and port capacity in the UK, and in EU ports, for transporting goods to and from the UK after we leave the European Union?

Michael Gove: My hon. Friend makes a very good point. There are a number of ports through which companies in the UK and the EU can find alternative routes to the short straits to ensure their goods can find a way to market. The British Ports Association and others emphasise that there is significant additional capacity that can be utilised. It is the ingenuity of the private sector that will help us in government to ensure that trade and commerce succeed in the future.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): The Chancellor of the Duchy of Lancaster has clearly not complied with the terms of the resolution of 9 September, because he has not provided all the documents. My constituents listening to this statement will feel that the Government are not being clear with them about the impact on food, medicines and security. Is it true that, within the Yellowhammer documents, there are extensive plans to redeploy police from their home constabularies to London, the borders and Northern Ireland?

Michael Gove: The hon. Gentleman can reassure his constituents, as I know would always be his first intention, by drawing their attention to gov.uk/brexit on which there is a wealth of information that will provide them with the means to ensure that the businesses for which they work, or that they own, can be ready. Operational decisions about police resources are of course a matter for chief constables.

Andrew Bowie (West Aberdeenshire and Kincardine) (Con): Given my right hon. Friend’s apparent close and positive relationship with the Scottish Government, will he ask on our behalf how much of the £92 million that has been sent up to the Scottish Government is being given to local authorities, specifically Aberdeenshire? When we ask the question, the answer is not forthcoming.

Michael Gove: I am disappointed to hear that. I will use the good offices I have with Scottish Government Ministers to make sure that the money is spent. It is absolutely vital that the money raised by the Exchequer and shared with the Scottish Government is spent for Scottish citizens, especially to ensure that local authorities have everything they need to do their valuable work. In particular, I commend Aberdeenshire Council, which has an inspirational leader and a fantastic team of Conservatives who are responsible for delivering services.

Tracy Brabin (Batley and Spen) (Lab/Co-op): Picking up on the questions from my hon. Friend the Member for Lewisham East (Janet Daby) and the right hon. Member for Basingstoke (Mrs Miller), Primary Care Network Leeds has told me that shortages are already being caused by the stockpiling of HRT and Naproxen, a painkiller, and the health unions say that no deal could devastate the NHS and cause fatal shortages of medicines. Can the Minister tell us now that the health of no one in this country will suffer because of a no-deal Brexit?

Michael Gove: Yes.

Paul Masterton (East Renfrewshire) (Con): Although Opposition Members have rightly raised serious concerns about the possible impact of no deal, it is a shame those concerns have not been accompanied by an awareness of their own role in rejecting a perfectly good deal three times and leading us to this point. If we achieve a deal with the EU, Yellowhammer will not be necessary, so does my right hon. Friend envisage that, between now and 31 October, MPs will get a chance to vote on a withdrawal agreement package?

Michael Gove: I sincerely hope so. My hon. Friend makes a very acute point, which cannot be made often enough. If people want to avoid a no-deal exit, there is an easy way of doing so, and that is to vote for a deal. He did so, as I did, on three occasions. Some Opposition Members also voted for a deal. I would encourage them all to vote for a deal in order to ensure that we can leave with one.

Sir Edward Davey (Kingston and Surbiton) (LD): Let me be generous to the Chancellor of the Duchy of Lancaster: let us imagine that his no-deal preparations are successful and that if we were to leave, we would do so in a benign way. Is he aware that in its “Fiscal risks report”, published in July, the independent watchdog, the Office for Budget Responsibility, said that a benign no deal would cost the public purse £30 billion a year for the next four years? What preparations have the Government made to plug that £120 billion gap of a benign no-deal Brexit?

Michael Gove: The right hon. Gentleman makes a fair point. One of the things that I think any forecaster would say is that when someone makes forecasts, of course they look at a variety of different factors, but
facts and forecasts can change. The Office for Budget Responsibility has in the past made forecasts, with the best will in the world and the best minds available, and the outcome has not necessarily always been exactly as predicted. Of course, economic forecasts are helpful, but it is always appropriate to balance them by recognising the many other variables in our economy.

Jeremy Lefroy (Stafford) (Con): We have, understandably, concentrated on the movement and supply of goods in the case, which I hope never happens, of no deal. However, data flow is the lifeblood of businesses and, indeed, public services, and we have heard very little about that. What assessment does my right hon. Friend have of data flows immediately after 31 October in the case of no deal, and what is the state of data adequacy preparations? How long will it take to get there?

Michael Gove: My hon. Friend makes a very good point. If we leave without a deal, it will be the case that we will have to wait some time before data adequacy is granted. It should be granted, because it is the case that similar jurisdictions outside the EU, like the Crown dependencies—the Channel Islands and so on—have data adequacy ratings. It is also the case, however, that companies can take steps by having standard contractual clauses with their counterparties in the EU in order to ensure the uninterrupted flow of personal data. I encourage companies in that position to look at the information on the Information Commissioner’s website, which can help them.

Cat Smith (Lancaster and Fleetwood) (Lab): My constituent Jenny is currently undergoing treatment for cancer and has been seeking reassurances from local health trusts about the continuation of cancer treatment in the event of a no-deal exit from the European Union. As her constituency MP, I have also submitted freedom of information requests, including to Blackpool Teaching Hospitals NHS Foundation Trust, seeking the risk assessments in the event of a no-deal exit, but it has not shared that information with me. My constituent Jenny is also concerned about the capacity of UK ports to bring in nuclear medicines in the event of a no-deal exit. What assessment has the Minister made of the capacity of UK ports to bring in important medicines, including for cancer treatment, insulin for diabetics and formula milk for formula-fed babies?

Michael Gove: The hon. Lady is absolutely right: we need to make sure that not just individual medicines but medical products, including radioisotopes, are available for the NHS to use. Extensive steps have been taken, not just, as I mentioned earlier, to ensure the smooth flow of goods through the short straits, but to ensure that there is additional capacity at other ports and that that capacity can be provided by a variety of different modes of transport.

Heidi Allen (South Cambridgeshire) (Ind): The Chancellor of the Duchy of Lancaster is deliberately dodging questions this afternoon, which suggests that he still has not got his head around the House scrutinising role over the Government. Perhaps he should refer again to yesterday’s Supreme Court ruling. I would have liked to have asked him a couple of difficult questions about statutory safeguards for EU citizens in the UK in the event of no deal, and about the fact that being determined not to have a hard border in Ireland is no solution at all and that the Government have still not made any practical proposals. Instead, I will ask him a really simple question: for the fifth or sixth time of asking, what was the date on which the Government changed the title of the Yellowhammer document?

Michael Gove: I am very grateful to the hon. Lady for reminding me of the vital role that this House plays in scrutiny, which I take exceptionally seriously. It is and always has been the case that we have a base scenario based on unarguable facts and a reasonable worst-case scenario. That has always been the case.

Alex Cunningham (Stockton North) (Lab): I recently visited farmers in my constituency, including Jim Cowan, to discuss the impact of Brexit on their already fragile business. They and the National Farmers Union are worried sick that farms will close down and are not convinced by the Government’s rhetoric. The Minister has said that they are mitigating the effects on farmers, but how?

Michael Gove: There are several steps that we can take. The first and most important is ensuring that we have an appropriate tariff regime, which makes sure that we safeguard the sector. There is a variety of ways in which DEFRA can intervene to help any hard-hit sector. We can also ensure, as the Department for International Trade has been doing, that there are new markets for our farmers’ excellent produce.

Lady Hermon (North Down) (Ind): I hold the Minister in the highest regard, but I was disappointed that so little about Northern Ireland was reflected in his statement. I pay tribute to him for putting on the record yet again his commitment—indeed, his words were “absolutely committed”—to the Good Friday agreement, but does he agree that actions speak louder than words? The Yellowhammer document dated 2 August 2019 explained and warned about the real risks of the disruption of a no-deal Brexit in Northern Ireland. I will quote a particular sentence that I want the Minister to address. It states that the disruption “will be particularly severe in border communities where both criminal and dissident groups already operate with greater threat and impunity.”

How is the Minister mitigating that threat? He boasted about conducting roadshows and visiting businesses. If he tells me that he is sending roadshows to Crossmaglen and South Armagh, I will be amazed, but I will welcome them.

Michael Gove: I have several things to say to the hon. Lady, for whom I have enormous respect and whose commitment to the Belfast/Good Friday agreement and to peace and progress in Northern Ireland is second to none in this House. She is absolutely right. Roadshows and other activities were to ensure that businesses throughout the UK were prepared for exporting. Critically, I had the opportunity to visit border communities with the Police Service of Northern Ireland and others. She is right that one of the big risks of leaving without a deal is the progress that has been made in those communities on either side of the border. That is why it is critical that
we all do everything we can to support a deal. In particular, we need to recognise in the language we use as Ministers and in our co-operation with partners in the Irish Government the importance of operating in a way that promotes and underpins peace.

Al\textit{bert Owen} (Ynys Môn) (Lab): I know that the Chancellor of the Duchy of Lancaster understands the importance of my constituency and the port of Holyhead to trade to and from the Republic of Ireland. I was disappointed that, when he visited, he did not arrange to meet me. I could have given him the benefit of my experience of not just serving in this House but working in the port of Holyhead for more than a decade before coming to this place. He did not explain in a previous answer why the port of Holyhead was omitted from the Yellowhammer document. Will he please tell the House why that was the case?

\textit{Michael Gove}: It was a pleasure to visit Holyhead and I appreciate the hon. Gentleman’s hard work not just on behalf of his constituents but in that port. I pay tribute to those who work there. Again, I stress that Yellowhammer is a reasonable worst-case scenario, which looks at a particular set of challenges. The Government have taken many other steps, including communication with the Welsh Assembly Government and their Labour Ministers, to ensure that we can support the port of Holyhead in its vital work.

\textit{Alison Mc Govern} (Wirral South) (Lab): The Minister told us that HMRC has allocated EORI numbers to 88,000 VAT-registered businesses that currently trade with the EU. However, two years ago, HMRC told the Treasury Committee that 130,000 such businesses need them. What has happened to the other 42,000?

\textit{Michael Gove}: Many of them had applied beforehand for EORI numbers.

\textit{Jane Dodds} (Brecon and Radnorshire) (LD): Operation Yellowhammer states that delays to animal medicines could “reduce our ability to prevent and control” animal “disease outbreaks”.

What reassurances would the Minister give to livestock farmers such as those in my constituency of Brecon and Radnorshire that Brexit will not have an impact on access to those medicines?

\textit{Michael Gove}: I welcome the hon. Lady to the House and congratulate her on her victory. In the run up to that victory, I had the opportunity to visit her beautiful constituency and talk to farmers, and one of the things that I was able to reassure them of was that vet medicines are part of the category 1 set of goods that are absolutely prioritised for entry into this country because, of course, we want to make sure that we can deal effectively with any threats to animal health.

\textit{Mr Clive Betts} (Sheffield South East) (Lab): A few weeks ago, I went with a parliamentary delegation to visit the port of Rotterdam. That port is trying to recruit more than 100 vets to do checks on animals, food and other related products. We were also shown where they are going to build major lorry parks to deal with the knock-on effects of those checks, and they confirmed that that will result in delays in fresh products getting across to the United Kingdom. If there will be days in fresh products having to go through the port of Rotterdam, how can the Minister say that that will not result in a shortage of those fresh products in UK shops?

\textit{Michael Gove}: It is important to state that it would actually be sanitary and phytosanitary checks undertaken in the UK that would delay those products, and we are not undertaking SPS checks in the UK because of our continuity approach.

\textit{Karin Smyth} (Bristol South) (Lab): Picking up on the points well made by the hon. Member for North Down (Lady Hermon) and the Minister’s response to the hon. Member for Glenrothes (Peter Grant), I, too, appreciate that the right hon. Gentleman’s comments have been much more thoughtful than many made about Ireland from others on his Front Bench and in the rest of his party. However, his statement today was very banal. Can he specifically tell us what the Government are now doing to enhance those provisions in the Belfast/Good Friday agreement that develop a relationship based on mutual respect, recognising our mutual interest in the people of Northern Ireland? What, specifically, are the Government now doing with the Irish Government?

\textit{Michael Gove}: Talks are taking place at a number of levels. I had the opportunity to meet the Tánaiste and other TDs recently, and the Brexit Secretary, the Foreign Secretary and the Prime Minister have all met representatives of the Irish Government and the Dáil over recent weeks.

One thing I want to emphasise is that, of course, negotiations over our future withdrawal agreement are taking place through the European Commission. The Republic of Ireland, as an EU member state, recognises that, but the strong bilateral links we have are critical. One thing we want to ensure is that not just through the formal relationship we have as a result of a new deal with the EU, but through a plethora of relationships, bilateral and multilateral, we do everything we can to recognise how close a relationship there is between Ireland and this country.

\textit{Dr David Drew} (Stroud) (Lab/Co-op): With regard to the earlier exchange about veterinary medicines, which the Chancellor of the Duchy of Lancaster knows a good deal about, it is all well and good saying he would give a guarantee if there was an emergency, but I am led to believe that two operators have already relocated to the EU. What priority will British farmers get not just in the event of an emergency but regarding the normal supply of veterinary medicines? Can he give some guarantees on that?

\textit{Michael Gove}: I am grateful to the hon. Gentleman for raising that. If we maintain effective flow at the border, there should not be any interruption. I would be interested to know from him—I would be grateful if he wrote to me—about the two companies he mentions, as I would want more closely to investigate the situation in which they find themselves.

\textit{Angus Brendan MacNeil} (Na h-Eileanan an Iar) (SNP): How many fish lorries—fresh, frozen and vivier—are crossing the channel at the moment? If a no-deal Brexit
It relies on several calculations. In the past, those figures have been signed off by the Office for National Statistics, currently stress-testing the figure for the degree of readiness.

The Chancellor of the Duchy of Lancaster has obliquely been bringing in the medicines and other commodities we will be prioritising when they arrive at Calais on a specific route to take them to Boulogne-sur-Mer, where a border inspection post will be in place, and if they have the appropriate documentation, the products can be sold so that French consumers can continue to enjoy them.

Lisa Nandy (Wigan) (Lab): The Minister said that there would be specific measures put in place at many of the ports. The Yellowhammer report said that there would be limited disruption at ports outside Dover and Calais. In today’s Financial Times a report from the Department for Transport reveals why: the Government believe that two thirds of vehicles will not be compliant with the new checks. The right hon. Gentleman has already acknowledged that Portsmouth, in particular, is critical to the import of medicines from across the EU. Can he tell us why he believes that medical supplies and medicines will not be disrupted in the event of a no-deal Brexit? Will he publish those assumptions in full so that I can look at the medicines in the eye and tell them that in just a few weeks’ time they will still have access to life-saving medicines?

Michael Gove: The hon. Lady makes a very important point. I would want to stress two things. First, we are currently stress-testing the figure for the degree of readiness. It relies on several calculations. In the past, those figures have been signed off by the Office for National Statistics, but we are testing some of the propositions.

Lisa Nandy: Will you publish the assumptions?

Michael Gove: When we are confident that we have both fresh fish and fresh shellfish, and also, as it happens—I shall explain the circumstances—day-old chicks crossing the border, there are about 70 lorries daily. Those lorries will be prioritised when they arrive at Calais on a specific route to take them to Boulogne-sur-Mer, where a border inspection post will be in place, and if they have the appropriate documentation, the products can be sold so that French consumers can continue to enjoy them.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): The Chancellor of the Duchy of Lancaster has obliquely conceded that fresh perishable food supplies will be adversely affected by a no-deal Brexit, but he seems to be dismissive of the idea that this could cause civil disruption. It does cause civil disruption; it has been widely observed in the UK that unexpected disruption to food supplies causes civil unrest. In my experience—and his probably—of working in a supermarket, that can happen. Carrot shortages caused by flooding resulted in the police having to split up fights over carrot supplies in supermarkets. He has to address this seriously. Will he do that? Will he also look at using the fall-back in state aid rules to ensure that businesses are properly compensated for those shortages of vital food supplies?

Michael Gove: When I was a food hall porter at British Home Stores in Aberdeen, I never saw any violence when the last lettuce was taken off the shelves, but maybe people are politer in Aberdeen than elsewhere.

Catherine McKinnell (Newcastle upon Tyne North) (Lab): On 10 September, the Treasury’s official account tweeted that beer, wine, spirits and cigarettes would all be duty-free for people travelling to the EU if we left without a deal. Does the Secretary of State seriously think that promoting cheap booze and fags is a good use of public money, or does he believe that the hundreds of thousands of people whose jobs could be affected by our exiting the EU without a deal should drown their sorrows to recover from the blow?

Michael Gove: The hon. Lady makes a fair point, but we have a responsibility to explain what the duty-free regime will be in the event of a no-deal exit. As I pointed out earlier, a no-deal exit without mitigations would have an adverse economic impact, but we are taking steps to mitigate those and to exploit the opportunities of exit in order to be in the strongest possible position to safeguard jobs in her constituency and to provide new opportunities for the next generation.

Dr Philippa Whitford (Central Ayrshire) (SNP): We are well aware of the impact of high tariffs on agrifoods, but organic farmers and food producers will not be able to export at all until UK certifiers are approved and registered. That will affect food producers in my constituency and across the UK, particularly those who export across the Irish border. Will that be sorted by the end of next month, or will they just have to accept the impact on their businesses?

Michael Gove: The hon. Lady makes a very good point. Food producers will be able to export, but the organic certification under which they secure a particular benefit at the moment will not automatically be granted on 1 November. Some agri-food sectors—not just organic, but seed potatoes, for example—will experience a particularly adverse effect. We are seeking to ensure that the EU recognises that and moves rapidly to mitigate it, but I am grateful to her for having given me an opportunity to put it on the record that yes, the organics sector will be among those that face the strongest headwinds if we leave without a deal.

John Mc Nally (Falkirk) (SNP): I read the document on Operation Yellowhammer. Part of it reminded me of a hooded crow masquerading as a swan—otherwise known as a special adviser—but may I draw the right hon. Gentleman’s attention to the part that states that...
the French authorities have taken steps to ensure the smooth flow of critical produce? He has told us that he has visited ports. Can he also tell us whether any extra resources have been put in place to ensure that the critical flow of produce continues from those ports to Boulogne-sur-Mer?

Michael Gove: We are doing everything we can to ensure that, through the provision of information and additional personnel and resources, we can have that smooth flow.

David Hanson (Delyn) (Lab): Paragraph 10 of the document shows that law enforcement agencies and information exchange will be disrupted. Given that that covers child protection issues, drug trafficking, terrorism and international crime, what level of risk increase has the right hon. Gentleman assessed, and is that disruption worth it?

Michael Gove: The right hon. Gentleman was a very distinguished Minister, with great experience of criminal justice. He is right—those law enforcement and national security tools are definitely assets—but, having talked to national security and law enforcement professionals, I know that there are steps that we can take, and have taken, to safeguard UK citizens.

Alan Brown (Kilmarnock and Loudoun) (SNP): The Yellowhammer document states that, in the event of a no-deal crash-out, a hard border between Ireland and Northern Ireland would be inevitable, but the right hon. Gentleman has dismissed that out of hand. The Government have also pledged to end freedom of movement. We have heard about this mythical technology; can the right hon. Gentleman explain what technology will end freedom of movement by checking people’s passports and visas, and will also check customs arrangements and tariffs on goods moving backwards and forwards between the different markets, without as much as a camera at the border in question?

Michael Gove: I think it is the case that we are absolutely committed to there being no hard border. One of the reasons is that—certainly governing the United Kingdom and Ireland, Great Britain and the island of Ireland—we have had a common travel area since 1922, and we are pleased to be able to maintain that. It is not the case that people will require any checks to travel between these two islands.

Chris Bryant (Rhondda) (Lab): I wish that the Chancellor of the Duchy of Lancaster had been able to join me over a Welsh cake last week in the kitchen at Llwynydd Farm, where I met farmers from the Rhondda and nearby. They do not have biblical concerns—they are not worried about plagues of locusts, or anything of that kind—but they have genuine concerns about what will happen to Welsh lamb, because 35% of it is sold in the European Union at the moment, and they fear that if there is a 48% tariff on it, they will end up having to burn carcasses. They are also worried that there are not enough UK and national vets in the abattoirs and elsewhere to ensure that they can continue their business into the future. We are relying on migrants from elsewhere in the EU. Will the right hon. Gentleman come to the Rhondda to meet those farmers again, just to make sure that he really has everything in place to protect them if there is a no-deal Brexit?

Michael Gove: The hon. Gentleman has made a series of very good and absolutely critical points. One of the sectors that would be most adversely affected by no deal is the sheepmeat sector, and the points that his farmers made to him and he has made here are entirely right. The common external tariff, and the amount of sheepmeat that we export to the EU, will create potential economic disruption. That is why the Department for Environment, Food and Rural Affairs has plans to intervene to support farmers in the way to which I alluded earlier.

I believe that we have a significant number of additional vets with the capacity to export health certificates. The hon. Gentleman is also absolutely right about abattoirs. A significant number of those who work in our abattoirs are EU nationals; we value them, which is why I am so pleased that, so far, so many people have been granted status through the EU settlement scheme.

Carol Monaghan (Glasgow North West) (SNP): The right hon. Gentleman said in his statement that compliant consignments should experience no delay. However, non-compliant consignments have the potential to cause serious traffic jams and delays.

An issue about which I have been asking for a number of years is the transport of radioactive isotopes, which come through Calais. If they are caught up in delays at Calais owing to non-compliant consignments, they will lose all their useful life. What steps has the right hon. Gentleman taken to ensure that that does not happen? Were we previously told that the isotopes would come in through Coventry airport, but we have now been told that that will not happen. What will happen about those radioactive isotopes, which are so important to cancer treatment?

Michael Gove: The hon. Lady raises an important point. I would say two things. First, we want to minimise the number of non-compliant consignments of all kinds, which is why we are spending so much on readiness, and why businesses have responded so well. However, radioactive isotopes and other vital medical supplies are category 1 goods, and as well as ensuring that we have the maximum possible flow over the border, through the short straits, we are providing additional freight capacity. The Department for Transport will update the House on that shortly.

Chris Ruane (Vale of Clwyd) (Lab): The Yellowhammer report warns of shortages of key drugs and medicines. Can the Minister supply the House with a list of those medicines that are likely to be in short supply? If there is scarcity, what measures are in place to ensure fair and equitable distribution of those scarce medicines across the nations and regions of the United Kingdom?

Michael Gove: The first thing to stress yet again is that it is a reasonable worst-case scenario and we have taken steps to mitigate it. In terms of the fair and equitable distribution of medicines across the UK, the system we have, and one I am proud to uphold, is the NHS.

Martin Whitfield (East Lothian) (Lab): I rise again to mention heat-treated pallets. Twenty-two days ago I asked a question on those, and the right hon. Gentleman confirmed that "we have been working with the industry in order to ensure that we can mitigate the consequences of that."—[Official Report, 3 September 2019; Vol. 664, c. 61.]
Since nothing can be exported from the United Kingdom into the EU if it is not on a heat-treated pallet, can he give me one example of the mitigation he has discussed in the last 22 days?

**Michael Gove:** Yes: more pallets.

**Rachael Maskell** (York Central) (Lab/Co-op): Operation Yellowhammer highlights that HGVs could be delayed by two and a half days at the border, and although we have heard about medicines and foods and disruption to business, we have not heard about the impact that will have on lorry drivers. Clearly, there is such inadequate planning that it will be very disruptive to recruitment into the sector, and to the lives of people who work in that industry. What additional steps have the Government taken to support the staff working in the sector?

**Michael Gove:** Again, I stress that we have taken steps to contact hauliers, not just in the UK but in the EU, in order to ensure that they and traders are ready to export; that should significantly reduce the risk of any delays. There are facilities in Kent to ensure that, should there be queueing of any kind, those who are caught in those queues who are hauliers can get the services they need.

**Stuart C. McDonald** (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): The Prime Minister, the Home Secretary and indeed the Chancellor of the Duchy of Lancaster all pledged during the referendum campaign that the rights of EU citizens would be protected automatically after Brexit—in other words, without the need for any application at all. Will he now fulfil that pledge, as recommended by the Home Affairs Committee and the3million, or is he prepared to see tens, if not hundreds, of thousands of EU nationals miss the Government’s deadline and be left without any status in this country at all?

**Michael Gove:** As I mentioned earlier, more than a million people have been granted status. Tens of thousands of people are applying every day, and the process, as far as I know, is working well. The process will continue right up until the end of next year, and we are providing people in this country who are EU nationals with a guarantee of their rights that no other EU nation is matching for UK nationals. It is the most generous offer, and I am delighted that the Home Secretary is presiding over a system that works in the interests of our friends and neighbours.

**Anneliese Dodds** (Oxford East) (Lab/Co-op): Because BMW Cowley’s shutdown was brought forward, many workers in my constituency had to choose between missing a rent or mortgage payment and missing a family holiday. So please, can the Minister be specific? Will Operation Kingfisher cover the costs of an additional shutdown if that is necessary because of no-deal chaos? Please tell us: will it be covered or not?

**Michael Gove:** I had the opportunity to talk to executives from BMW, and they explained to me, among other things, the particular challenges that they face. Of course the Treasury will review any requests for support. However, the hon. Lady can obviate the need for that if she, like me, supports and backs the deal that the Prime Minister brings back.

**Clive Efford** (Eltham) (Lab): Mark Sedwill, the National Security Adviser and Cabinet Secretary, said in a letter in April regarding no deal:

“Our national security would be disrupted. The UK would forfeit access to criminal justice levers. None of our mitigation measures would give the UK the same security capabilities as our current ones.”

Can the Minister say what mitigation measures are now in place, or he is aware of, that did not exist when Mark Sedwill wrote that letter? Would Mark Sedwill write this letter again today?

**Michael Gove:** The Cabinet Secretary and National Security Adviser does wonderful work, but I shall not speak for him; he will speak for himself. We have had a significant number of meetings, not just with those in the national security community but with those in policing and other areas, in order to ensure that steps are taken to keep people safe.

**Ian C. Lucas** (Wrexham) (Lab): Will the Secretary of State please confirm that, as stated on the Cabinet Office website, he has oversight of all Cabinet Office policies, including data protection, elections and the Government Digital Service?

**Michael Gove:** That is the work of the Minister for the Cabinet Office and Paymaster General, my right hon. Friend the Member for Hertsmere (Oliver Dowden).

**Melanie Onn** (Great Grimsby) (Lab): The Government’s plans for 0% import tariffs on petrochemicals will see a flood of cheap products coming from Russia and the middle east and make UK producers such as the Lindsey oil refinery uncompetitive. Are the Government planning to cut excise duty in a domestic sector-specific arrangement, and will that result in a loss to the Treasury? If so, how much? Is there a risk to fuel security if we become dependent on volatile regions for supply?

**Michael Gove:** The hon. Lady raises an important point, but I stressed earlier that some prices will rise and others will fall, not just in the event of a no-deal Brexit but in the event of global economic circumstances. If prices fall for consumers, that is good for them and good for business.

**Justin Madders** (Ellesmere Port and Neston) (Lab): Does the Secretary of State envisage using powers available to him under the Civil Contingencies Act 2004, and if so, what might he use them for? In those circumstances, can he guarantee that Parliament will remain open to ensure that there is scrutiny of those powers?

**Michael Gove:** I am tempted to say don’t tempt me, but actually I have no plans to use those powers.
medical supplies, fuel shortages, food shortages, food price increases, clean water shortages, civil disruption, losing access to the single market for all goods and services or, indeed, reigniting unrest in Northern Ireland? For the life of me, I cannot remember any one of those outcomes being painted on the side of a bus.

**Michael Gove:** I certainly recall many of them featuring in the speeches of those who were campaigning for remain.

**Mr Speaker:** I am grateful to the Minister, to the Front-Bench spokespersons including the shadow Secretary of State, and to the 87 Back Benchers who posed questions.

**Ian C. Lucas:** On a point of order, Mr Speaker.

**Mr Speaker:** Points of order come after statements—

[Interruption.]

The hon. Gentleman says that it appertains directly to this statement, and he has an honest face. Of course I take him at his word. Let us hear the fella.

**Ian C. Lucas:** Thank you, Mr Speaker. This relates directly to the question that I specifically put to the Minister when I asked him whether he had overall responsibility for the work of the Cabinet Office. He did not answer that question in the affirmative. He has answered a number of questions today relating to, for example, the Government Digital Service and data protection, but I am unclear, given that he is the Minister for the Cabinet Office, why he is so determined to avoid responsibility in his Department for data protection and for elections. I wonder whether you could assist me in establishing how I can get a straight answer on this question.

**Mr Speaker:** The hon. Gentleman can table questions, if he wishes. I heard the Minister for the Cabinet Office, who I think advised the House that the Minister with responsibility for the particular matters to which he referred was the Minister for the Cabinet Office and Paymaster General, the right hon. Member for Hertsmere (Oliver Dowden). It has always been my understanding that the right hon. Member for Hertsmere was one of the Minister for the Cabinet Office’s junior Ministers and that, therefore, overall the right hon. Member for Surrey Heath (Michael Gove) has top-level responsibility, but if I am wrong I am sure that we will all be disabused of our error.

**Michael Gove:** Thank you very much, Mr Speaker, for giving me the opportunity once again to underline the division of responsibilities in the Cabinet Office. It is my responsibility to prepare the Government for Brexit, both deal and no deal, but the Minister for the Cabinet Office, my right hon. Friend the Member for Hertsmere, sits around the Cabinet table and has direct responsibility for the issues to which the hon. Member for Wrexham (Ian C. Lucas) referred.

**Mr Speaker:** I think the position is pretty clear, to be honest. Overall responsibility lies with the most senior Minister. I do not think that the Minister for the Cabinet Office would disavow that proposition for a moment. The Chancellor of the Duchy of Lancaster was offering greater specificity, but the overall position is, I think, blindingly obvious.

**Martin Whitfield:** On a point of order, Mr Speaker. My point also relates to the specific answer to the question I raised. I asked for an example of the mitigation and received the answer, “Yes I can.” Are we going to end up in the duplicitous situation where we phrase questions to have closed answers from Ministers, or is this supposed to be the opportunity for the Government to explain their position?

**Mr Speaker:** I do not think I can arbitrate between the hon. Gentleman in his question and the Minister in his reply. The hon. Gentleman has put his concern on the record. He is a most perspicacious fellow and I feel sure that he will have recourse to the Table Office if he wishes to table further questions. Knowing the appetite of the right hon. Member for Surrey Heath (Michael Gove) for responding to inquiries, I am sure he will be getting up even earlier in the morning and going to bed even later at night specifically to attend to the inquiries of the hon. Member for East Lothian (Martin Whitfield). The nodding of the head of the Minister on the Treasury Bench is testament to his acceptance of the point I have just made.

**Ian Murray (Edinburgh South) (Lab):** On a point of order, Mr Speaker. During the earlier exchanges, the Chancellor of the Duchy of Lancaster said on a number of occasions that the retail sector was “ready for Brexit”—I think those were the three words he used. The British Retail Consortium has subsequently said that that is not the case and is incorrect. How can we get the record corrected?

**Mr Speaker:** The hon. Gentleman has found his own salvation, and he knows that. I say that as much for those attending to our proceedings as for Members. The hon. Gentleman has found his own salvation, and he has done so through the entirely bogus use of a point of order to get his concern across. He is not the first person to do that and he will not be the last. Whether he is satisfied or not, I do not know, but he will have to make the best of what he has done, given the prodigious character of his efforts today.

People are quite understandably in an inquisitive mood. That is entirely to be expected, particularly when we have not been sitting for some time, but we must now move to the next statement by the Secretary of State for Foreign and Commonwealth Affairs.
Iran

5.32 pm

The Secretary of State for Foreign and Commonwealth Affairs and First Secretary of State (Dominic Raab): With permission, Mr Speaker, I would like to make a statement on Iran.

The United Kingdom has always been clear-sighted about our engagement with Iran. We want to see Iran come in from the cold, but that can happen only if Iran shows the respect required for the basic principles of the rules-based international system.

Iran’s violations are not mere technical breaches of international rules; they are serious and systemic destabilising actions that undermine the international rule of law. Those actions must have consequences. Take first the recent attacks on the Aramco facilities in Saudi Arabia. On 14 September, 18 drones and seven cruise missiles hit an oil field and a processing facility.

As the UK Government, we took our time to assess the facts carefully and independently. We are now confident that Iran was responsible. The evidence is clear and there is no plausible alternative explanation. This conduct amounts to an armed attack on Saudi Arabia, a violation of one of the basic principles of international law under the United Nations charter.

The attacks caused serious damage in Saudi Arabia and affected 5% of the world’s oil supply. In those circumstances, the UK has sought, and will continue to seek, to de-escalate tensions. However, our response is also an acid test of our resolve. We have condemned the attacks in co-ordination not just with Saudi Arabia and the United States, but with our European partners. I draw the attention of the House to the E3 statement released yesterday after meetings in New York. We will now continue to work with the widest international support to determine the most effective response.

At the same time, Iran’s attacks on the Aramco facilities are a reminder of the importance of ensuring that Iran never gains access to nuclear weapons. That is why the UK remains committed to the 2015 joint comprehensive plan of action, notwithstanding US withdrawal. Equally, we have always recognised that it is not a perfect deal. The JCPOA has its strengths, including its provisions granting the International Atomic Energy Agency unfettered access to Iran’s nuclear facilities, but it also has its limitations. Its provisions are time limited, with some expiring next year, and it was never designed to address our long-standing concern about Iran’s wider destabilising behaviour in the region.

Since May, Iran has gradually reduced its compliance with key aspects of the JCPOA, putting the deal at risk. Before any wider progress is possible, Iran must reverse those steps and must come back into full compliance. At the same time, as both President Trump and President Macron have said, we can improve upon the JCPOA. Ultimately, we need a longer-term framework that provides greater certainty over Iran’s nuclear programme and, as the attacks on Aramco demonstrate, we must also bring Iran’s wider destabilising activities into scope. That includes putting an end to Iran’s violations of the freedom of navigation, which are disrupting shipping in the strait of Hormuz and undermining the international law of the sea.

Alongside our partners—the US, Australia, Saudi Arabia and Bahrain—we remain committed to the International Maritime Security Construct to ensure freedom of navigation in the region. We also welcome the European-led initiatives to achieve the same goals. We want the widest international support to uphold the rules-based international order.

We must also see an end to Iran’s interference in Yemen, which has stoked further conflict through support for the Houthi rebels and fuelled the greatest humanitarian crisis in the world today. A political solution is the only viable way to bring peace to that terrible conflict. Iran must start to play a constructive, instead of destructive, role in that conflict.

Finally, when it comes to respecting international law, Iran’s dire human rights record continues to be a serious concern to the United Kingdom, especially its practice of arbitrary detention of dual nationals. Today a range of UK dual nationals are languishing in jail in Iran. They have typically been arrested on spurious charges, denied due process and subjected to mistreatment, contrary to the basic tenets of international human rights law. This practice causes great anguish and suffering not just to those detained but to their families.

Iran’s behaviour is unlawful, cruel and totally unacceptable. I have raised all these cases, along with Iran’s wider conduct, with Foreign Minister Zarif, and the Prime Minister raised the cases with President Rouhani yesterday in New York. We will continue to press for their release.

Iran’s record of respect for the basic rules of international law is woeful, and it is getting worse. Let us be clear about this and about the Iranian Government’s responsibility for the plight of their own people. It is a matter of political choice—their Government’s choice—yet, even now, we retain the hope that we can work with Iran and with our international partners to de-escalate tensions, to rebuild confidence and to establish a clear path for Iran towards international respectability.

Iran is a proud nation with a rich history and remarkable economic potential. It is held back by a regime that fails to respect the fundamental tenets of the rules-based international system. Iran faces a choice: it can double down on its approach, in which case the international opposition to its behaviour will only intensify; or it can take immediate steps to de-escalate tensions and rebuild international confidence by respecting international law and reducing the range of threats it presents to its neighbours. That is the only path to stability and prosperity for Iran and the wider region, and I commend this statement to the House.

5.39 pm

Emily Thornberry (Islington South and Finsbury) (Lab): I thank the Foreign Secretary for advance sight of his statement.

We have been summoned back here due to the unlawful actions of the Prime Minister, attempting to avoid debate on one vital issue, but it is important that we debate other vital issues, including the threat of war with Iran. First, Mr Speaker, may I take the opportunity of this discussion of vital issues in the middle east to apologise publicly to my Liberal Democrat colleagues for my crass throwaway “Taliban” remark in an interview last week? I am sorry for what I said. I believe that our politics is better when we are honest and apologise for
our mistakes—a lesson that our country’s Prime Minister, Her Majesty’s Prime Minister, would be well placed to learn.

I do not have a scintilla of doubt that Iran was responsible for the drone attacks in Saudi Arabia and the attacks on oil tankers in Hormuz. I totally agree with the Foreign Secretary that Iran’s actions are utterly unacceptable and must be condemned by all sides. Sadly, this was all too predictable, because just like during the tanker wars in the 1980s, there is a reckless and ruthless logic being applied by the Iranian hard-liners, the theocrats who are now in the ascendancy in Iran, and it is this: “If you stop our oil supplies, we’re going to stop yours.”

That development has been inevitable since the United States reimposed sanctions on Iran. There are absolutely no excuses for what Iran has done, but there is also no excuse for the Trump Administration wilfully wrecking the nuclear deal, destroying the chances of progress on other issues, and handing power back to the Khamenei hard-liners, who have always wanted to reverse the Rouhani Government’s attempt to engage with the west.

What are we left with now? With a Trump Administration agitating for war and Iranian hard-liners actively trying to provoke—war with a country that is nine times the size of Syria and has three times Syria’s pre-war population. That leaves us with a choice to make as a world and, even more important, a choice to make as a country and as a Parliament.

In an era when we can no longer rely on the United States to provide any global leadership on matters of peace and war, or anything to do with the middle east, we need the EU and the UN to step up, to do our job and to demand that, after working so hard to negotiate the nuclear deal, we will not let it be thrown away and allow the spiral into war to continue. As the Leader of the Opposition said yesterday, real security does not allow the spiral into war to continue. As the Leader of the Opposition said yesterday, peace and war, or anything to do with the middle east, does not come from belligerent posturing or reckless military interventions; it comes from international co-operation and diplomacy. Let me add that it does not come from what successive Governments have done by committing to military intervention with no planning for what comes next, creating chaos in the aftermath and opening up ungoverned spaces in which the evil of jihadist death cults thrives.

If war with Iran is where the world is headed and we cannot stop it, we have a choice to make as a country, and we should have a choice to make in this Parliament. That choice is whether our country is involved and the lives of our servicepeople are put at risk as a result of a power struggle between Tehran and Riyadh, as a result of a power struggle between Khamenei and Rouhani, and as a result of a power-crazed president in the White House who wants to start wars rather than end them. In that climate, there is only one thing we should be doing now, and that is working to de-escalate the tension with Iran, getting the nuclear deal back on track, and using that as the foundation, which it promised to be, of addressing all the other concerns that we have about Iran, not least its continued detention of Nazanin and other dual British nationals.

Instead, at this crucial moment, we have a Prime Minister openly talking about sending troops to Saudi Arabia, in an apparent bid to please Donald Trump. As the Leader of the Opposition said yesterday, have we learned nothing? On a day when we are also rightly focused on the powers of Parliament and the abuse of power by the Government, let me close by asking the Foreign Secretary one simple but vital question. Will he guarantee that, before any decision to join Donald Trump in military action against Iran and to put British servicepeople in harm’s way, this House will be asked to approve that action and given the chance to save our country from the disaster that war with Iran would be?

**Dominic Raab:** I thank the right hon. Lady for her remarks. I think we have agreement on at least some of them—on unequivocally condemning Iran for its responsibility for the Aramco attacks, for its attacks on shipping in the strait of Hormuz and for its treatment of dual nationals, including Nazanin Zaghari-Ratcliffe.

I share the right hon. Lady’s view that we want to maintain the JCPOA and that we remain committed to it, and that is the position of the Government. However, we can, we should and we must do better, because the JCPOA is limited. That is now recognised by the President of the United States—she has lambasted that—but also by the French President. Rather than trying to engage in tit for tat over whether this is a European or a US initiative, we should welcome the opportunity to forge a stronger international consensus. The choice here is not between the US and Iran, Saudi and Iran, or indeed the US and the EU, which is the paradigm the right hon. Lady presented. The choice is about those of us who are willing to stand up and uphold the rules-based international order, and the UK will be unflinching and unwavering in committing to doing that.

The right hon. Lady also talked—she will correct me if I am wrong—about whether the UK will be sending troops to Saudi Arabia. There has been no suggestion of that at all; it is simply wrong for her to say it. What has been said is that the US is sending troops to Saudi Arabia to make sure that Saudi can protect itself from further attacks or repeats of the attacks on Aramco. We have said that we would consider requests that we have received for support in relation to air defences. However, we are absolutely clear that our overarching strategic objective is de-escalation and reducing tensions. We want to see Iran come in from the international cold, but we need to be absolutely unwavering and clear in our resolve that the only way that that will happen is if Iran steps up and starts to meet its responsibilities, whether it is on dual nationals, nuclear compliance or the basic rules of international law, such as not attacking one’s neighbours.

**Tom Tugendhat** (Tonbridge and Malling) (Con): I very much welcome my right hon. Friend’s statement on Iran and the clarity of the position he has set out. It is important that we remember that Iran has been an aggressor to not just British dual nationals but people around the region, sponsoring, in many ways, the invasion of Syria and the violence that has caused millions of people to be displaced from their homes and hundreds of thousands to be killed. Does my right hon. Friend agree that the recent decision by the Iranian Government to put further fuel on that fire by sailing the Grace 1 into Syrian waters is simply further confirmation that this terrible regime is breaking international rules at every turn? Does he also agree that getting allies and partners, such as India and China, to support our actions in this area is essential? It is actually essential to them, too, if they are to prosper from the international system that has made them rich.
Dominic Raab: I thank my hon. Friend the Chairman of the Foreign Affairs Committee. He is absolutely right that the behaviour in relation to not only Syria but also the Iranian nuclear threat. It is particularly true in terms of the breaching of sanctions on Syria and the support for the Assad regime, but also in terms of the absolutely explicit assurances that were given to the United Kingdom that these things would not happen.

I also share my hon. Friend’s view that, rather than asking, as the shadow Foreign Minister did, whether there is a tit for tat or a spat between the US and the EU on this, we want the broadest basis of international support, to provide the most effective response and the clearest signal to Iran that its behaviour cannot continue.

Stephen Gethins (North East Fife) (SNP): I am particularly grateful that we are able to raise important issues such as this in Parliament just now. I also thank the Foreign Secretary for early sight of his statement.

We have long argued on the SNP Benches that there is a need for engagement, cool heads and dialogue, and that is especially important when dealing with the de-escalation of conflict in the middle east, as well as the nuclear threat. It is also important that we work with those who should be closest to us politically, and I welcome the joint statement with France and Germany. It is so important that we make progress and get the JCPOA back on track. We should be closest to our European partners.

We condemn the attacks on the Aramco facilities, just as we condemn any attacks on civilian targets in the Arabian peninsula. When dealing with a regime such as Iran that regularly flouts human rights and international norms, it is critical that we lead by example. Does the Foreign Secretary agree that we must respect the rule of law and that any comparisons of the UK and Iranian judicial process would be deeply irresponsible? Does he also agree that we must adhere to that rules-based system, which means that any rules that the court hands down on arms sales to Saudi Arabia or elsewhere must be adhered to?

Finally, Nazanin Zaghari-Ratcliffe and the other UK nationals who are being held must be the highest priority for the Government. As this is a critical and complicated issue, may I gently ask the Foreign Secretary to ensure that, when the Prime Minister is in meetings with the Iranians or is dealing with this, he is fully briefed so that he can do no more damage than he has already done?

Dominic Raab: I thank the hon. Gentleman for his questions. We certainly agree that we want to be in partnership with our EU partners, but again I gently push back on this idea that that is enough—it is not. We need the broadest international response to provide the clearest signal to Iran about its behaviour and to deter any future attacks, as we have seen in relation to Aramco. He is absolutely right that if we are going to talk about adhering to international law, we need to practise what we preach. In relation to any judicial proceedings on export licences, we will adhere to them meticulously and fully. Ultimately, the most important thing in relation to dual nationals is that we are absolutely clear not just with Iran, but working with our international partners, that this behaviour is unacceptable. There is no quid pro quo in any of this. The treatment of our dual nationals, including Nazanin Zaghari-Ratcliffe, is unlawful and unacceptable and it must end. They cannot be treated, in the words of my predecessor, my right hon. Friend the Member for South West Surrey (Mr Hunt), who did such a great job on this, as “political hostages”, which is tantamount to what is being done at the moment. We will be absolutely unwavering in raising these cases.

The hon. Gentleman mentioned the Prime Minister. The Prime Minister raised these cases with President Rouhani yesterday, so I hope that he can be reassured that we take this matter seriously and raise it at every possible opportunity.

Mr Jeremy Hunt (South West Surrey) (Con): I congratulate my right hon. Friend on his appointment, for which I was delighted to be the warm-up act. Does he agree that western policy towards Iran is, unfortunately, basically failing? It is failing to stop malign activity, as we saw with Aramco, failing to stop re-nuclearisation, and failing to stop hostage taking, which has sadly continued long after the case of Nazanin. Is not the answer close alignment between the United States and Europe, clearer consequences for wrongdoing, and a ladder for Iran to climb down so that we can get out of this incredibly dangerous situation?

Dominic Raab: I thank my right hon. Friend and pay tribute to the professionalism, dynamism, and the values and integrity that he brought to the post in his time as Foreign Secretary. I am very lucky to have taken over a team that is at the top of its game, owing in no small part to his efforts. I agree with the basic ingredients that he has set out. We need the widest possible international support—not just from the EU, not just from the US but the broadest international support—and very clear consequences for Iran if its unlawful behaviour in all the different areas that we are talking about—nuclear, dual nationals, and the attacks on Aramco—continues.

Several hon. Members rose—

Mr Speaker: With such a glittering array of parliamentary celebrities on both sides, it is difficult to know whom to choose, but I think that I must call not just a Member, I say for the benefit of observers, but a president—the president of the NATO Parliamentary Assembly, Madeleine Moon.

Mrs Madeleine Moon (Bridgend) (Lab): Thank you, Mr Speaker. This week, Iran has announced its intention of carrying out exercises in the Gulf, along with China and Russia. How is this a decrease in an escalation of tension and what risks does the Secretary of State see arising from this announcement?

Dominic Raab: The hon. Lady has highlighted precisely why we need the broadest international support for delivering the clearest messages to Iran. We talked to the Russians and the Chinese—both permanent members of the UN Security Council—about their responsibilities for maintaining the principles of the UN charter and the base tenets of international human rights law. This only goes to show why we need the broadest possible range of allies and partners in getting that message across and draining Iran from any of the otherwise alternative sources and bases of support that it would have.
Dr Liam Fox (North Somerset) (Con): As my right hon. Friend knows, I have always been extremely sceptical about the JCPOA because of the financial frontloading that has enabled Iran to finance international terrorism, and—as my right hon. Friend said—because of the lack of restraint on Iran’s regional destabilisations. If Iran continues to be in breach of the JCPOA, as it is when it says that it will continue to accelerate uranium enrichment, will the UK, under the agreement, trigger the process that would result in the snapback of UN sanctions?

Dominic Raab: I share some of my right hon. Friend’s concerns in relation to the JCPOA. It is clear that Iran cannot continue to go down the path that it is on without significant consequences. If it does not mind, I am not going to get ahead of myself with regard to what we will do in any set of circumstances in the future. The most important thing now is that Iran returns to full compliance with the JCPOA and ends its destabilising conduct in the region.

Several hon. Members rose—

Mr Speaker: I am keen to accommodate colleagues, but I am also keen to proceed to the next statement as close as possible to 6.30 pm. I am sure that colleagues will take their cue from that and will be admirably succinct.

Ann Clwyd (Cynon Valley) (Lab): It was not always the case that we slammed Iran in this Chamber; 25 years ago when I stood at the Dispatch Box, I in fact congratulated Iran on helping to save the Kurdish population who were fleeing across the mountains. The Turks shut the borders and the Iranians opened the borders, so at that time we were congratulating Iran on its moves. But may I say, as somebody who has campaigned for Nazanin Zaghari-Ratcliffe, that we are all concerned about the deterioration of relationships and that I would like to know exactly what we are doing? It is very vague; we are all having talks here and there. Did the Prime Minister come to some agreement with the Iranian President when he met him yesterday? What is physically being done to get Nazanin Zaghari-Ratcliffe and the other dual nationals out of jail?

Dominic Raab: I pay tribute to the right hon. Lady for her long-standing interest in this area. I remember visiting Tehran under the former reformist regime of President Khatami when I was a Foreign Office lawyer before coming into this House, and working on behalf of the UK Government for a bilateral investment treaty. I am afraid that we have taken a significant series of steps back since those days, but it does show that there is a path for Iran to come in from the cold, to get international respectability and to prosper as a result of it.

In relation to the dual national cases and that of Nazanin Zaghari-Ratcliffe, we need to be very careful. We are absolutely clear that Iran must release our dual nationals who have been detained on a whim unconditionally, and that there is no deal to be done—no linkage. As much as I would love to see all of the detainees reunited with their families, there would be acute moral hazard if we allowed ourselves to be blackmailed. All that we would find is that, shortly after the return of those detainees, a whole number more would be picked up; Iran would take the wrong lesson from our actions. We need to be very careful, and we will campaign unflinchingly and unwaveringly with our allies to secure the release of the detainees, but we must also be mindful of not creating the moral hazard to which I have referred.

Sir Hugo Swire (East Devon) (Con): The United Kingdom is involved in this, whether we like it or not, and we have already seen the effects on the price of oil resulting from the attacks on the Aramco field. Can my right hon. Friend assure me that in any contingency planning, the Foreign Office is considering the wider effects on the region? The United Kingdom has huge investments—people and companies—right across the Gulf. I hope that is being considered if anything gets worse there.

Dominic Raab: My right hon. Friend served with distinction in the Foreign Office, and I am mindful of his experience in this area. He is absolutely right that we need to bear in mind the wider implications of a military conflagration. That is not our strategic objective. We want to de-escalate and dial down the tensions, and to see Iran moving to re-establish confidence that it can be a lawful and respectable member of the international community, and that is what we are working towards.

Tulip Siddiq (Hampstead and Kilburn) (Lab): Last year, in an urgent question about Nazanin, the Minister for the Middle East at the time said to me that “we do not share the view that the IMS debt or any other bilateral issue is the reason for Mrs Zaghari-Ratcliffe’s detention.”—[Official Report, 22 May 2018; Vol. 641, c. 729.] This sentiment was echoed to me in a private meeting with the Prime Minister and Nazanin’s husband, Richard Ratcliffe. But this week in The Guardian, Iranian Foreign Minister Zarif said that successive British Foreign Secretaries have come to him and raised the issue of the £400 million debt in exchange for Nazanin’s freedom, so will the Secretary of State confirm categorically that the Iranian Foreign Minister is lying and that the UK Government would never negotiate with my constituent’s life?

Dominic Raab: I read that article in The Guardian, which referred to me as well in terms of the recent conversation that I had with the Foreign Minister. I can tell the hon. Lady unequivocally that no such deal was on offer and no such deal will be made. We expect Iran to live up to its responsibilities under international human rights law and under the Vienna convention on consular relations, and to release Nazanin, and the other dual nationals, without delay. They are being held unlawfully, and there is no bargaining with Iran—it must live up to its international commitments and do so without delay.

Mr Richard Bacon (South Norfolk) (Con): Given that President Trump has in recent months, on five occasions, sought to meet the Iranian leadership and has been repeatedly rebuffed on the basis that the Iranians cannot trust the Americans to adhere to agreements that they have reached, was the American decision to withdraw from the JCPOA premature?

Dominic Raab: My hon. Friend knows that it is the position of this Government and the previous Government that we stand by the JCPOA, not because it is the perfect deal but because it is the best credible alternative.
[Dominic Raab]

At the same time, it is absolutely right—this is accepted by President Macron as well as President Trump—that we should work for a better and more sustainable deal not only on the nuclear issue but on the wider destabilising activities that Iran is engaged in and that the Aramco attacks highlight the significance of.

John Woodcock (Barrow and Furness) (Ind): A number of my colleagues and I were able to visit Saudi Arabia this week and see the Abqaiq facility, and to be in absolutely no doubt that the very precise damage that was done to it was conducted by the Iranians. We will shortly update the Register of Members’ Financial Interests on that visit. Can the Secretary of State now assure us from the Dispatch Box that there is no question that the bad behaviour of the Iranians will be rewarded and that we should be looking to be in step with the United States at this vital time?

Dominic Raab: I pay tribute to the hon. Gentleman’s close interest in this. I think there is no doubt—or very little doubt; we are close to certainty—that Iran was responsible. It is implausible and lacking in credibility to suggest that the attacks came from the Houthi rebels. We certainly will co-ordinate with the United States as our closest military and security ally, but, as I have said, we need to send the broadest international response and signal to Iran if we are going to have the greatest impact on its behaviour in the future, because Iran is relying on splitting and splintering the west, and indeed the other countries that it will fall back on and try to engage in partnership and alliance with as its isolation increases. We want to de-escalate, and the best way of achieving that effectively is to have the broadest international support with that goal in mind.

Mary Robinson (Cheadle) (Con): My right hon. Friend recognises the importance of ensuring that Iran never gains access to nuclear weapons. However, over recent months Iran has deliberately breached the terms of the JCPOA nuclear deal, including enriching uranium, taking it closer to being able to produce those nuclear weapons. Does he agree and share my concerns that Iran will continue down this path unless it encounters a strong and united front from the west?

Dominic Raab: My hon. Friend is absolutely right. That is why we need to avoid the suggestion that it is one or other western country taking the initiative and join forces, co-ordinate and send the most effective message back to Iran that if it continues down this road of non-compliance with the JCPOA, there will be significant consequences for the regime.

Chuka Umunna (Stratham) (LD): Clearly there should be consequences short of military action for Iran for these violations; we cannot stand idly by while it disregards international law. But with a view to de-escalation and bringing to an end what is essentially a cold war between Saudi Arabia and Iran, it would be enormously helpful if the US returned to being a signatory to the JCPOA, particularly if we want a revised framework. What specific consequences does the Foreign Secretary envisage for Iran? What is he doing personally to persuade the US to return to being a signatory to the JCPOA, and does he acknowledge that the Saudis themselves must also comply with international law, not least in Yemen?

Dominic Raab: The hon. Gentleman makes a number of good points. I agree with him in relation to Saudi Arabia. We monitor very carefully the situation in relation to international humanitarian law, and we raise those issues with the Saudi Government. We remain committed to the JCPOA, but I do not quite follow his logic, in the sense that we recognise the limits of the JCPOA at the same time. The approach is and should be, as set out by not only President Trump but President Macron, to go for a more ambitious deal which is more effective in relation to not only the nuclear concerns we have but all the other issues that, as I am sure the hon. Gentleman recognises, concern the international community, whether it is dual nationals, freedom of navigation or its recent behaviour in terms of the Aramco attacks.

Mr John Whittingdale (Maldon) (Con): I strongly welcome my right hon. Friend’s continued championing of the cause of media freedom, on which Iran’s record is one of the worst in the world. In particular, will he continue to press Iran to cease the persecution of families of members of the BBC Persian service, who have faced arbitrary arrest, asset freezes, passport confiscation and surveillance?

Dominic Raab: This week at the UN General Assembly, the UK will be hosting an event on media freedom and a separate event in relation to Iran’s human rights record, so I can give reassurance that in both those key areas we are championing, not only on a bilateral basis but on a multilateral basis, all those issues that he is concerned about.

Sir George Howarth (Knowsley) (Lab): I agree with the right hon. Gentleman about the importance of ensuring that Iran never gains access to nuclear weapons. Can he give us his assessment of how long it is likely to take before Iran achieves that capability?

Dominic Raab: I totally agree with the right hon. Gentleman’s sentiments and objectives. It is quite difficult to say; it depends on what decisions are made and what the response of the international community is. We are at a very precarious point. The JCPOA is hanging by a thread. We want to continue it, but we also want to ensure in the terms I have described that we work with all our international partners to try to raise our game and have a more ambitious deal on both the nuclear side of things and the wider destabilising activity that Iran is doing to threaten the region.

Dr Julian Lewis (New Forest East) (Con): Do the Government accept that when we are dealing with two adversarial powers, both influential and both in the grip of religious fanaticism, the best policy we can adopt is one of the traditional balance of power, making sure that neither becomes too strong, but not fooling ourselves that the enemy of my enemy is necessarily my friend?

Dominic Raab: I thank my right hon. Friend. I think Tito or Acheson put it rather less elegantly than he has. I agree with him about being clear-eyed about the countries in the region. Equally, we need to have some moral clarity about the aggressive nature of what Iran
is doing. The way I view it is that this is less about the balance of power and more about ensuring that all countries in the region live up to the basic international obligations and responsibilities of the international community and international law.

**Dame Louise Ellman** (Liverpool, Riverside) (Lab/Co-op): Iran’s actions are making war more likely in the middle east, with bases in Syria, arms for Hezbollah in Lebanon and arms for Hamas in Gaza. What is the Secretary of State doing to address those issues, which threaten the peace of the whole region?

**Dominic Raab**: There are a whole range of sanctions on Iran under the UK implementing legislation for the EU regime. The hon. Lady is absolutely right to refer to all the proxies by which Iran tries to exert its influence in an aggressive and belligerent way. The most important thing, as well as looking at sanctions, is working with the widest range of international support, including all permanent members of the UN Security Council, to live up to their responsibilities to put an end to this aggressive behaviour.

**Stephen Crabb** (Preseli Pembrokeshire) (Con): Does the Foreign Secretary acknowledge that tens of thousands of British citizens working in Saudi Arabia are now living with greater fear and risk to their lives as a result of Iranian-backed attacks and thuggish behaviour against Saudi Arabia? What can he tell the House to show that he is determined that Iran’s irresponsible behaviour must come to an end?

**Dominic Raab**: We have UK nationals working in countries all over the region, and they will be concerned about the attacks on the two Aramco facilities. The most important thing we can do is signal that we take this seriously and will provide the most robust and effective response, which requires as broad an international consensus as possible. At the same time, we will work to de-escalate tensions rather than ramp them up.

**Mike Gapes** (Ilford South) (IGC): The Foreign Secretary has made a balanced, measured statement. I welcome his reference to the JCPOA and the need to co-operate with our French and German European partners. He also referred to Yemen. Will he update the House on what is happening in Yemen regarding the efforts of Martin Griffiths? What is being done to stop the continued Houthi attacks on civilian areas in Saudi Arabia and the rocketing of cities and Riyadh airport?

**Dominic Raab**: I know the hon. Gentleman takes a close interest in these issues. The Iranian support for the Houthi rebels is one illustration of Iran’s use of proxies in the region, which is unacceptable and must end. We fully support the peace process led by UN Special Envoy Martin Griffiths, and we want all parties to engage constructively with that process. Ultimately a political settlement rather than a military one is the only way to bring long-term stability to Yemen, and that needs to be made clear to Saudi Arabia, Iran and all the other players in the region. We will be hosting a political event at the UN General Assembly to co-ordinate the international effort in that regard and to endorse UN Special Envoy Martin Griffiths’s plan to begin wider political discussions.

**Jack Lopresti** (Filton and Bradley Stoke) (Con): Will my right hon. Friend assure me that if, as a result of further Iranian acts of war, the US is forced into taking military action, the Government’s position will be not just full support but assistance?

**Dominic Raab**: We are focused on two things. We are sending a clear message to Iran that its behaviour is unacceptable and that we hold it to account for the attacks on Aramco. As I have said to the House, we will entertain the request from the Saudi Government in relation to air defences as we would from any close ally. Equally, we want to de-escalate the tensions and avoid a military conflagration. Ultimately the best way of achieving that is having the widest international support for the widest measures short of military intervention. That is why yesterday’s statement by the E3 was so significant.

**Toby Perkins** (Chesterfield) (Lab): I agree with much of what the Foreign Secretary has said about the appalling role of the Iranians, not just in their own country but across the middle east region. Do not the actions of President Trump and their failure to ensure that the west has influence show that his kind of Twitter diplomacy, far from getting things done, weakens those forces in Iran who want to work with the west and strengthens those forces who want to say the west is the enemy?

**Dominic Raab**: The hon. Gentleman makes some interesting points, and I accept some of his concerns. The international efforts post the G7 summit with President Trump and President Macron, at which my right hon. Friend the Prime Minister is at the forefront, to make sure that rather than an EU or US effort we have a broad, international effort, are the way to focus the minds of the hardliners in Tehran.

**Mr Bob Seely** (Isle of Wight) (Con): What can the Foreign Secretary share with the House about any changes in the laydown of Iranian forces or their proxies in countries such as Yemen, Lebanon and Iraq, which will give us a pointer as to whether Iran is preparing for a wider conflict?

**Dominic Raab**: It is difficult to assess. Ultimately we have to judge Iran by its behaviour, and its latest behaviour has been unacceptable and is deeply worrying. That is why the crucial thing, while creating the space for de-escalation and political dialogue, is to be clear that Iran cannot continue as it has, especially with the kind of attacks that we saw on the Aramco facilities.

**Ian Murray** (Edinburgh South) (Lab): The Foreign Secretary has already said that the JCPOA is hanging by a thread. The agreement itself lays out what sanctions are available to either party if they are not in full compliance with the JCPOA, so what is his next step in trying to bring Iran into alignment?

**Dominic Raab**: All the parties to the JCPOA need to be clear that Iran must come back to full compliance. At the same time, while availing ourselves of all the levers we have within that deal, we also need to raise our level of ambition. That is why the suggestion that we look at improving the deal, working with the French, the US and the widest international support, is the right way to go.
Sir Paul Beresford (Mole Valley) (Con): Iran’s destabilising activity is fairly broad geographically. As my right hon. Friend knows, I have a distant, declared interest in Libya, where there is a battle going on between General Haftar and the Government of National Accord. There are some dubious forces behind General Haftar, including, I understand recently, 100 mercenaries from Russia. Is there any indication that Iran’s meddling in the affairs of other countries has got as far as Libya?

Dominic Raab: There is widespread concern that Iran will take every opportunity, through its proxies and through local militias and other groups, to exert its influence and have a destabilising effect in order to pursue its own narrow national interest in a way that is deeply damaging for the international order and for regional stability. In relation to Libya, I would want to look very carefully at that, but I think there is a much broader, general threat that Iran is systematically posing.

Sir Mark Hendrick (Preston) (Lab/Co-op): Donald Trump’s decision to withdraw unilaterally from the JCPOA last year and the additional sanctions have placed huge pressure on Iran, and there is much hardship in that country. The attack on Saudi Arabia’s Abqaiq oil refinery is totally unacceptable, but does the Foreign Secretary not accept that the cavalier approach of the US President is a contributing factor and that Donald Trump must work with the west to de-escalate this crisis?

Dominic Raab: The US President is working with the west. We saw that at the G7 in Biarritz, and we have seen it at the UN General Assembly. Both the French and American Presidents want a better deal than we have at the moment. We will continue to commit to the JCPOA, but we cannot kid ourselves that it is a perfect deal. It has its limitations and we should try to do better.

Gareth Johnson (Dartford) (Con): Does the Secretary of State share my frustration that despite categorical assurances and promises from the Iranian Government, the Grace 1 tanker that was seized in Gibraltar was heading to Syria? Does he agree that this is just another example of why the Iranian Government are losing respect right around the world?

Dominic Raab: My hon. Friend is absolutely right. I have explained this to the Iranian Government at every level. The reality is that if clear and unequivocal assurances are given and then broken, that only goes to decrease trust and to reduce and erode confidence in Iran and its ability to live up to its responsibilities. That can only taint its reputation and delay the point at which it can come in from the international cold.

Graham P. Jones (Hyndburn) (Lab): I landed in London this morning after a two-day trip to Abqaiq oil facilities that was paid for by the Government of Saudi Arabia. I have not yet had the opportunity to declare that in the Register of Members’ Financial Interests, but I will do so in the coming days. A shocking attack on the oil facility, which was subject to multiple Iranian unmanned aerial vehicle and cruise missile attacks, is a breach of all international laws. Earlier derivatives of those missiles are being provided to the Islamist terror group in Yemen. As of yesterday, some 256 ballistic missiles and some 66,000 airborne missiles have been fired into the nation of Saudi Arabia. More than 100—

Mr Speaker: Order. I am immensely grateful to the hon. Gentleman. I know he speaks on the basis of a recent visit, but if he could advance towards a question with a question mark at the end of it, that would be enormously appreciated by the whole House.

Graham P. Jones: The Houthis have found 100 Iranian-manufactured sea mines in the Red Sea. If they were to hit an oil tanker carrying 2 million barrels of oil, it would be the worst environmental crisis ever. When are this Government going to step up to the plate and deal with the Islamist terrorists in Yemen?

Dominic Raab: We are actively and energetically engaged in that. This week, we are hosting an event at the UN General Assembly with the UN special envoy and we are talking to all sides. It is an intractable, terrible conflict and the hon. Gentleman is right that the Iranian role is pernicious. It is one example of the destabilising activities that we must deal with in concert with our international partners.

Daniel Kawczynski (Shrewsbury and Atcham) (Con): The Foreign Secretary was correct to highlight in his statement the appalling attacks on Aramco and Iran’s meddling in Yemen. Will he also acknowledge that in the past few years there have been growing allegations of Iranian interference in Bahrain, Iraq and Syria and of course, of funding Hezbollah in Lebanon? Will he focus equally on those allegations and the effects on regional partners?

Dominic Raab: My hon. Friend is absolutely right that we need to consider all the destabilising activities that Iran conducts through its proxies in the region, and that looking at one or other issue without examining the position in the round misses the big picture.

Janet Daby (Lewisham East) (Lab): My constituents, the wife and children of Mr Ashoori, who is being held in prison in Iran, recently met me. Can the Secretary of State confirm whether the Prime Minister raised the case of my constituent Mr Ashoori when he met President Rouhani this weekend? What progress has been made?

Dominic Raab: The hon. Lady raises a terrible case, as all those cases are, not just for the individuals involved but for their families and loved ones. We raise all the dual nationality cases that we have at every level. I am confident that the Prime Minister raised those cases with President Rouhani, and I can assure the hon. Lady that I raised them all directly with Foreign Minister Zarif.

Mr Philip Dunne (Ludlow) (Con): My right hon. Friend rightly referred to the vital work of the International Maritime Security Construct, in which the UK plays an important part. Indeed, the Royal Navy vessel on duty this summer experienced more than 100 confrontations from the Iranian revolutionary guards, according to newspaper reports. Will my right hon. Friend update the House on efforts that are being undertaken at the
UN General Assembly or through bilateral relationships with other nations to broaden the construct to ensure that as many nations as possible are involved in order to maintain freedom of navigation in the strait of Hormuz?

**Dominic Raab:** My right hon. Friend is absolutely right. We want the broadest possible support for policing freedom of navigation in the strait of Hormuz and the wider region. The IMSC has broadened its support, but we also want the European-led initiatives to come on board. Ideally, we would like to join them together. It should not be a question of whether it is a US or an EU flag on the initiatives or the operations; we want to broaden them and bring them together because that is the most effective way to police freedom of navigation.

**Christian Matheson** (City of Chester) (Lab): I have little time for either the Government of Iran or the Government of Saudi Arabia and I wonder whether it is always necessary to choose sides. I therefore welcome the Secretary of State’s focus on de-escalation. I echo the concerns of my hon. Friend. The Members for Chesterfield (Toby Perkins) and for Preston (Sir Mark Hendrick) that the American Government’s antics seem to give Iran an excuse to walk away from agreements, which they would not have if the Trump regime were not behaving in such a way.

**Dominic Raab:** As I have already said, we remain committed to the JCPOA, but as others have concluded, it is not perfect. It has its limitations, which is why we want a more ambitious and all-encompassing deal that is more effective on the nuclear side of things and also tackles a whole range of destabilising initiatives that Iran engages in, which hon. Members of all parties have raised today.

**Bill Wiggin** (North Herefordshire) (Con): De-escalation is all very well, but it is not working and the regime shows all the symptoms of bullying. Does my right hon. Friend not agree that this is a case of si vis pacem, para bellum—if you want peace, prepare for war?

**Dominic Raab:** I understand my hon. Friend’s concerns and his pugnacious, spirited response. I think that right now we need a very carefully calibrated message for Iran that we will support the defensive posture that the Saudis have taken. We want to avoid any further attacks like that we saw in the Aramco facilities, for them and for world oil supplies. We also want to create the space for de-escalation and for a route that means Iran can come in from the cold, but that must be driven by Iran living up to its international responsibilities.

**Stewart Malcolm McDonald** (Glasgow South) (SNP): Two years ago, the Government concluded that Iran was responsible for a cyber-attack on this very House. What assessment has the Foreign Office made of the current threat of cyber-attacks from the Government of Iran?

**Dominic Raab:** Iran is clearly trying to exploit all the potential avenues for exerting its influence and power in the region, not just militarily, as we saw with Aramco, but with cyber. We are making sure that we have the best set of technological equipment and resources to ensure we can defend ourselves. Again, we will need to work with our international partners on that.

**Tim Loughton** (East Worthing and Shoreham) (Con): If the Iranians are implicated in the Saudi Aramco attack, there are also serious implications not only for Saudi Arabia but for other UK allies in the Gulf. I gather that two of the cruise missiles fell short of their target and are in sufficiently intact condition to be analysed for their targeting systems to determine their launch targets. Can the Foreign Secretary update us on the progress made on getting evidence that Iran really was behind the attack?

**Dominic Raab:** As my hon. Friend will know, we are very careful about talking about sensitive intelligence. I can tell him that contrary to the Houthi claims that 10 drones were used, imagery of the damage caused clearly shows that there were not just 10 but between 16 and 19 strikes on the Abqaiq facility. Imagery from the site also shows the remnants of Iranian-made land attack cruise missiles and, frankly, attacks of this scale and sophistication could not have been done by the Houthis.

**Mr Paul Sweeney** (Glasgow North East) (Lab/Co-op): Although I welcome the Government’s commitment to the International Maritime Security Construct, the British capacity to contribute to it has been impaired by the Government cutting the Royal Navy surface fleet by a third. What are the Government going to do to enhance British capacity to contribute to the protection of freedom of navigation in the Persian gulf, including British merchant shipping?

**Dominic Raab:** We have assets in the region. We are contributing to the IMSC and we—[Interruption.]/ The hon. Gentleman says not enough, but what we actually need to do is get the broadest international support for that and a bit more support from our European partners. We need to bring the Europeans and the Americans together—Australia is already involved, as are other partners—and to have a burden-sharing arrangement that means we can police the strait of Hormuz and the other freedom of navigation areas in the region as effectively as possible.

**Rehman Chishti** (Gillingham and Rainham) (Con): As the Prime Minister’s special envoy and ambassador for freedom of religion and belief, I recently met representatives of the Baha’i community and the Christian community, who raise real concerns about individuals being persecuted for their faith in Iran. Will the Foreign Secretary ensure that in every discussion we have with our Iranian counterparts religious freedom is made a key priority for us so that individuals can practise their faith freely?

**Dominic Raab:** I thank my hon. Friend, and welcome him to his role as the PM’s special envoy in this area. I know he will do an amazing job, with all his dynamism and knowledge in the area. He is absolutely right that we should be raising the issue of human rights, not just for dual nationals, but for the persecuted minorities and people of faith in Iran itself.

**Martin Docherty-Hughes** (West Dunbartonshire) (SNP): Given that the Stena Impero’s headquarters are found in my constituency, it would be remiss of me not to say that I do not dispute the Secretary of State’s assertion
that Iran is culpable in terms of these attacks. I welcome
the work that his Government have done to construct a
bridge between the United States and Europe. Nevertheless,
given that the United States is fixated on regime change
in Iran, will the Secretary of State give an unequivocal
commitment to détente with Iran and the re-establishment
of the 2015 nuclear framework?

Dominic Raab: The hon. Gentleman puts it in his
own way, but I would say that we need clear consequences
for the violations of international law that Iran engages
in. We need to bring the broadest international support
to make those measures effective, but we also need to
de-escalate and create the space, route and road map for
Iran to come in out of the international cold.

Dr Matthew Offord (Hendon) (Con): It is four years
since the JCPOA was implemented. Many of us were
much against it at that time, but since then Iran has
become more belligerent, not only engaging in attacks
against our nationals, but harassing our police and
transport and engaging in cyber-attacks, even against
this Parliament itself. Does the Foreign Secretary really
believe that this is a country that wants to engage with
the international community?

Dominic Raab: My hon. Friend makes the point very
powerfully. Iran is giving the international community
—certainly the United Kingdom in relation to the
Grace 1 episode—the clear message that it does not live
up to its word. If Iran wants a path to international
respectability and the prosperity that comes with it, it
will have to reverse those actions and live up to its
responsibilities. Then it might be possible.
The Prime Minister: The people of this country can see perfectly clearly what is going on. They know that Parliament does not want to honour its promises to respect the referendum. The people at home know that this Parliament will keep delaying, and it will keep sabotaging the negotiations, because Members do not want a deal.

The truth is that Opposition Members are living in a fantasy world. They really imagine that somehow they are going to cancel—[Interruption.] This is what they want to do. They are going to cancel the first referendum and legislate for a second referendum, and Parliament will promise—this is what the hon. Lady opposite said—that this time it really, really will respect that vote. They think that the public will therefore vote to remain, and everybody will forget the last few years.

I have to say, Mr Speaker, that that is an extraordinary delusion and a fantasy, a fantasy even greater than the communist fantasies peddled by the Leader of the Opposition. It will not happen. The public do not want another referendum. What they want, and what they demand, is that we honour the promise we made to the voters to respect the first referendum. They also want us to move on: to put Brexit behind us and to focus on the NHS, on violent crime, and on cutting the cost of living.

That is why I brought forward a Queen’s Speech. This Government intend to present a programme for life after Brexit, but some Members could not stand that either. Instead of facing the voters, the Opposition turned tail and fled from an election. Instead of deciding to let the voters decide, they ran to the courts. And despite the fact that I followed the exact same process as my predecessors in calling a Queen’s Speech, the Supreme Court was asked to intervene in that process for the first time ever. It is absolutely no disrespect to the judiciary to say that I think that the court was wrong to pronounce on what is essentially a political question, at a time—[Interruption.]

Mr Speaker: Order. Whatever the strength and intensity of feeling and the passions to which these matters give rise, we must hear what is being said in the Chamber, and I wish to hear the Prime Minister.

The Prime Minister: I think that the court was wrong to pronounce on what is essentially a political question, at a time of great national controversy.

So we have Opposition Members who block and delay everything, running to the courts to block and delay even more measures, including legislation to improve and invest in our NHS, and to keep violent criminals in jail. I think that the people outside this House understand what is happening. They know that nothing can disguise the truth.

It is not just that this Parliament is gridlocked, paralysed, and refusing to deliver on the priorities of the people. It is not just unable to move forward. It is worse than that, Mr Speaker. Out of sheer political selfishness and political cowardice, Opposition Members are unwilling to move aside and give the people a say. They see MPs demanding that the people be given a say one week, and then running away from the election that would provide the people with a say. Worst of all, they see ever more elaborate legal and political manoeuvres from the Labour party, which is determined, absolutely determined, to say “We know best”, and to thumb their noses at the 17.4 million people who voted to leave the European Union.

The Leader of the Opposition and his party do not trust the people. The Leader of the Opposition and his party are determined to throw out the referendum result, whatever the cost. They do not care about the bill for hundreds of millions of pounds that will come with every week of delay. They do not care if another year or more is wasted in arguing about a referendum that happened three years ago. All that matters to them now is an obsessive desire to override the referendum result. While we want to take our country up a gear—to go forward with a fantastic programme, an accelerated programme of investment in infrastructure, health, education and technology, they are throwing on the hand brake.

We will not betray the people who sent us here; we will not. That is what the Opposition want to do. We will not abandon the priorities that matter to the public, and we will continue to challenge those Opposition parties to uphold democracy. If Opposition Members so disagreed with this Government’s commitment to leaving on 31 October, they had a very simple remedy in their disposal, did they not? They could have voted for a general election. I confess that I was a little shocked to discover that the party whose members stood up in Brighton this week and repeatedly, and in the most strident terms, demanded an election—I heard them—is the very same party whose members already this month, not once but twice, refused to allow the people to decide on their next Government. For two years they have demanded an election, but twice they have voted against it.

The Leader of the Opposition changes his mind so often, I wonder whether he supports an election today, or whether the shadow Chancellor, or the shadow Attorney General, have overruled him again because they know that the voters will judge their manifesto for what it is—more pointless delay. Perhaps he is going to demand an election and then vote against it—just as he says that he wants to negotiate a new Brexit deal and then vote against that, too. Is he actually going to vote no confidence in this Government? Is he going to dodge a vote of no confidence in me as Prime Minister, in order to escape the verdict of the voters? I wonder, does he in his heart even want to be Prime Minister any more? He says that he should go to Brussels on 17 October and negotiate another pointless delay, but he does not want to go himself. And even if he did, his colleagues would not let him, because quite frankly they recoil at the idea of him negotiating on the people’s behalf, representing this country with the likes of Vladimir Putin, let alone the EU or the mullahs of Tehran.

Or is it perhaps that he wants a Conservative Government? It would be a curious state of affairs indeed if Her Majesty’s loyal Opposition had every faith in the Government of the day. So if in fact the party opposite does not have confidence in the Government, it will have a chance to prove it. It has until the House rises—[Interruption.] I think they should listen. It has until the House rises today to table a motion of no confidence in the Government—[Interruption.] Come on! Come on, then. And we can have that vote tomorrow. Or if any of the smaller parties fancy a go, they can table that motion and we will give them the time for a vote. Will they have the courage to act, or will they
refuse to take responsibility and do nothing but dither and delay? Why wouldn’t they act? What are they scared of? If that is what you are scared of, then have the—

Mr Speaker: Order. I appeal to the House to have some regard to how our proceedings are viewed by people watching them in the country at large. [Interruption.] Order. Let the remainder of the statement be heard. I am grateful for the Prime Minister’s exhortation but I do not require it; I am perfectly content. What I want to hear is the rest of the statement and then questioning on it.

The Prime Minister: Mr Speaker, thank you. As I commend this statement to the House, I say it is time to get Brexit done. Get Brexit done, so we respect the referendum. Get Brexit done, so we can move on to deal with the people’s priorities—the NHS, the cost of living. Let’s get Brexit done so we can start to reunite this country after the divisions of the referendum, rather than having another one. It is time for this Parliament finally to take responsibility for its decisions. We decided to call that referendum. We promised time and again to respect it. I think the people of this country have had enough of it. This Parliament must either stand aside and let this Government get Brexit done, or bring a vote of confidence and finally face the day of reckoning with the voters.

I commend this statement to the House.

6.44 pm

Jeremy Corbyn (Islington North) (Lab): I thank the Prime Minister for giving me an advance copy of his statement. Unfortunately, it was like his illegal shutting down of Parliament—“null” and “of no effect and should be quashed”, in the words of the Supreme Court. This was 10 minutes of bluster from a dangerous Prime Minister who thinks he is above the law, but in truth he is not fit for the office he holds. I am glad to see so many colleagues back here doing what they were elected to do: holding the Government to account for their failings. Whether it is their attempt to shut down democracy, their sham Brexit negotiations, their chaotic and inadequate no-deal preparations, the allegations of corruption, their failure on climate change or their failure to step in to save Thomas Cook, this Government are failing the people of Britain, and the people of Britain know it—[Interruption.]

Mr Speaker: Order. I said that the Prime Minister should not be shouted down. The same goes for the Leader of the Opposition. Let me say to people bellowing from a sedentary position: stop it—you will exhaust your vocal cords, you will get nowhere, it will not work, and these proceedings will continue for as long as is necessary for the Chair to be satisfied that proper scrutiny has taken place. It is as simple and incontrovertible as that.

Jeremy Corbyn: Thank you, Mr Speaker.

Yesterday’s Supreme Court verdict represents an extraordinary and, I believe, precarious moment in this country’s history. The highest court in this land has found that the Prime Minister broke the law when he tried to shut down our democratic accountability at a crucial moment in our public life. The judges concluded that there was no reason, “let alone a good reason”, for the Prime Minister to have shut down Parliament. After yesterday’s ruling, the Prime Minister should have done the honourable thing and resigned, yet here he is—forced back to this House to rightfully face the scrutiny he tried to avoid—with no shred of remorse or humility and, of course, no substance whatsoever.

Let us see if he will answer some questions. Does the Prime Minister agree with his Attorney General that the Government “got it wrong”, or with the Leader of the House that the Supreme Court committed a “constitutional coup”? This is a vital question about whether the Government respect the judiciary or not.

The Attorney General was categorical that the Government would comply with the European Union (Withdrawal) (No. 2) Act 2019. Can the Prime Minister confirm that? I pay tribute to those MPs from all parties across the House, to the Lords and to those in the Scottish Parliament and Welsh Assembly who have not only fought so hard to stop a disastrous no deal, but continued to take the case against Prorogation through the courts. The Government have failed to silence our democracy.

During the period of unlawful Prorogation, the Government were forced to release their Yellowhammer no-deal analysis and plans. No wonder the Prime Minister has been so eager to avoid scrutiny and hide the dangers of his Brexit plan. The release of those documents leads to many questions that the Government must answer now that our Parliament is back in operation.

I would like to start by asking the Prime Minister why the Government in August described leaked Yellowhammer documents as out of date. When the documents were produced in September, they were word for word the same. It is clear that they have tried to hide from the people the truth—the real truth—of a no-deal Brexit and the fact that their policy would heap misery on the people of this country.

Let us take a look at the analysis: chaos at Britain’s ports, with months of disruption; people going short of fuel and fresh foods—[Interruption.] It is your paper, you wrote it and you tried to hide it. [Interruption.] I beg your pardon, Mr Speaker—I do not hold you responsible for writing the document. There would be disruption of people’s vital medical supplies, rises in energy prices for every household in the country, and a hard border for the people of Northern Ireland and the Republic of Ireland.

Most damning of all is the passage that simply says: “Low income groups will be disproportionately affected”. There we have it, Mr Speaker: a simple warning, a simple truth, that a Tory Government are continuing to follow a policy they know will hit the poorest people in our country the hardest. They simply do not care.

The damning document we have seen is only six pages long. It is only right that this House should expect more transparency from the Government.

The Government say that they are doing all they can to get a deal before 31 October, but the truth is that the Prime Minister has put hardly any effort into negotiations. Any progress looks, at the most generous, to be minimal. Only yesterday, the European Union’s chief negotiator, Michel Barnier, said that there was “no reason today for optimism”. 
Why does the Prime Minister believe Mr Barnier has that view? This House is still yet to hear any detail of any deal the Government seek to negotiate. We are told the Government have distributed papers to Brussels outlining proposals for a change to the backstop. Will the Prime Minister publish these papers and allow them to be debated in this House of Parliament? For this Government to have any credibility with our people, they need to show they have an actual plan.

The Prime Minister also has questions to answer about his conduct in public office and, in particular, about allegations that he failed to declare an interest in the allocation of public money to a close friend while he was Mayor of London. It was announced today that, in the light of the Sunday Times report, the Department for Digital, Culture, Media and Sport is reviewing the funds allocated. Did the Prime Minister initiate that review? Will he fully co-operate with the DCMS review and that of the London Assembly? Will he refer himself to the Cabinet Secretary for investigation? No Prime Minister is above the law.

No one can trust the Prime Minister, not on Iran, not on Thomas Cook, not on climate change and not on Brexit. For the good of this country—[Interruption.]

Mr Speaker: Order. The Leader of the Opposition is entitled to be heard in this Parliament, and he will be heard. [Interruption.] Order. I do not mind how long it takes, these exchanges will take place in an orderly manner. Be in no doubt about that.

Jeremy Corbyn: Thank you, Mr Speaker.

Quite simply, for the good of this country, the Prime Minister should go. He says he wants a general election. I want a general election. It is very simple: if he wants an election, get an extension and let us have an election.

The Prime Minister: The right hon. Gentleman asked several questions, and I will try to deal with them in order.

On the first point, my right hon. and learned Friend the Attorney General made it absolutely clear that this is a judgment with which he disagrees, although of course he respects the judgment of the Supreme Court.

On the second point, about the Benn-Burt Act, I will say what I am sure the Leader of the Opposition understands. We will, of course, obey the law and we will come out of the EU on 31 October.

On the point about preparations for a no-deal Brexit, I congratulate my right hon. Friend the Chancellor of the Duchy of Lancaster, who just spoke for two hours on this matter. Our preparations are very far advanced, and I think this country can be entirely confident that we will be ready, deal or no deal.

On the point about whether or not we are on the verge of getting a deal, it is absolutely true that negotiations are difficult, but we are making progress. All I will say to the Leader of the Opposition and his friends is that the negotiations have not been made easier by the surrender Act he passed.

On the next point, I am very proud about everything I did as Mayor of London. I may say to the current Mayor that he would be better off spending less on press officers and more on police officers in London, because we were funding 20,000 more on our streets. As for being trusted on Iran, the Leader of the Opposition took the shilling of the mullahs from Press TV.

I was rather sad that the Labour conference was interrupted by the ruling, because I was astounded by some of the things I heard, which doubtless were designed to obscure the inanity of the right hon. Gentleman’s policy on Brexit. He wants to abolish fee-paying schools, at a cost to the taxpayer of £7 billion. He wants a four-day working week, cutting the incomes of the lowest paid in this country. He wants to abolish Ofsted, and now we hear he wants to abolish all controls on immigration from the EU.

But it turns out a crucial passage was missing from the right hon. Gentleman’s speech. There is something slightly pitiful about him, because it seems that he actually did want to call an election now. There was a passage in his speech calling for an election now, but it was censored by the Stasi in the form of the shadow Chancellor—or perhaps the shadow Lord Chancellor. The right hon. Gentleman is being gagged, muzzled, held captive by his colleagues. They will not let him say what he wants to say. I say, “Free the Islington One!”

Why will the right hon. Gentleman’s colleagues not allow him to have an election? Why will they not allow him to unleash his charms on the electorate? It is because they are not only terrified that he would lose, but even more terrified by the remote possibility that he would win. He cannot control his own party. He cannot decide whether he is for leave or for remain. He is being held captive by his colleagues, the electorate are being held captive by this zombie Parliament and this zombie Opposition, and the right hon. Gentleman wants the entire country to be held captive in the EU after 31 October, at a cost of more than £1 billion a month. We say, “No!” I say, “No!” Let us get Brexit done and let us take this country forward. [Applause.]

Mr Iain Duncan Smith (Chingford and Woodford Green) (Con): May I congratulate my right hon. Friend the Prime Minister—[Interruption.]

Mr Speaker: Order. I appeal to Members of the House to calm themselves. I just called the right hon. Member for Chingford and Woodford Green. He is entitled to put his question, and the rest of us are entitled to hear him. Mr Iain Duncan Smith.

Mr Duncan Smith: May I congratulate my right hon. Friend. The Prime Minister on his very good put-down of the shallow Leader of the Opposition? I understand that his Government have changed the root origin of the term “yellowhammer” to describe the botched attempt by the Leader of the Opposition to dispatch his own deputy. I received and saw in my constituency, as others did recently, leaflets from the Labour party calling for a general election now. Can my right hon. Friend give me any reason why we are not having an election at this point? Does he think for a moment that it could be because the Leader of the Opposition fears his own party just as much as he fears us?

The Prime Minister: I thank my right hon. Friend for his acute question. I am afraid the answer is simple: the Opposition do not want an election. I am not sure that the public would trust them with the Government—and I think that they are right. I think they put the yellow into yellowhammer.
Ian Blackford (Ross, Skye and Lochaber) (SNP): I thank the Prime Minister for an advance copy of his statement. When I read the first paragraph, it talked about the Supreme Court verdict; it was the judgment of the Supreme Court. Perhaps the Prime Minister might start to show some respect for the judiciary. We are here today because the Prime Minister was utterly humiliated by the Supreme Court, by a count of 11 to zero. Members might have thought, in that diatribe that we had, that we would have some humility and that we might have been able to acknowledge that what we have had is the unlawful shutting-down of Parliament. Mr Speaker, sorry is indeed the hardest word for the Prime Minister.

It was said by a former Prime Minister that where law ends, tyranny begins. It pains me to say it, but the fact that the Prime Minister is still standing here today shows that he does in fact believe he is above the law. Well, he is not. Thank heavens for the action that was brought in the courts in Scotland and England, and I pay tribute to my hon. and learned Friend the Member for Edinburgh South West (Joanna Cherry). Thank goodness the courts have done their job and made sure that parliamentarians are back where they should be, in this House, holding the Government to account.

The ruling of the Supreme Court has made it absolutely crystal clear: the actions of this Government and this Prime Minister led to the unlawful Prorogation of Parliament. Delivering the verdict, Lady Hale stated that Prorogation was null and void. Have you no shame, Prime Minister? The court concluded that the decision was unlawful because it had “the effect of frustrating or preventing, without reasonable justification, the ability of Parliament to carry out its constitutional functions”.

The Prime Minister talks about us running off to the courts. Well, we got the courts to do what he failed to do, which was to respect parliamentary sovereignty. The court talked of “frustrating or preventing, without reasonable justification, the ability of Parliament to carry out its constitutional functions”.

How devastating for a Prime Minister to have such a judgment. Where law ends, tyranny begins. Yet, the Prime Minister said he did not agree with the courts. He only agrees with his cronies in No. 10—his Brexit-obsessed fan club. He cannot pick and choose when it comes to law; he must obey the law. That is not leadership; he quite simply is not fit for office.

I hear the Prime Minister talking about a surrender Act. How despicable that, when he refers to Members of this House who are doing their duty to protect our constituents, he uses language such as “surrender”. That language is not suitable for the Prime Minister of any country.

The Prime Minister’s position is no longer tenable. His failure to resign is an embarrassment. People have had enough of this shambles. We have reached a difficult and dangerous point—[Interjection.]

Mr Speaker: Order. The right hon. Gentleman leads the third party in this House. He has a right to be heard. He will continue his contribution and he will be heard, however long it takes. If the message has to be repeated again and again and again ad infinitum, so be it. He will be heard—end of subject.

Ian Blackford: I am much obliged, Mr Speaker.

We have reached a difficult and dangerous point, not just in relation to the Brexit crisis, but for the constitutional future of these islands and, indeed, the future of our democracy. We have a Prime Minister standing here in a Parliament that he sought to silence. People across these countries will be reading today about how the Prime Minister fought the law, but the law won. The Prime Minister, the Head of Government, is responsible for the law and responsible for governance. What an example he is to the public! Let me be clear to the Prime Minister that he should resign, but if he fails to do so, yes, the Opposition must unite to trigger a vote of no confidence to bring this chaotic Government down. By triggering a vote of no confidence, we will ensure that the Benn Act is honoured to take no deal off the table by allowing the Opposition to install an interim leader to take back control and to protect our economy from the cliff edge. The Scottish National party fully supports stopping no deal—it is our priority.

Let me be clear to Members on these Benches: we are not powerless. Doing nothing is not an option. This is the time for leadership. Once we have removed the Prime Minister and removed the threat of no deal, the people must have their say, through a general election, as quickly as possible. We must unstick this mess and we must trust the people to make their choice. We cannot trust this Prime Minister; his time must be up. His days of lying, cheating and undermining the rule of law must be numbered—[Interjection.]

Mr Speaker: Order, order! Just for the avoidance of doubt, I am sure that the right hon. Gentleman will not state in this House that the Prime Minister has lied in the House. He must not do so—[Interruption. Order, order! That is the procedural position. He did not say that, but he did refer to lying. I know that he cannot be referring to it in the context of the exchanges in this House. A nod of the head to confirm that my interpretation is correct will suffice and he can then proceed with the rest of his questioning.

Ian Blackford indicated assent.

Mr Speaker: I am sure that I am correct in my surmise.

Ian Blackford: Thank you, Mr Speaker. I have one question for the Prime Minister for now. Do the right thing, and do it now. Prime Minister, end this dictatorship. Will you now resign?

The Prime Minister: I thank the right hon. Gentleman. On his substantive point, we do respect the Supreme Court. The reason that I want a Queen’s Speech, and wanted a Queen’s Speech, is quite frankly, of course, because we have to do what we can as a United Kingdom to remedy the waste and incompetence of the high-taxing, fish-abandoning Government of the SNP in Scotland. That is why we are investing in 20,000 more police officers, 20 new hospital upgrades, levelling up education spending, and funding gigabit broadband across the country. I hope—and I bet the people of Scotland hope—that in spite of all the uselessness of the Government of Scotland those benefits will be passed on to the people, because that is the only obstacle in our way.

Sir William Cash (Stone) (Con): The Supreme Court mentioned that the Prorogation had—[Interruption.]

[End of document]
Mr Speaker: Order. I apologise for interrupting the hon. Gentleman, but he, too, must be heard. I want to hear his question and the answer to it.

Sir William Cash: The Supreme Court mentioned that the Prorogation had an extreme effect on the fundamentals of our democracy. Does my right hon. Friend accept that it is more than an extreme and undemocratic effect for Parliament itself to tear up its own Standing Order No. 14, because the priority that that Standing Order gives to Government business, as compared with private Members’ business such as the surrender Act, derives exclusively from the fundamental democracy of the voters of this country in general elections, and to remedy this, they must be given an early general election to decide who governs this country?

The Prime Minister: I thank my hon. Friend. He is, of course, quite right in the sense that the people of this country can see all kinds of forces in this country going to quite extraordinary lengths—whether judicial or parliamentarian—to prevent Brexit from being delivered on 31 October, but I have to tell him—and I am sure that he will agree with me—that we are not going to be deterred by such ruses, and that we are going to get this done.

Jo Swinson (East Dunbartonshire) (LD): The Prime Minister is not serious; he needs to understand that actions have consequences. Even my five-year-old knows that if you do something wrong, you have to say sorry. If my son can apologise for kicking a football indoors, surely the Prime Minister can have the humility to say sorry—for misleading the Queen, misleading the country and illegally shutting down our democracy.

The Prime Minister: Quite frankly, one of the actions for which the hon. Lady might wish to take responsibility is writing to the President of the European Commission to actively encourage him not to do a deal with this country.

Sir Patrick McLoughlin (Derbyshire Dales) (Con): As somebody who voted remain in the referendum, I am mindful of the fact that this House of Commons voted six to one in favour of having a referendum. On two occasions, the Prime Minister has attempted to call a general election that would have taken place on 15 October. If the British people—who we get our support from—had decided that there should have been another Prime Minister on that occasion, they surely the Prime Minister can have the humility to say sorry.

The Prime Minister: My right hon. Friend speaks with great wisdom and experience of this place, but I cannot believe that in all his time here he has ever seen a Leader of the Opposition actively forgo and turn down, in full view of the British public, the opportunity to have a general election. But that is what has happened twice. There can only be one possible explanation—that he does not think he can win.

Nigel Dodds (Belfast North) (DUP): There will be many people, not least the families of senior judges who were murdered in Northern Ireland—many of them, including a Lord Justice of Appeal—who will wish that the Leader of the Opposition had really put his words today into action much, much earlier in his career, when he supported a terrorist organisation that murdered judges. We talk about respect for the rule of law; it should have been respect for the rule of law through the decades of the troubles in Northern Ireland as well.

On Brexit, the reality is that, despite everything, the fundamentals remain unchanged. We need to deliver on the Brexit referendum, but we must do so—ideally and if possible—with a deal, and we want to get that deal through this House. Does the Prime Minister agree that the way to do that is to deal with the anti-democratic backstop—the trap and the issue of consent that he talks about, which we will work with him on—but that all the shenanigans in this House undermining the leverage of the Prime Minister are actually in danger of bringing about the very result feared by those who do not want a no deal?

The Prime Minister: I thank the right hon. Gentleman for what he has just said. Of course, I agree profoundly with his condemnation of terrorism. I make no comment on the support of the Leader of the Opposition for those organisations because I have made that point many times before.

If my son can apologise for kicking a football indoors, if you do something wrong, you have to say sorry. If the right hon. Gentleman nor I are going to be daunted by that Act and I think our confidence is growing. We will work flat out to get a deal by 17 October.

The Prime Minister: I thank the right hon. Gentleman. That is what it is, because it would require us to take no deal off the table. But neither the right hon. Gentleman nor I are going to be daunted by that Act and I think our confidence is growing. We will work flat out to get a deal by 17 October.

The House will then indeed have a chance to pronounce on it, as it was always intended that it should.

Mr Jeremy Hunt (South West Surrey) (Con): Can I congratulate my right hon. Friend on becoming Prime Minister? I hope he is enjoying doing the job as much as I am enjoying not doing the job. Does he agree that those who claim to defend parliamentary democracy are in fact putting it at grave risk by alienating a large proportion of the population who fear that this House is trying to block a democratic referendum result that we promised to honour?

The Prime Minister: It is a great pleasure to respond to my right hon. Friend because I am reminded of the many times that he and I shared a platform, and frankly we spoke absolutely as one on that issue. He was right then and he is right now.

Hilary Benn (Leeds Central) (Lab): Can I say to the Prime Minister that those of us who voted for the European Union (Withdrawal) (No. 2) Act make no apology whatsoever for having legislated to prevent the Prime Minister from taking this country out of the European Union on 31 October without an agreement? The Prime Minister can shout as much as he likes from the Dispatch Box but he cannot hide the fact that he has no mandate, no majority and no credibility.

On 3 September, the Prime Minister told the House that he would bring forward proposals for an alternative to the backstop well before the end of the 30-day deadline set by Chancellor Merkel. That deadline has now passed. The EU says that no such formal proposals have been tabled. Why not, and when will he do so?
The Prime Minister: The right hon. Gentleman will, I think, agree that the surrender Act had a material—[Interruption.] The Benn-Burt—the Hilary Benn—surrender Act did indeed have a profound psychological impact on our friends and partners over the channel; and it has had an impact on the negotiations and it has made things more difficult. I think that, in all honesty, he would concede that.

On the detail of the negotiations at present, all I can say is that we have tabled proposals. As the right hon. Member for Belfast North (Nigel Dodds) confirmed, progress is being made. It is not assisted by publishing our proposals today.

Antoinette Sandbach (Edg stockbury) (Ind): The Prime Minister is very keen to point out how to deliver commitments made during an election. He wrote to the One Nation group during his election to be party leader that he was not much attracted to Prorogation—something that he may reflect on now—and that he would seek to build consensus across the House. What undermines his negotiation position is that those watching from Europe cannot see how the Prime Minister is going to deliver a majority in this House for concessions that he will get. Can he update the House on the moves that he is taking to build consensus?

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): Earlier today, the Attorney General did not just promise in our election manifesto?

The Prime Minister: I thank the hon. Lady. Actually, she asks an extremely important question, because I do think, in all intellectual honesty, that Opposition Members who voted for the Benn-Burt Act—who wanted to take no deal off the table and who voted for the surrender Act—should vote for the deal that we produce, and I would like to hear from them that they will. We will, I am very confident, make progress towards getting a deal, and I hope it will command their support.

Mr Paterson: Does the Prime Minister agree that the only way to resolve this crisis is to leave the European Union on 31 October by taking back control, leaving the customs union, leaving the single market and leaving the remit of the European Court of Justice, as we promised in our election manifesto?

The Prime Minister: Mr Speaker, I am grateful to you for making sure that that last sentence was heard, because I agree with every word of it; that is exactly what we are going to do.

Stella Creasy (Walthamstow) (Lab/Co-op): Earlier today, parents in Walthamstow contacted me because they are extremely concerned about the content of a presentation about the Prime Minister’s proposals and Brexit that had been broadcast on 3,000 digital noticeboards in primary schools around the country, without the prior consent of the schools. Given the amount of money that this Government are spending on Brexit adverts, can he at least reassure Walthamstow residents that in this instance, it was not his doing, and give his personal pledge that our primary schools will remain Brexit propaganda-free zones?

Penny Mordaunt (Portsmouth North) (Con): One of the greatest acts of patriotism shown over the last few years was not by people like myself, who voted leave, but by those who voted remain and accepted the democratic result. The general public never doubted that we in this place would act on their wishes—that is the trust that they had and, I think, still have in all of us here and this Parliament. Does my right hon. Friend agree that when people trust you in this way, you do not let them down?

The Prime Minister: My right hon. Friend speaks movingly and entirely correctly about our duty to the people of this country. They are watching these proceedings. They want us to deliver Brexit on 31 October, and I urge colleagues around the House to think of their responsibilities.
Anna Soubry (Broxtowe) (IGC): Having read yesterday’s judgment by the learned judges in a unanimous verdict of the highest court in the land—and I congratulate all those who brought the action to defend this sovereign Parliament—I see that, on two important matters, the Government clearly did not defend or supply evidence. That is why the learned judges came to the conclusions they did. The evidence of Sir John Major was that, normally, a Government would prorogue for some five days. That evidence was not challenged by this Prime Minister and Government. They offered no evidence on why they sought a Prorogation of five weeks. That led the learned judges, at paragraph 56—I am pleased to see that the Prime Minister is making a note; I hope he will go and read the judgment and will not be honing his pole dancing skills instead—to write:

“This was not a normal prorogation in the run-up to a Queen’s Speech. It prevented Parliament from carrying out its constitutional role for five out of eight weeks”. At paragraph 61—[Interruption.] They do not want to hear it, but they will hear it, because the learned judges unanimously concluded that there was not “any reason—to advise Her Majesty to prorogue Parliament for five weeks”.

I came here today not just to represent my constituents but hoping that the Prime Minister would show humility in the face of the condemnation in this judgment. Will he apologise, if not to this place then to the country, and has he apologised to Her Majesty the Queen?

The Prime Minister: As the right hon. Lady can imagine, I will not comment on my conversations with Her Majesty. I am afraid she is sadly in error in her history. To my memory, John Major prorogued Parliament for 18 days before he even had an election, and all we were going to lose was four or five sitting days over the party conference period. She will have ample opportunity, after the European Union summit on 17 and 18 October, to debate Brexit again, as is her privilege, her prerogative and learned Friend, our view of the matter that was approved by the Master of the Rolls and the Lord Chief Justice, who, at the risk of embarrassing my right hon. and learned Friend, is duty bound to do?

Mr Dominic Grieve (Beaconsfield) (Ind): Whatever policy differences the Prime Minister may have with others, he may agree that he has an absolute duty to observe and uphold the rule of law. Whatever self-justifications he may have advanced today, he may also have to accept that in the matter of proroguing this House, he failed to do that. In those circumstances, would he now like to take the opportunity, rather than condemning the European Union (Withdrawal) (No. 2) Bill as a surrender Bill, to assure the House—[Interruption.]

Mr Speaker: Order. Let it be said with crystal clarity including to occupants of the Treasury Bench—[Interruption.] Yes, here we go. The right hon. and learned Gentleman will be heard. He will not be shouted down by people from his own Benches. That sort of behaviour is intolerable and it is obviously so to most remotely reasonable people.

Mr Grieve: Will the Prime Minister therefore take this opportunity to give an assurance to the House that should the terms of the Bill apply to him, rather than trying to die in ditches, he will observe those terms as he is duty bound to do?

The Prime Minister: I repeat the confirmation I have made many times that this Government observe, and will observe, the law. If I may say so to my right hon. and learned Friend, our view of the matter that was before the Supreme Court had the support of the Master of the Rolls and the Lord Chief Justice, who, at the risk of embarrassing my right hon. and learned Friend, are perhaps even more distinguished in the law than he is.

Ms Angela Eagle (Wallasey) (Lab): I have been a Member of this House for 27 years and I never thought I would be present to watch Government Members erupt in applause when a Prime Minister has had his political strategy torn to shreds by losing 11-0 in the Supreme Court of the land. The judgment found:

“It is impossible for us to conclude, on the evidence which has been put before us, that there was any reason—to advise Her Majesty to prorogue Parliament for five weeks...It follows that the decision was unlawful.”

Why do we now find this Prime Minister leading a Conservative party that feels it is appropriate to applaud that?

The Prime Minister: If I may say so, I think that the involuntary commentary on the Benches of this House was directed more at the Leader of the Opposition than at anything I had to say. My strong view is that the opinion of the Supreme Court has, of course, to be respected and fulfilled. That is why I am pleased to say that we are all here today to listen to the hon. Lady.

Sir John Hayes (South Holland and The Deepings) (Con): In 1801 Horatio Nelson, perhaps our nation’s greatest hero, chose not to see advice to retreat. In that spirit, will the Prime Minister turn a blind eye to the antics of the liberal establishment, and turn a deaf ear to the shrill bleats of those who seek to foil Brexit and frustrate the will of the people? For he must know that the loud and clear cry of the working people of this country is as straightforward as this: “Back Brexit and back Boris.”

The Prime Minister: I thank my right hon. Friend. I will not only try to imitate Horatio Nelson; I will lash myself to the mast, figuratively speaking, like Odysseus and stop my ears to the siren cries of those opposite who would try to frustrate the will of the people and block Brexit. That is what they want to do, but we are not going to let them do it.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): May I congratulate Opposition leaders on their resilience and resoluteness of intent in the face of the Prime Minister’s incontinent goading? This Government will abide by legislation to extend article 50 unless this House decides otherwise.

The Supreme Court decided that the Prime Minister did not prorogue this place in order to deliver a Queen’s Speech but to stymie parliamentary debate. I would not presume to impugn the honour of the Prime Minister, but the Supreme Court clearly does not believe his motives to be—how can I put this?—legitimate.

In 2004 the Prime Minister, who was then the Member of Parliament for Henley—

Mr Bob Seely (Isle of Wight) (Con): On a point of order, Mr Speaker. [Interruption.]
Mr Speaker: I am going to try to be helpful to the hon. Gentleman, who is a most dedicated and assiduous Member of two years’ standing. We do not have points of order in the middle of exchanges. I will try to provide a tutorial to the hon. Gentleman on another occasion, but the right hon. Lady will not be prevented from asking her question. She is asking her question and it will be heard, and the hon. Gentleman will sit quietly and listen.

Liz Saville Roberts: I think the House will find this relevant. In 2004 the Prime Minister, who was the MP for Henley at the time, wrote a column in The Daily Telegraph in which he argued that Tony Blair should be impeached, as he “treated Parliament and the public with contempt” over the matter of disclosure of motives and legal advice relating to the Iraq war. The right hon. Gentleman even edited a copy of The Spectator that called for Blair to be impeached for lying. He also signed an impeachment motion—

Mr Speaker: Order. I have rightly protected the right hon. Lady from inappropriate attempts to cut her off, but she must ask a question. I very much hope that she is approaching the end of her question. She really needs to do so.

Liz Saville Roberts: The Prime Minister signed a motion for the impeachment of Tony Blair, which was tabled by Adam Price, who is now leader of Plaid Cymru. The Prime Minister is surely not a man who likes to appear inconsistent. Does he still believe it to be right and proper to seek to impeach a Prime Minister who has been judged to mislead the public?

Mr Speaker: I have already explained once. Let me explain to the hon. Gentleman again, in terms that he brook no misunderstanding, that now is not the time for points of order. That time will come, and if the hon. Gentleman is still interested, he will be heard, but he needs to learn the procedures for those matters.

The Prime Minister: I thank the right hon. Lady. Lady very much for her question. I am glad that she is such an assiduous reader of my column, but I must make clear two important points. First, the Supreme Court did not impugn the Government’s motives. Secondly, the right hon. Lady should bear in mind that Wales voted leave.

Mrs Anne Main (St Albans) (Con): When it suits politicians, they promise elections and referendums. Indeed, in 2008, the Liberal Democrats promised a referendum on in or out of the European Union. Does my right hon. Friend agree that those who shouted loudest for a referendum are now promising to revoke, and that that is undemocratic, just as it is undemocratic to be bench-blocking and refusing the public the chance to decide to have a Government who can be in power, not just in office?

The Prime Minister: My hon. Friend is entirely right. The absurdity of the Liberal Democrat position is equaled only—if not surpassed—by the Labour position. The Labour party is after all committed to negotiating a new deal with the European Union and then campaigning against it.

Jess Phillips (Birmingham, Yardley) (Lab): I know that the Prime Minister wants to appear as a strong man, but the strongest thing he could do that would look the best to this country at the moment is to act with some humility and contrition. The difference between the Prime Minister and me—there are many differences—is that if the Labour party had done this, I would be ashamed. I would be sorry that the Labour party had been found to do this. I say to the Prime Minister that this looks horrendous to the public. He thinks he speaks for the people, but it will look much better if he rising to his feet now and says, “I am sorry. I got this wrong.” Let’s try honesty.

The Prime Minister: I am grateful to the hon. Lady. As I have said many times this afternoon, I accept the judgment of the Supreme Court. However, I also say to the hon. Lady in all candour that the humblest and most responsible thing we could all do as parliamentarians is show that we respect the judgment of the people and take this country out on 31 October.

Steve Brine (Winchester) (Ind): On 3 September, I asked the Prime Minister, given his view then that the chance of a deal had increased and that things were moving—as he said to me at the time—what evidence of that progress he could put before the House. I think that the Prime Minister is unfairly maligned, because I have sat face to face with him, as have many others, and I know he wants a deal. In the light of encouraging noises from him and his Ministers in recent days and, as he said in his statement, from the EU, I ask him again this evening: he says we are making progress, but what does it look like? He needs to bring together a majority across the House to get a deal through and show that to EU leaders. As I said, he is unfairly maligned, so what can he put before the House to give us that encouragement?

The Prime Minister: I am grateful to my hon. Friend, and, as I said to the House in my opening statement, we have moved a long way off the idea that the withdrawal agreement was the law of the Medes and the Persians—fixed, immutable, graven in tablets of stone. That has absolutely gone. We have moved a long way from the idea that the backstop had to be retained in all circumstances. My hon. Friend will have heard Jean-Claude Juncker himself say that he no longer had any—I think he said erotic—fixation with the backstop.

In concrete terms—this might be helpful to the House—there are three areas in which progress is being made. The first concerns the concept of the alternative arrangements, which I know has been discussed many times in this House—I know that many right hon. and hon. Members have gone over it many times, but it is a fruitful area of discussion. The second idea, which is also extremely fruitful, is the concept of doing everything we can to maintain the unity of the island of Ireland for sanitary and phytosanitary purposes. As I am sure my hon. Friend, who has studied these matters closely, will acknowledge, that is a big concession by the UK Government and a big advance. It needs to be handled with care and we need to get the balance right, but we think that progress can be made in that area. The third concept, which I already mentioned in my opening remarks, is the idea of consent. Consent holds the key. There is a problem with the backstop, as hon. Members who sit on the Opposition Benches will recall—I heard
some very good speeches against it from the Opposition Benches. The problem with the backstop is that it does not repose the locus of authority here in the UK, and we need to remedy that. I am sure that my hon. Friend understands that point, too.

Gloria De Piero (Ashfield) (Lab): I campaigned to remain, the Prime Minister campaigned to leave, but I have always respected the result of the referendum. To be honest, I do not want to work with him any more than he would want to work with me, but we both know that there are areas where both parties reached agreement in those cross-party talks. Will he publish the areas of agreement from those cross-party talks and use them as the basis for a new Bill so we can stop a no-deal Brexit and leave by 31 October with a deal?

The Prime Minister: I certainly admire the way that the hon. Lady is trying to work in a cross-party way to try to bring this to a resolution. I will take up her proposal and do what I can to bring it forward over the next few days. I appreciate that time is marching and very tight.

Victoria Prentis (Banbury) (Con): Significant numbers of MPs from across the House are coming together to indicate that they are “MPs for a deal”. Will the Prime Minister confirm first that he is one of those, secondly that he is working hard for a deal, and thirdly that we will have the opportunity to vote on another deal?

The Prime Minister: I thank my hon. Friend for what she is doing, as well as my hon. Friend the Member for Cheltenham (Alex Chalk), who is, I think, involved in the cross-party work for Members for a deal. I can absolutely agree that if and when we are able to bring back an agreement, one that I think will work for this House and for this country, following 17 and 18 October, we will of course put it to Parliament, and I do hope that it will then get assent.

Joanna Cherry (Edinburgh South West) (SNP): In my constituency, Mr Speaker, I thought we were coming to hear a statement on the Supreme Court judgment, but instead we have been treated to the sort of populist rant one expects to hear from the leader of a tin-pot dictatorship or perhaps the current President of the States. Does the Prime Minister appreciate that his display is anathema to the democratic constitutional tradition of Scotland, which was upheld in the UK Supreme Court yesterday? I pray to God that he will not take his own country on to the rocks, but if he is intent on doing that, will he first of all recognise the democratic mandate of the Scottish Parliament? He spoke a moment ago about consent to be governed holding the key. If he must take England on to the rocks—and I hope he does not—will he recognise the democratic mandate of the Scottish Parliament and agree the means for a second independence referendum to be held in Scotland?

The Prime Minister: I do congratulate the hon. and learned Lady on bringing that action, because she did produce an astonishing result. Let us be in no doubt: it was a groundbreaking judgment, it was a novel judgment, and it had the effect that we can all see before us today. Here we are back in this House of Commons. On her second point, however, I must say that the people of Scotland voted decisively in 2014 to remain in the United Kingdom, the most successful union of nations in history, and they were told that it was a once-in-a-generation vote. It is absolutely wrong of her now to try to break that promise.

Dr Julian Lewis (New Forest East) (Con): When the Prime Minister eventually wins an overall majority at the next general election, will he make it a priority of his first majority Government to repeal forthwith the ghastly Fixed-term Parliaments Act 2011?

The Prime Minister: I think we will concentrate on winning that overall majority first, but I share my right hon. Friend’s sentiments entirely.

Rachel Reeves (Leeds West) (Lab): This afternoon has been a horrendous spectacle. We have a Prime Minister who has broken the law and uses dangerous language of betrayal and surrender, which sows division and worse in the communities we all serve, and then we have his MPs clapping him for doing so. This afternoon has taught us how important it is that Parliament is sitting in these crucial weeks, because it is only with Parliament sitting that we can hold this Government to account. That is why it is so important that Parliament is not dissolved for a general election or prorogued again—so that we can continue to hold this Government to account. If the Prime Minister has broken the law once, why should we trust him not to do the same again?

The Prime Minister: I must respectfully disagree with the hon. Lady’s characterisation of the surrender Act—[Interruption.] It has done damage and was intended to damage this country’s negotiating position. It is also right in this context to work hard together to get a deal done and to deliver on the mandate of the people, because that is what her constituents would want.

Richard Drax (South Dorset) (Con): I commend my right hon. Friend for his firm stance. If he comes back with a deal, can I ask that it not mirror in any way, shape or form, the deal that has already been thrown out of this House? I for one—and, I believe, the people of this country—do not want to remain with vassalage status for years to come. Let us get this done and leave the EU.

The Prime Minister: My hon. Friend is valiant for truth in this matter and he is right. The problem with the previously existing withdrawal agreement is that it would have kept the UK locked in the EU in a state tantamount to vassalage. We will make sure that the deal we do bear no resemblance to that predicament, and it will be a deal that I believe he can fully support.

Alison McGovern (Wirral South) (Lab): The irony is not lost on any of us that the Prime Minister told us that Prorogation was nothing to do with Brexit and yet here we are talking constantly about Brexit.

I want to raise with the Prime Minister a more serious point about our political culture. Those of us who constantly remember our friend Jo Cox need our political culture to change now. It is getting toxic. The Prime Minister’s language is violent and his Government are dysfunctional. Will he promise to change? Just for
this Session, will he take responsibility for his action? Can he accept that he acted unlawfully, and bearing in mind that this is about advice to our monarch, will he tell us which of his Ministers will resign?

**The Prime Minister:** I agree with the hon. Lady that tempers have become very ragged across the country and people feel that the fever of Brexit has gone on for too long, but the best way to sort this out is to get Brexit done, and that is what we want. I hope that she will join us in getting a good deal for this country, and getting it through the House of Commons.

**Justine Greening** (Putney) (Ind): The Prime Minister has talked about bringing a deal back to the House. He has also talked about his respect for the law, and about agreeing to make sure that he complies with the law. So may I ask him to be absolutely explicit that if he does bring a deal back to the House and the House does what its right is, perhaps, and rejects it, he will respect that, but he will also respect the so-called Benn Bill that the House has passed, and then ask for an extension?

May I just say to the Prime Minister that continuing to call a Bill that the House has passed a “surrender Bill” is deeply disrespectful to this place? He has said that he must respect the Supreme Court’s ruling; I simply ask him to respect the decisions of this House too.

**The Prime Minister:** I must say to my right hon. Friend—my friend with whom I have worked happily over many years—that, actually, I do think that the surrender Act has done grave damage. What it would try to do—[**Interruption.**] I speak as somebody who has to sit in with—[**Interruption.**]

**Mr Speaker:** Order. I appeal to colleagues in all parts of the House to calm down. Let us have the exchanges. Everybody must speak in terms that he or she thinks fit, but I know we are all conscious of the premium that is placed by “Erskine May” on moderation and good humour in the use of parliamentary language.

**The Prime Minister:** I repeat that the experience of negotiating with our European friends and partners over the last few weeks has, I am afraid, confirmed me in my view that the surrender Act—[**Interruption**]—has made it more difficult for us to get a deal. That is the sad truth. What they hear is a Parliament that is not just inflammatory language about legislation that we do not like.

We stand here, Mr Speaker, under the shield of our departed friend. Many of us in this place are subject to death threats and abuse every single day. Let me tell the Prime Minister that they often quote his words—surrender Act, betrayal, traitor—and I, for one, am sick of it. We must moderate our language, and that has to come from the Prime Minister first, so I should be interested in hearing his opinion. He should be absolutely ashamed of himself. [**Applause.**]

**The Prime Minister:** I have to say that I have never heard such humbug in all my life. [**Hon. Members:** “Shame!”] The reality is that this is a Bill—[**Interruption.**] This is a Bill—[**Interruption.**]

**Mr Speaker:** Order. [**Interruption.**] Order. [**Interruption.**] Order. I appeal to the House as a whole to debate these issues calmly. I can see the gesticulation from colleagues, and I am not—[**Interruption.**] Order. Mr Linden, please; allow me to respond. I am not unmindful of the purport of that gesticulation. I have reminded colleagues across the House of the very long-established precepts of “Erskine May” in relation to the conduct of debate. I must simply say that nothing disorderly—[**Interruption.**] No, nothing disorderly has been said. Everybody must make his own or her own judgment as to how to behave in this place, and all Members will operate at the level that they think appropriate. If I see that there is disorderly behaviour I will rule accordingly, and if I hear disorderly words I will rule them out of order. I wanted to hear—[**Interruption.**] Order. I wanted to hear the hon. Member for Dewsbury (Paula Sherriff), and did so in full, as she absolutely had to be heard. I have listened to the reply. Let’s try to respect—[**Interruption.**] Order. No assistance is required. Let’s try to respect each other.

**The Prime Minister:** Mr Speaker, let me just explain why I call it the surrender Act. That is because it would oblige us to stay in the EU for month after month, at a cost of a billion pounds per month. It would take away from this country the ability to decide how long that extension would be, and it would give that power to the EU. It would absolutely undermine our ability to continue to negotiate properly in Brussels; it takes away the fundamental ability of a country to walk away from the negotiations, and I am afraid that is exactly what it does. If I may say so respectfully to Opposition Members who are getting very agitated about this, the best way to get rid of the surrender Act is not to have voted for it in the first place, to repeal it, and to vote for the deal that we are going to do. That is the way forward.

**Vicky Ford** (Chelmsford) (Con): Many of my constituents watch Parliament TV, and whilst we were away they watched catch-up, including an interesting episode where, most eloquently, the hon. Member for East Dunbartonshire (Jo Swinson) said that she wanted a referendum, that it should be an in/out referendum, and that people should decide. Does my right hon. Friend the Prime Minister agree with me that if the Liberals were democrats, they should be working for ways to help deliver that referendum and heal the divisions, not create more?

**The Prime Minister:** My hon. Friend is entirely right, and the way forward for this House and for this country is to get Brexit done. I think there are people around
this country, who are watching these proceedings, who will agree very profoundly with what I am saying: get Brexit done, and let’s take this country forward.

Mr Speaker: In these proceedings Members must say what they think—and they do, and that is right—on both sides of the House and on different sides of this argument, but I would emphasise that I am keenly conscious of the fact that there are Members on both sides of the House, and indeed on both sides of the Brexit argument, who have been personally threatened, and whose families have been threatened, and it is incredibly—[Interruption.] No, but Members on both sides of the House and on both sides of the argument have been threatened, and I have stated very publicly my revulsion at such behaviour, whether it has affected Members on one side or the other, people who are anti-Brexit or Members who are pro-Brexit, whose families have been wrongly threatened, or whose parents have been abused in their presence.

I would simply appeal to responsible colleagues in all parts of the House to weigh their words. That is all I am saying. I think that is a reasonable request of Members in all parts of the House. It is in our wider interest as a Parliament, and it is in the public interest, that we respect each other. That is a point which I think should not be difficult to understand.

Steve Double (St Austell and Newquay) (Con): Following the events of yesterday, I have had many constituents contact me. Some are confused and bewildered; some are frustrated and angry. The vast majority of my constituents do not have the funding, the influence or the contacts to pursue matters in the Supreme Court, but what they do have is a vote. In June 2016, they gave their vote, and 64% in my constituency voted to leave, believing that their vote would count and the result would be honoured. Will the Prime Minister reassure my constituents that the events of yesterday will in no way detract from his determination to honour the referendum and ensure that we leave the EU?

The Prime Minister: I can certainly give my hon. Friend that absolute assurance. We are working for a deal on 17 October, but we will come out, if we must, without a deal on 31 October.

Anna McMorrin (Cardiff North) (Lab): I have never felt so embarrassed to be a Member of Parliament as I do here this evening. We know the impact that the Prime Minister’s language and behaviour are having on people out there in the country and on us as Members of Parliament. Just today, I have seen a huge escalation in the abuse on social media and in the language and the incitement that he is causing. This has got to stop. Why does he not listen to what the court said yesterday and say sorry? Then let us do the democratic thing and, yes, let us put this back to the people for a final say.

The Prime Minister: Mr Speaker, I am mindful of what you have said about the surrender Act—[Interruption.] I do appreciate that tensions on this matter are high, but I want to be very clear with the hon. Lady. There is only one way to end those tensions in this country, and that is to get Brexit done. If she really thinks that staying on in the EU month after month after 31 October will make those tensions, that acrimony and that storm on Twitter abate, she has got another think coming. Let us get this thing done.

Greg Hands (Chelsea and Fulham) (Con): I am glad to hear of the Prime Minister’s continuing commitment to getting a deal, and it seems to me that that deal will inevitably be based around alternative arrangements. He mentioned the discussions in Brussels but, crucially, there will also be discussions in Belfast and Dublin. Could he give us an update on his meeting with Leo Varadkar on Monday in New York? Did they discuss alternative arrangements, and what is his view?

The Prime Minister: I really thank my right hon. Friend, because he has played a huge role in developing the whole concept of alternative arrangements, and yes, that played a large part in our conversation on Monday with the Taoiseach. I think it would be over-optimistic to say that that alone can solve the problem. There remain difficult issues about customs, as I am sure he understands, and we really must make progress on that issue.

Caroline Lucas (Brighton, Pavilion) (Green): The tone of the Prime Minister’s speech was truly shocking, and if he recognises that tensions are inflamed, it is up to him not to stoke them further by whipping up hatred, treating Parliament with contempt and dividing our country still further. This populist rhetoric is not only unfitting for a Prime Minister; it is genuinely and seriously dangerous, as our Friends across the Aisle have just said. So I ask him again a simple question: if he trusts the people as much as he says he does, why will he not allow them to have a final say on his deal? He says he wants this to be over quickly; that is the quickest way to get a resolution to this crisis.

The Prime Minister: Obviously, I would like Parliament to have a say on the deal that we do, but I think the best way to get the people to have a say is to have a general election, and I hope that the hon. Lady will support that.

Kevin Hollinrake (Thirsk and Malton) (Con): One of the precedents quoted by the Supreme Court yesterday was a 1965 ruling that a Government cannot deprive individuals or companies of their assets without fair compensation. What implications does my right hon. Friend think that might have for a future Labour party manifesto?

The Prime Minister: I am delighted that my hon. Friend has mentioned that, with his characteristic acuity and his support of property and the rights of people across this country. Those would be despoiled if the right hon. Member for Islington North (Jeremy Corbyn) ever got anywhere near power. He has a Maduro-esque plan to take away private property from great, great schools across the country of the kind he attended himself once, in an ecstasy of hypocrisy, and thereby to incur the taxpayer with £7 billion of pointless extra cost to pay for the education of the children concerned.

Chris Bryant (Rhondda) (Lab): Since we will definitely be sitting for at least a few more days, would it not make more sense for the Government to bring forward something
that the whole House can agree on? Two women are killed, on average, by their domestic partners every week of the year in this country. The Government have a Domestic Abuse Bill that is ready to go. Why do we not do Second Reading on Monday or Tuesday? The whole House would agree, we would be able to send it off to Committee and if we were eventually to have another Queen’s Speech, we would be able to have carry-over for it. It is time we defended the women of this country.

The Prime Minister: I quite agree with the hon. Gentleman; he is absolutely right. One of the reasons I wanted to have a Queen’s Speech was so that we could bring back the domestic violence Bill.

Martin Vickers (Cleethorpes) (Con): May I draw the Prime Minister’s attention to an email I received from Port Equipment Engineering Ltd, which is based at Immingham in my constituency? It said:

“The people voted to leave and this has to be respected. Pushing it back further would certainly cause damage to the local area. Please represent us in Parliament and speak of the massive impact this is having and how it will escalate quickly with further problems.”

I urge the Prime Minister to stick to his guns and deliver on 31 October. The port of Immingham is ready and waiting, and will hopefully get free port status after we leave.

The Prime Minister: I thought that was coming, Mr Speaker. I am certainly grateful for my hon. Friend’s support for my ambition to get Brexit done by 31 October. Apart from anything else, it will not only help to take the sting out of the current conversation and calm everybody down, but deliver the business certainty and confidence that people have been crying out for around the whole United Kingdom.

Lady Hermon (North Down) (Ind): I have to tell the right hon. Gentleman that I was shocked that he, as the Prime Minister, should take it upon himself, with his arrogance, to declare the judgment of the Supreme Court wrong. It was the Supreme Court—the highest court of the land—and the 11 judges were unanimous, but the Prime Minister has declared this evening that their decision was wrong. He has not explained the grounds, but he has declared them to be wrong. If the Prime Minister believes that, does he also believe that it is lawful for him to call another lengthy Prorogation of this Parliament? If he has that in his mind, when is he going to enlighten us as to when that Prorogation will begin?

The Prime Minister: I am grateful to the hon. Lady, but I do think we need a Queen’s Speech and I do think we have a dynamic domestic agenda that we need to push forward. I will inform her, as well as the rest of the House, as soon as we have assessed the meaning of the judgment in its entirety and when it is appropriate to do so.

Rory Stewart (Penrith and The Border) (Ind): Like my right hon. Friend, I support a Brexit deal; indeed, I voted for it considerably more frequently than him.

If this great party stands for anything, it stands for respect for parliamentary sovereignty and the rule of law. I respectfully say that he is tiptoeing on to a dangerous path. He is pitting Brexit against remain, young against old, Scotland against England, and people against the Parliament. Will he please reflect on the fact that this Brexit deal is not a deal just for the next five years; it is the foundation of our relationship with Europe for the next 40? That requires us to speak with respect, with moderation and with compassion for our opponents in order to provide a foundation that appeals not just to a single narrow faction, but to every citizen and party in this great country.

The Prime Minister: I think the juxtaposition is actually between democracy and the will of the people, which we are sticking up for, and dither and delay, which the party opposite is standing for. That seems to me a very clear dividing line, and I know which side I am on.

Stephen Gethins (North East Fife) (SNP): Earlier on the Prime Minister referenced the Stasi, so he must rejoice with me in the fact that countries across eastern Europe believe that their independence and sovereignty are enhanced by their membership of the European Union, just as the rule of law is enhanced by that membership.

If all the criteria of the parliamentary sovereignty and rule of law Act, let us call it, are fulfilled and if he is still Prime Minister on 19 October, will he reassure me and prove me wrong—I do not think he respects the rule of law any more—by telling me that he will sign that extension?

The Prime Minister: If the hon. Gentleman does not want to call it the surrender Act, what about the humiliation Act? Will that do any better? That is what the Act is intended to do.

On the hon. Gentleman’s substantive point about respecting the rule of law, I have made it clear to this House several times that we will of course respect the law.

Richard Graham (Gloucester) (Con): The problem with the Act that the Prime Minister calls the surrender Act is that many of those who supported it are not so much against no deal as against leaving the European Union altogether, but there are many of us on both sides of the House who support the Prime Minister’s stated goal of coming back from the October Council with a deal and leaving the EU at the end of October. I therefore urge my right hon. Friend, first, to maximise the two-week negotiating opportunity and, secondly, to reach out across the House to all those on both sides who genuinely want to leave the EU but in the best possible way.

The Prime Minister: Of course my hon. Friend is completely right. We will reach out to Members on both sides of the House, and I hope that our overtures will be received in a kindly spirit.

Helen Goodman (Bishop Auckland) (Lab): I must say that I feel the Prime Minister’s goading of my colleagues from Yorkshire reveals that he has changed little since he was a student burning £50 notes in front of homeless people.
I do have a real question, and the problem is that this statement was billed as the Prime Minister’s update. Rather than just talking about vague concepts, could he tell the House what proposals he has tabled to the European Union?

**The Prime Minister:** The hon. Lady has made an allegation about my conduct as a student that I am afraid, if it were allowed to stand, would enter the record. She has no evidence for it whatever because it is completely untrue, Mr Speaker, and I would like you to ask her to withdraw it.

**Mr Speaker:** I am most grateful to the Prime Minister. The hon. Lady has said what she said, but the Prime Minister—[Interruption.] Order. The Prime Minister, from the Dispatch Box and with the full authority of his office, and knowing his own background and recognising the duty of every Member to speak the truth in this Chamber, has exercised his freedom, and quite rightly so. I think the Prime Minister would readily acknowledge that, in light of all that, he does not require any additional protection from me. He has put the record straight and it is there. It is on the record.

**Caroline Nokes** (Romsey and Southampton North) (Ind): What matters in this place is not just language, but tone. Earlier my right hon. Friend the Prime Minister spoke of political cowardice; I wish to speak to him of political bravery. Politics is the art of the possible. I genuinely believe it is possible for him to get a new deal; further, I believe it is possible for it to pass this House. But it would be politically brave not simply to reach across the House, but to put his arms around the House.

**The Prime Minister:** I thank my right hon. Friend, and I will do my best—[Interruption.] Clearly, the invitation is not universally welcomed. I share her idealism. I think there is a chance for us now to do our duty to our constituents and to put this matter to rest in a way that will greatly alleviate the tensions now current in our country. It will be a great thing for our country if we do that, so I will follow my right hon. Friend’s urgings and do my best to show the spirit she asks for.

**Several hon. Members rose—**

**Mr Speaker:** I think the moment has arrived for the hon. Member for Kingston upon Hull East, whose noisy activities I was remarking upon in a number of cities around the world last week. We so often hear him yelling from a sedentary position; let us now hear him from a standing position.

**Karl Turner** (Kingston upon Hull East) (Lab): Thank you very much indeed, Mr Speaker. It really is an absolute disgrace that, even though the Prime Minister has been dragged here by the most senior judges in the highest court in the land because the advice that the Leader of the House gave Her Majesty the Queen was held to be unlawful, he comes here laughing and joking, and using aggressive language when Opposition Members make salient and serious points. Why does he think he can treat the Queen and the country with utter contempt?

**The Prime Minister:** I have the utmost respect not just for the court but, of course, for the hon. Gentleman. I think the way we could all show respect for our constituents—in particular his own, who voted heavily to leave the EU—would be to vote for the deal when we bring it back. I hope he will support us in the Lobby.

**Stephen Metcalfe** (South Basildon and East Thurrock) (Con): It is good to see my right hon. Friend back in his rightful place, perhaps a little sooner than he expected, and I hope he remains there for a long time. Can he give me some advice that I can share with my constituents when I try to explain why this Parliament refuses to approve a general election, refuses to vote to leave the EU, refuses to respect the wishes of 17.4 million people and refuses to honour the views of the 73% of my constituents who voted to leave? Can he give me some advice to help me on the doorstep?

**The Prime Minister:** My hon. Friend is completely right. The way to address the feelings of his constituents, my constituents and the constituents of us all, and frankly the way to puncture the great poisonous puffball of Brexit is just to get on and make sure that the very word “Brexit”—I know there is a lot of anxiety about language—is never heard in 2020. Would not that be a fantastic thing?

**Caroline Flint** (Don Valley) (Lab): I am bitterly disappointed that Parliament did not have the chance to agree to forgo the nearly four weeks of the conference recess, so we could spend more time together. I have to tell the Prime Minister that in seeking to prorogue Parliament, he showed a serious lack of judgment. I only hope that his judgment and his tone improve from today.

Should the Prime Minister secure a deal with the EU27 at the EU summit in October, will he invite Parliament to hold a meaningful vote to ratify that deal on Saturday 19 November, and by doing so meet the terms of the European Union (Withdrawal) (No. 2) Act 2019?

**The Prime Minister:** I think the right hon. Lady meant to say October rather than November.

**Caroline Flint:** Yes.

**The Prime Minister:** I thank her very much for the sincerity with which she approaches this issue. Clearly, I do want to work together with all Members of the House of Commons to try to get this thing done. If we can get a deal at the summit, we will, of course, be putting it to Parliament.

**Charlie Elphicke** (Dover) (Ind): I backed remain in the referendum, but my constituency and my country decided otherwise, so I thought it was my duty, as a Member of this House, to accept those instructions and that mandate and to execute them faithfully. After three years, my constituents say that this Parliament has achieved nothing—it is a rump Parliament. What representations has the Prime Minister had from the minor parties, as well as the Labour party, about a confidence vote or an election vote to bring forward a general election so that people can have their say and settle this question for good?

**The Prime Minister:** I am afraid my hon. Friend is absolutely right. I have yet to hear either from the main Opposition party or indeed any of the Opposition...
parties that they are willing to take up our democratic challenge. However, I want to thank him and congratulate him for what he has done for Dover, where I have been, and I have been very impressed with the level of preparations. Opposition Members who are anxious might educate themselves by going to see what has been done at Dover, and I congratulate my hon. Friend for the leadership that he has shown.

Ms Karen Buck (Westminster North) (Lab): Tonight the Prime Minister has made calculatedly inflammatory comments against parliamentarians, and he will be accountable for the consequences of that language, but I want to ask him about the judiciary. In the last 36 hours, we have seen an unprecedented onslaught on the impartiality and integrity of our judges. Parliamentarians and particularly Ministers have a duty to uphold the independence and integrity of judges, so will the Prime Minister take the opportunity that he did not take earlier, when asked by the Leader of the Opposition, and distance himself specifically from the comment by the Leader of the House that yesterday’s judgment was a constitutional coup?

The Prime Minister: I am not going to comment on anything that was said by any member of the Cabinet during Cabinet; that would be totally wrong because, of course, there is a risk of serious distortion in the reporting.

David Tredinnick (Bosworth) (Con): Mr Speaker—[Interruption.] My voice is restored. My right hon. Gentleman has talked about a surrender Act, which was persistently described as a poll tax by my hon. Friend, and I believe that he has been quite accurate. Does he recall, as I do, because I was in the House at the time, the 1989 Act introducing the community charge, which was persistently described as a poll tax by the Opposition deliberately to stoke up anger and opposition in the country?

Mr Speaker: I appreciate the good humour of the right hon. Gentleman. I am sorry that he was struggling with his throat, but it was suggested to me that he could usefully take a herbal remedy.

The Prime Minister: I thought that was coming, Mr Speaker. I thank my hon. Friend. He makes a very good point. All that I will say, at the risk of further inflaming my friends opposite, is that the legislation in question—the capitulation Act—has done material damage to this country’s ability to negotiate, and I think that they should reflect on that. In an international negotiation, it is very important that the UK is able to deploy every possible arsenal—every possible negotiating tool. I am afraid that an attempt has been made to weaken our hand—there is no question of it.

Tracy Brabin (Batley and Spen) (Lab/Co-op): We are hearing from the Prime Minister words such as the “humiliation” Act, the “surrender” Act, and the “capitulation” Act. All of these words suggest that we, because we disagree with him, are traitors, that we are not patriots, but nothing could be further from the truth. Now this may be a strategy to set the people against the establishment, but I would like to gently suggest that he is the establishment and we are still people. As the woman who has taken over the seat that was left by our dear friend, Jo Cox, may I ask him, in all honesty, as a human being that, going forward, will he please, please moderate his language so that we will all feel secure when we are going about our jobs? [Applause.]

The Prime Minister: The surest fire way—[Interruption.] Well, no. Of course there will be an attempt to try to obfuscate the effect of this Act—the capitulation Act, the surrender Act or whatever you want to call it. It does—[Interruption.] I am sorry, but it greatly enfeebles this Government’s ability to negotiate. What I will say is that the best way to honour the memory of Jo Cox, and indeed to bring this country together, would be, I think, to get Brexit done. I absolutely do. It is the continuing inability of this Parliament to get Brexit done that is causing the anxiety and the ill-feeling that is now rampant in our country. If we get it done, we will solve the problem.

James Cartlidge (South Suffolk) (Con): Whatever one calls the European Union (Withdrawal) (No. 2) Act 2019, is it not a fact that it does not take no deal permanently off the table? It would delay it to the end of January. Does the Prime Minister agree that there are only two ways for those of us who are concerned about no deal to stop that outcome permanently, and that is either to revoke article 50, with all that that implies for democracy, or it is to do the right thing and to come together to pass a deal, which I hope has every confidence that the Prime Minister will obtain in the European Council?

The Prime Minister: I congratulate my hon. Friend, because that is exactly the right answer. I genuinely think that the best way forward for our country is to come together and to do a deal, and that is what I hope that colleagues will do.

Marsha De Cordova (Batley and Spen) (Lab): Yesterday, the Supreme Court ruled unanimously that the Prime Minister and his Government tried unlawfully to prorogue this place. The Prime Minister has come here today without a shred of humility. He has been using divisive language and has failed to offer an apology. I will ask him once again, as many Members have tried to do: will he now apologise to the people in my constituency and the wider country for trying to shut down democracy, and will he also commit to ensuring that he will not attempt to try to prorogue this House again?

The Prime Minister: The best way to shut down democracy in this country and to erode trust in our political institutions is to fail to deliver on the will of the 17.4 million people who voted to leave, and that is what we are going to do.

Mr Speaker: I call Mr Bob Seely.
Mr Bob Seely (Isle of Wight) (Con): Thank you very much indeed, Mr Speaker. There have been some challenges for the Prime Minister. [Interruption.]

Mr Speaker: Order. I have known the hon. Member for Isle of Wight (Mr Seely) for a long time. I am not surprised, but very pleased to see, that notwithstanding some sedentary heckling, he still has a smile on his face and that is a good thing.

Mr Seely: I am blocked in that ear, so I cannot hear it anyway.

There have been some challenges for the Prime Minister in recent weeks, but is he aware that the more that my folks on the Isle of Wight see the obstacles being put in his way—whether they are political from people in this House, or from European leaders or from others, including judges—the more that they are willing him on and the more that they want him to stick the course to deliver Brexit on 31 October and restore trust in our politics.

The Prime Minister: I thank my hon. Friend, who is a doughty and mighty campaigner for the Isle of Wight, as I have seen for myself. I thought that he was going to ask me about the island deal that we are going to do—I can assure him that we are, do not worry. He is totally right. There are obstacles being thrown in our path. The conversations are difficult, but I think that, with good will from the Opposition Benches, we can still do it.

Peter Kyle (Hove) (Lab): The Prime Minister has proven that when you live behind a wall of armed police officers, you can be as irresponsible as you like with your language; he will never have to live with the consequences mentioned by the people who have been speaking up to him today, in all sincerity. When it comes to the Supreme Court case, which this statement is supposed to be about, will he explain something to me? Every other participant in the case provided witness statements that were sworn. Why didn’t he and why didn’t the Government?

The Prime Minister: The Government provided all the evidence that we were asked to provide. Let me tell the hon. Gentleman that I was Mayor of London for eight years, during which I went around everywhere on a bicycle with no protection whatever and I was very proud of it. Believe me: the best way to ensure that every parliamentarian is properly safe and to dial down the current anxiety in this country is to get Brexit done. I hope that he will support us.

Dr Caroline Johnson (Sleaford and North Hykeham) (Con): Whether the Bill is referred to as the Burt-Benn Bill, the humiliation Act, the capitulation Act or the surrender Bill, does my right hon. Friend agree that it still has the same effect of ceding, giving up or yielding control of when we leave the EU to the Europeans, weakening his hand in being able to get a deal in the first place?

The Prime Minister: I am afraid that my hon. Friend. Friend is absolutely right. The best thing that all those who deprecate that description of the Bill could do is repeal it, get rid of its effect or—even better—support us in going for a better deal.

Tom Brake (Carshalton and Wallington) (LD): No contrition, no shame and no apology for breaking the law—does the Prime Minister understand why many people in this country think he is unfit to be our Prime Minister?

The Prime Minister: The right hon. Gentleman could easily test that proposition if he had the gumption to go for a general election or a vote of no confidence, which he is failing to do.

Alex Chalk (Cheltenham) (Con): If the Prime Minister secures a deal, I will vote for it. Does he agree that the British people are fed up with hearing—for three years—what this House is against, and that it is high time that they heard what this House is for?

The Prime Minister: My hon. Friend has spoken for Cheltenham and he is completely right. The people of this country want to see us coming together, agreeing on a way forward, getting Brexit done and then getting on with a dynamic one nation Conservative agenda, and that is what we are going to do.

Thangam Debbonaire (Bristol West) (Lab): In the last two hours and seven minutes, the Prime Minister has mocked us, belittled us, told us that it is his way or nothing, and used language that he knows incites fear. He has patronised us, shown disregard for the law and has tried to make us feel that our views have no value when we are trying to represent our constituents. He has done all of this over the most important matter of our times, at a time of national crisis. I am not asking him to apologise to us, although I think he should. I am asking him to apologise to my constituents, who did not want us to be prorogued in the first place and who the Supreme Court yesterday said it agreed with. Will the Prime Minister apologise to the people of Bristol West and start taking this House seriously?

The Prime Minister: I certainly do take this House exceptionally seriously. Our constituents—all of them, across the whole country—actually feel that their opinions are being undervalued because they expressed an opinion three years ago and this House, in spite of countless promises, has failed to implement that opinion. I suggest that the best thing is to get on and do it.

David Duguid (Banff and Buchan) (Con): The SNP, as vocal as they are, want to ignore the 2016 result and have another Brexit referendum.

Ian Blackford: We won in Scotland.

David Duguid: As if by magic—I could almost have scripted that response. SNP Members are shouting out that they won in Scotland, but it was not a Scotland-wide vote; it was a vote by individuals, as is any referendum. It just shows that they have also ignored the 2014 referendum, in which the people of Scotland voted to remain in the United Kingdom, which is the member state of the EU that is leaving the EU. Will the Prime Minister confirm that only the Conservative party, in Scotland and across the United Kingdom, is committed to delivering on both those people’s votes?
The Prime Minister: I thank my hon. Friend because he is perfectly right. I have seen at first hand what a fantastic campaigner he is for his own constituents. There is a sharp distinction between him and the Scottish National party because he has a plan, once we take back control of Scotland’s extraordinary fisheries, to boost that industry whereas the SNP, of course, would hand it back to Brussels. I congratulate him on what he is doing.

Sarah Jones (Croydon Central) (Lab): The Times said today:

“The whole point of Conservative government is to provide an executive aware of its limitations and sensitive to the dangers of over-reaching them...A Tory believes that...the rule of law is always to be preferred to arbitrary power. Without these things, what is the point of Conservatives?”

The Prime Minister has just told my hon. Friend the Member for Batley and Spen (Tracy Brabin) that the best way to honour the memory of Jo Cox is to get Brexit done. He has broken the law and he has not apologised for it. Constituents of mine—good Conservative voters—are asking themselves what on earth the Prime Minister has done to his party, let alone our country. Will he now resign?

The Prime Minister: I have the utmost respect for the law and, indeed, for the judgment of the Supreme Court, but I think what the people of this country want us to do in this Parliament, as I have said several times already this evening, is to deliver on the mandate of the people, and that is what we are going to do.

Huw Merriman (Bexhill and Battle) (Con): A few weeks ago I asked the Prime Minister a question to which he responded that “sauce for the goose is sauce for the gander.”—[Official Report, 3 September 2019, Vol. 664, c. 43.]

I understand what that phrase means, but I have yet to meet a single constituent who does, so can I try again on their behalf? In the event that the Prime Minister gets a deal, which I will fully support him with, will he ensure that any Member on the Conservative Benches who does not vote for that deal will lose the Whip and lose the right to stand as a Conservative candidate in the general election?

The Prime Minister: I have said what I have said to my hon. Friend in the past. I see no reason to go over the point again because I think what we all want to do is get on and get the best deal possible that can be supported across this House, and that is the best way forward. Opposition Members say they are not going to vote for it under any circumstances, and that is because they want to stop Brexit—it is perfectly clear from what they are saying.

Stewart Malcolm McDonald (Glasgow South) (SNP): The Prime Minister and the Government maintain that they did not seek the Prorogation in order to frustrate Parliament talking about Brexit. The Supreme Court ruled 11 to zero that that was not true, but the Prime Minister still maintains that the Court was wrong. So will he agree to take a public lie detector test?

The Prime Minister: I do not know, Mr Speaker, whether you think the hon. Gentleman’s question is in order, but I will answer him none the less by pointing out what he should know—if he had read the judgment or listened to the judgment—that the court did not impugn the motives of the Government at all.

Mike Wood (Dudley South) (Con): The main constitutional functions of this House are to choose and sustain the Government and to legislate. Since this Parliament seems incapable of doing either, is not the correct constitutional way forward a general election so that voters can decide between a Conservative Government to deliver on the Brexit referendum or one of the Opposition parties to overturn it?

The Prime Minister: My hon. Friend is completely right. It is quite extraordinary that the so-called party of the people absolutely refuses to trust the people. I urge them once again, as I think there is still time: if they want to go for a no confidence vote, now is the moment.

Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): The Prime Minister believes himself, by all reports, to be a great statesman, but this House, in passing the European Union (Withdrawal) (No. 2) Act 2019, simply changed the parameters of the discussions he needed to have with Europe. It did not prevent him having those discussions. If he is this great statesman, why can he not be sure that he can come back with a deal? All this House has ruled out is no deal. He has not answered the question from my hon. Friend the Member for Bishop Auckland (Helen Goodman): what negotiations is he having? What has he put on the table for Europe? We have a month or so to go before he needs to come back to the House with that agreement.

The Prime Minister: I wonder whether the hon. Lady has ever conducted a negotiation in which she has agreed at the outset that it must in any event conclude in favour of the other side. I think she will understand what her side of the argument tried to do with the surrender, capitulation and humiliation Bill, or whatever we want to call it. We will not be bowed or daunted by this. We will get on and try to get the best deal possible none the less, as I think she is advocating.

Rachel Maclean (Redditch) (Con): More than 70 Opposition Members have brought us back to this House today, supposedly to talk about and scrutinise Brexit, when we have had three years to talk about Brexit in this House, and I have not heard a single original point made by any Opposition Member today. Has the Prime Minister heard any new arguments? Does he think that the people in this country are interested in what is being said by Opposition Members, or are they interested in the priorities he would want to put forward in a Queen’s Speech?

The Prime Minister: I thank my hon. Friend. What the people of this country want to hear is not just that we are going to get Brexit done on 31 October, which we will, but that we are going to come forward with a one-nation Conservative agenda to take this whole United Kingdom forward, and that is what we are going to do. I have been listening to Opposition Members and watching the expressions on their faces very carefully, and I think there is more support on the Opposition Benches for a deal than they might currently level. I hope they will nurture that feeling, because that is the right way forward for our country.
Angela Crawley (Lanark and Hamilton East) (SNP): The majority of my constituents did not vote for Brexit. Scotland did not vote for Brexit. This Government have no mandate in Scotland. This Prime Minister has no mandate in Scotland. The fact is that he has no respect for the constitution or rule of law, so why should Scotland not vote to leave this Union?

The Prime Minister: I remind the hon. Lady that more people in Scotland voted for Brexit than for the SNP.

Owen Smith (Pontypridd) (Lab): The Prime Minister has smirked and smeared his way through his statement this evening, dismissing the ruling by the Supreme Court as novel, when we all know, and the country knows, that it was a damning indictment of this Prime Minister and of the abuse of his power to try to gag Parliament. If he had a shred of decency or integrity he would apologise to this House and to the country and he would resign. I have no doubt that he will do none of those things. He has also steadfastly refused to say that he will not do it again and prorogue this House once more, so I ask him again: will he guarantee that he will not try to pull this stunt again and seek Prorogation?

The Prime Minister: I think that the House and the country need a Queen’s Speech, and we will be examining the judgment to see exactly how that should be brought forward in this new context. All I can say is that if the hon. Gentleman wants to remove me from office, which is what he said he wants to do, he should encourage his right hon. Friend the Leader of the Opposition to screw his courage to the sticking place and have a general election.

Jeremy Lefroy (Stafford) (Con): I wish the Prime Minister and his team well in the negotiations as they continue, because I am convinced that there is a majority in this House—contrary to what some say—for leaving with a good deal, and I believe that he will bring that to this House. However, he will remember a discussion I had with him earlier this year about freedom of speech. With freedom of speech, on which we fully agree, comes responsibility, and sometimes that responsibility means not saying what one might like to say—words like “surrender”, “betrayal” and “treason”.

Both of us being classicists, I wonder whether my right hon. Friend remembers the fable of Aesop about the sun and the wind and who won. It was not the wind that won by blowing the person, because he wrapped his coat further around himself. It was the sun that, by coming out and vanishing the clouds, made the man take his coat off. Perhaps he should be the sun king and not the king of wind.

The Prime Minister: I thank my hon. Friend. I am reminded of the other fable of Aesop about the man who had black hair and white hair, and who allowed two women, I think, to pluck out one hair after the other until he was totally bald. That is a tale that might be of use to the right hon. Leader of the Opposition, who cannot decide whether he is in favour of leave or remain. The way to take this country forward is to deliver on the wishes of the people and come out of the EU. That is the way to dial down all emotion and anxiety in this country. On the language he ascribes to me, I do not think I have used those words. I would be happy if he clarified that point.

Wes Streeting (Ilford North) (Lab): The Prime Minister’s political hero, Sir Winston Churchill, when threatened with deselection by Chamberlainites in his Epping constituency in the 1930s, said:

“What is the use of Parliament if it is not the place where true statements can be brought before the people?”

He understood the role of parliamentarians as not simply delegates to this place but representatives; as servants of the people but also guardians of the national interest. There are certain pillars on which our democracy rests: Parliament, the judiciary, the free press, and the pillars of civil society. Does the Prime Minister not understand that given the way he has conducted himself, whether it is the unlawful Prorogation of Parliament, the language he has used the Chamber, or withdrawing the Whip from Members sitting behind him who seemingly have more regard for Conservative values than he does, he may be the problem and not the solution? If he really believes in consent, there are two ways to go back to the people. The first is to honour the law passed by the House to seek an extension to article 50, and we will gladly troop through the Lobby behind him. The other is to put a deal, or no deal, to the people in a confirmatory vote. Both those ways will unlock the parliamentary deadlock. The only question is whether he has the courage to do it.

The Prime Minister: But to what end? I do not understand why on earth the hon. Gentleman, who I normally admire as he normally speaks sense, would want to stay in the EU beyond 31 October. What is his purpose? The people have spoken. It would cost another £1 billion a month. I simply fail to understand his logic.

Several hon. Members rose—

Mr Speaker: Order. May I ask the hon. Member for Walsall North (Eddie Hughes), before calling him, whether he can confirm—if he can, that is fine—that he has been here since 6.30 without interruption and without going out of the Chamber at any stage?

Eddie Hughes: Without interruption.

Mr Speaker: Very good. I call Mr Eddie Hughes.

Eddie Hughes: Thank you, Mr Speaker. I was inspired to get to my feet by the excitement in the Chamber. I want to draw attention to the fact that on 27 April the Prime Minister, then a humble Back Bencher, visited my constituency. Four or five days later the Conservatives won two more council seats. However, the Leader of the Opposition visited my constituency about 10 days ago, and since then I have had five new party members. Does the Prime Minister believe that this net effect might explain the hesitance on the part of the Leader of the Opposition to try to call a general election?

The Prime Minister: I remember well that happy afternoon we spent in J.D. Wetherspoon’s. I noted the popularity of my hon. Friend with his constituents, and I also noted their determination to get Brexit done on 31 October. That is what we are going to do, and I hope for the support of Members on the Opposition Benches.

Lilian Greenwood (Nottingham South) (Lab): The Supreme Court judgment yesterday began:

“It is important to emphasise that the issue in these appeals is not when and on what terms the United Kingdom is to leave the European Union.”
Without reference to Brexit, will the Prime Minister now apologise to this House and to the people of this country for giving unlawful advice to the Queen when he tried to silence this Parliament?

**The Prime Minister:** I refer the hon. Lady to what I have already said. We respect the judiciary and we respect the Supreme Court, but I humbly disagree with what the justices have said.

**Gillian Keegan** (Chichester) (Con): The answer to Brexit should lie in this Chamber, but after more than three years of discussion people are beginning to despair of their politicians. Those, like me, who voted to remain have had to compromise. I have now voted three times to leave and I hope I get a fourth opportunity. Does the Prime Minister agree that it is not more time that this Chamber needs, but more compromise? There is no point in any extension without compromise, and if it cannot compromise, it must call a general election.

**The Prime Minister:** Obviously, if the hon. Lady does not like the policy she is holding, she is at liberty to table a no confidence motion or to go for an election. Curiously, she is desisting from that and refusing to do so. I remind her that what we are trying to achieve is a deal—she is smiling—and I hope that she will say is: just where does he even begin to justify the absolute hell he is about to put on my constituents; and, more so, just how gullible does he think they are?

**Mhairi Black** (Paisley and Renfrewshire South) (SNP): In 2014, as has been pointed out, Scotland voted to remain in the UK, and it did so on the promise that the only way to ensure our EU membership was through voting no to independence. When 2016 came, we had another referendum and Scotland—including my constituency and every other constituency in Scotland—voted to remain in the EU. Since the Prime Minister has brought us towards this no-deal chaos, I was going to ask him if he had stocked up on enough Brasso for his neck, but it seems that he does not need it. So, what I will say is: just where does he even begin to justify the absolute hell he is about to put on my constituents; and, more so, just how gullible does he think they are?

**The Prime Minister:** Obviously, if the hon. Lady really disagrees with the course we are embarked on, she is at liberty to table a no confidence motion or to go for an election. Curiously, she is desisting from that and refusing to do so. I remind her that what we are trying to achieve is a deal—she is smiling—and I hope that she supports that outcome and that we will be able to count on her presence in the Lobby if we are lucky enough to get one.

**Jack Dromey** (Birmingham, Erdington) (Lab): As the Prime Minister sought to close down Parliament, some in his Government sought to silence the voice of employers speaking out about their concerns on Brexit. That was revealed last week by the Financial Times report on four different employer organisations. Will the Prime Minister condemn such behaviour and say in unequivocal terms that there can be no question ever of that voice of dissent being muzzled, preventing truth from being told to power?

**The Prime Minister:** I can certainly give the hon. Gentleman that assurance. I am not aware of any such muzzling, except, of course, the muzzling of the Leader of the Opposition, who has been tragically forbidden by his colleagues from going for a general election.

**David Linden** (Glasgow East) (SNP): We know that when the Prime Minister was a student in the Bullingdon club, he used to go round smashing up restaurants and vandalising places, but he now seems intent on doing that to our institutions, whether it be the judiciary, the constitution or Parliament. When will he realise that he is no longer in the Bullingdon club, but that he is the Prime Minister of our country and start behaving like it?

**The Prime Minister:** The best thing we can all do for the institutions of our country and the respect in which they are held is to deliver on the mandate of the people and get Brexit done.

**Drew Hendry** (Inverness, Nairn, Badenoch and Strathspey) (SNP): In the light of the damning indictment of Scotland’s highest court, the Court of Session, and then the judgment of the Supreme Court, this Prime Minister has refused to resign and will not apologise. If even the Queen cannot trust him, why should anybody else?

**The Prime Minister:** As I have said several times, the court did not impugn in any way the Government’s motives. It is open to test what the hon. Gentleman says in a general election, if he wants.

**Angela Smith** (Penistone and Stocksbridge) (LD): In the event that the provisions of the European Union (Withdrawal) (No. 2) Act 2019 are triggered because of a failure to bring a deal back to the House, will the Prime Minister commit to obeying not only the letter of that law, but its spirit as well?

**The Prime Minister:** We need to get on and deliver a deal. In any event, we will obey the law and we will not extend.
Sandy Martin (Ipswich) (Lab): I must confess that I am somewhat confused, so I am asking the Prime Minister for a bit of guidance here. Quite a large amount of legislation was lost—or would have been lost if Parliament had been prorogued. That included measures that I think could quite easily have got through, the most obvious example being the Domestic Abuse Bill. At the same time, we have a Prime Minister who does not have an overall majority and an Attorney General who says that this is a dead Parliament and we need a general election. I agree with the leader of my party that we need a general election and to get rid of the current Government, when it is safe to do so, but if we are to have a general election, a new Parliament and a new Government, what on earth is the point of a Queen's Speech? Why would the Prime Minister prorogue Parliament and have a Queen's Speech just before going to the country, except as a ploy to use the Queen to promote his manifesto?

The Prime Minister: As I have said many times to the House, I do not want an election. It is open to the hon. Gentleman to try to persuade his colleagues to vote for a Queen's Speech and the progressive measures we will introduce, including on domestic abuse and domestic violence, but if he will not do that, the logical thing to do is to go to the country in a general election. But there are hesitations about doing that on the Opposition Front Bench, for reasons that I obviously understand.

Wera Hobhouse (Bath) (LD): We have had a long, heated discussion in this Chamber, but I think we have all come to the conclusion that the best way to move forward is to find some form of consensus. It is difficult, because this House is divided and the country is divided. May I offer the Prime Minister a true compromise? I will vote for his deal—and that is difficult, because I truly believe that we should stay in the European Union and so do the people in Bath who voted for me—if he will vote to put it back to the people. I will guarantee him that he will get a majority in this House for this compromise and in the country, and after that Brexit will be done.

The Prime Minister: What that shows, Mr Speaker, is that you cannot trust the Lib Dems. The hon. Lady wants a second referendum, but her party leader, as I understand it, wants us to revoke the whole thing.

Debbie Abrahams (Oldham East and Saddleworth) (Lab): I am overcome by an immense sense of sadness from today. This afternoon's debate has been absolutely appalling. Anybody watching this will wonder what on earth is going on, and the calibre of the leadership that has been offered, the language and the tone are not what should be representative of the leadership of this country. It is absolutely shocking. May I ask the Prime Minister why he thinks that getting Brexit done will actually solve anything, given that that is an absolute illusion unless we are absolutely intent that there will never be any relationship with our nearest neighbours? Why does he think that 31 October will get everything done?

The Prime Minister: I thank the hon. Lady and appreciate the sincerity with which she makes her point, but I must say that it is my strong belief that if we fail to get Brexit done the disappointment, the sense of rejection, and the sense that the public have been cheated of what they were promised will be very grave indeed. I am afraid that the only way to alleviate the current tensions in the country is to deliver on the mandate of the people in a positive, confident and optimistic spirit. That is what we need to bring to this, and I hope that she agrees.

Richard Burden (Birmingham, Northfield) (Lab): May I say to the Prime Minister that something that really disturbs me about how he is conducting himself tonight and about how some of his colleagues have conducted themselves in recent days has been the sense of privileged entitlement that they have exuded throughout? That privileged entitlement led him, during this statement, to describe it as “humbug” when an hon. Member talked about the threats that she was receiving. That sense of privileged entitlement led the Leader of the House to describe the situation when 11 justices of the Supreme Court of this land decided on the basis of evidence that the Prime Minister had broken the law as a “constitutional coup”. Does the Prime Minister agree that it is a constitutional coup—yes or no?

The Prime Minister: I must say that I do not think there could be any clearer example of a sense of privileged entitlement than for a parliamentarian to decide that he is in a position to substitute his own discretion for the will of the people when he clearly promised the people that that would be respected and upheld.

Carol Monaghan (Glasgow North West) (SNP): Since coming to office, the Prime Minister has lost six out of six votes in Parliament, lost a by-election, sacked his own majority, lost a case in the Supreme Court and advised Her Majesty the Queen to act unlawfully, so he has some brass neck to stand there at the Dispatch Box without a shred of humility and without apologising. Let me ask the Prime Minister: what would it take for him to apologise for his actions?

The Prime Minister: I have tried to show every possible humility today, to the House, to hon. Members and to the court and its judgment, but the best way we can all collectively show humility as parliamentarians is to deliver on the will of the people, and that is what we will do. We could also show some humility by stopping talking exclusively about ourselves and Brexit, and getting on with delivering on the priorities of the British people. That is why we wanted a Queen’s Speech. I think they want to hear what we are going to do to support their healthcare services, bring down crime on their streets and improve their schools. Those are the priorities of this Government.

Andy Slaughter (Hammersmith) (Lab): The judgment of the Supreme Court found that the Prime Minister had acted unlawfully and outside his powers in the advice he gave the monarch. He has just said again that he believes the court was wrong. Will he confirm that he has read the judgment? If he has, could he point us to the errors of law or fact that he says the 11 justices made?

The Prime Minister: If the hon. Gentleman would study my statement, he will see exactly what I meant. My views are shared, by the way, by the Lord Chief Justice and the Master of the Rolls, who I think even he would accept are quite eminent legal authorities.
Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): This Brexit debacle is certainly an agent for change. Following on from the point made by my hon. and learned Friend the Member for Edinburgh South West (Joanna Cherry), the SNP Scottish Government have a mandate to hold an independent referendum, which I hope the Prime Minister respects. The First Minister of Scotland has said that she intends before Christmas to ask for a section 30 order to facilitate the referendum in the next year. Can the Prime Minister give Scotland an update: will he agree to a section 30 order, when the Scottish Government ask for it, so that they can hold the mandated referendum—yes or no?

The Prime Minister: The people of Scotland were promised it was a once-in-a-generation referendum, and we must respect that promise.

Vernon Coaker (Gedling) (Lab): I want to make the following comparison because I think it is what the British public will see. The highest court in the land has said that the Prime Minister acted unlawfully, and the Prime Minister has refused to apologise. Across the country, many people, in courts both civil and criminal, are found guilty of various offences, and the first thing that the magistrates and judges in many of those cases expect is to see those people apologise and show some contrition, and yet people have seen their Prime Minister, this evening and through this Session, show no contrition and make no apology, but simply say, in a blustering, boisterous way, that he is just going to carry on. Can he not understand how that appears to people? I say again that it appears there is one law for him and one law for everybody else.

The Prime Minister: The real contrast is between the Conservative party, the democratic party, which wants to honour the will of the people, and the Labour party, which is trying to obstruct Brexit and will not have a general election.

Mr Chris Leslie (Nottingham East) (IGC): This is not a party political matter. It undermines the Prime Minister’s attempts to call out extremism or ideology when he himself mines that seam of extremism and populism by using the language of surrender and betrayal when discussing an Act of Parliament signed by the Queen and passed by Members of Parliament who were elected in 2017—after the referendum—and who in all sincerity are doing it because they care about their constituents, their jobs and their livelihoods. Hon. Members of all parties want the rule of law and care about our parliamentary democracy and do not want to have their patriotism impugned in that way.

The Prime Minister: With your leave, Mr Speaker, I will keep my answers pretty staccato from now on, because I have answered these points quite a lot. If people care about their constituents—it is quite proper, of course, that they should in every possible way—they should honour the will of their constituents and respect our democratic proceedings.

Mr Speaker: Of course I completely understand that the Prime Minister will offer his own answers, short or long, as he thinks fit. I just innocently make the observation, en passant, that repetition is not a novel phenomenon in the House of Commons and never has been.

The Prime Minister: How about you, Mr Speaker?

Mr Speaker: Oh, don’t worry about me. I can more than hack it. We are a bit longer here than the Prime Minister and I were on the tennis court, but never mind.

Mr Jim Cunningham (Coventry South) (Lab): I am not going to trade insults with the Prime Minister tonight, because this is far too serious. Let me just advise him to read a book by Senator Fulbright called “The Arrogance of Power”.

More important, millions of jobs in the west midlands could become extinct if the Prime Minister cannot get a deal. The Prime Minister may say that we had a chance to vote for the previous deal. The only reason we could not vote for it was that there was no guarantee that funding for research and development, for the universities, and for companies such as Jaguar Land Rover would continue. Let me say to the Prime Minister, very seriously and in all sincerity, that he should go back and make every effort to secure a deal that we can all support.

The Prime Minister: I completely agree with what the hon. Gentleman has just said. He is right to say that we must protect supply chains in the west midlands, and we have of course done a huge amount of work to ensure that that is the case. However, the best thing we can do is get a deal that gives business certainty and continuity and then get behind it, and that is what I hope to do.

Hannah Bardell (Livingston) (SNP): Given the mess that this Prime Minister has made, it seems blindingly obvious that it is time for him to resign. He can get on to the fast train to the history books as the biggest loser. However, this is what I am really interested to know. When the Prime Minister looks back on his short but catastrophic time in leadership, what will he be most proud of? Will it be dismantling democracy, will it be breaking the law, will it be lying to the Queen, or will it be being roundly beaten in court by a swathe of “girly swots”?

The Prime Minister: I think that when I look back on the 64 days that we have had in government so far, I will be proud of 20,000 police officers on the streets of this country, of 20 new hospital upgrades, of levelling up education funding throughout the country, and of providing gigabit broadband, even in Scotland. Let us hope that the incompetent, dissolute, reckless, high-taxing Government of Scotland actually implement that initiative and deliver it to the people—or make way for Conservatives in Scotland, who will do it themselves.

Janet Daby (Lewisham East) (Lab): I was originally going to ask a question about Operation Yellowhammer, but I cannot ignore what was said by my hon. Friend the Member for Dewsbury (Paula Sherriff), and the experience that she had in the Chamber. She spoke about the threats that she was experiencing as a woman, but also about the experiences of other female Members.
The Prime Minister will know about violence against women and girls. He will also know that the way in which he spoke, and the language that he used, are words that will linger, and words that will do more harm than good. I ask him to reflect on that. Will he do so?

The Prime Minister: I think that everyone has to reflect on their use of language. On the other hand, we must get Brexit done. I say in all candour that we must make sure that we end this national Brexchosis and national anxiety by delivering on the will of the people. [Interjection.] No amount of yammering from the hon. Member for Wansbeck (Ian Lavery) will put us off doing that, and no amount of synthetic outrage or confected indignation will deter us either.

Sir Hugo Swire (East Devon) (Con): Opposition Members are very quick to talk about the economic vulnerability of their constituents. The truth is that this country is vulnerable economically, because of the uncertainty created by Brexit and the lack of the resolution of the Brexit issue. There is a mountain of money waiting to come to this country, and I believe that once Brexit is resolved, it will come and create better jobs—better paid jobs—for all our constituents. With that in mind, if Opposition Members really do care about the economic welfare of their constituents, they should get behind the Prime Minister in getting a deal.

The Prime Minister: My right hon. Friend speaks of what he knows, because he has done so much to attract investment to this country, and there is a huge amount to come if, as he rightly says, this House can come together and get a deal over the line. I hope very much that we can.

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): Prime Minister, you cannot tell us what proposals you have tabled to the EU, after several attempts by us tonight. Therefore, if your proposals fail, will you include an extension so that you can bring it on?

The Prime Minister: With the greatest respect to the hon. Gentleman, I think I did set out in some detail the helpful idea from the Labour party—not a single suggestion and I do not think I have heard a single original or constructive idea from the Labour party. We are going to go for a deal, and I think the Prime Minister should make a distinction. Some Members have certainly been very positive about the possibilities of doing a deal, and I much welcome that. What I was trying to say—forgive me—was that, in the face of the difficulties that this country has in bringing us together, I have not heard much by way of original thinking on some of the problems.

Gavin Newlands (Paisley and Renfrewshire North) (SNP): The tone of the Prime Minister this evening has been utterly shameful. I cannot help but feel that the architect of this approach, Dominic Cummings, is irresponsible and dangerous, and I think the Prime Minister should find some new advice as quickly as possible.

I do not think the Prime Minister was clear in his response to my hon. Friend the Member for North East Fife (Stephen Gethins), so I ask him again: will he deliver a request, without caveat, for an article 50 extension on 19 October—yes or no?

The Prime Minister: We are going to go for a deal, and we are going to come out on 31 October.

Martin Whitfield (East Lothian) (Lab): To apply the mantra of this Government with universal credit to “test and learn”, if we look at the Supreme Court judgment, now with 20/20 hindsight, what would the Prime Minister do differently?

The Prime Minister: I think it would be fair to say that the Supreme Court is a relatively novel institution and this is a novel and groundbreaking judgment, even by the admission of the plaintiffs. We will study its implications with great care, and I think the House might like to reflect deeply on it, because I do think the judgment is of great constitutional interest and importance.

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): I opposed the Prime Minister’s unlawful Prorogation of Parliament because it shut down debate on Brexit and on other issues as well. In September I asked the Prime Minister to personally step in and prevent the release of Vanessa George, the child abuser who abused babies and toddlers in Plymouth. While Parliament was illegally shut down, she was released early. There have been lots and lots of things that are not good about today’s debate. Could the Prime Minister give one good thing, and agree to meet the families of the victims of Vanessa George, so that we can prevent that ever happening again and keep people like Vanessa George behind bars?

The Prime Minister: I am aware of the campaigns that have been run not just by the hon. Gentleman but by other Plymouth Members in respect of Vanessa George, and I will certainly undertake to meet the families.
Patricia Gibson (North Ayrshire and Arran) (SNP): The Prime Minister has broken the law in closing down Parliament, according to the Supreme Court judgment. Indeed, the Scottish Supreme Court went further and concluded that the Prime Minister had not been honest about his reasons for Prorogation. The Conservative party fancies itself as the party of law and order, so I would like to ask the Prime Minister: does he believe that all those who break the law should be punished, or does he believe that he is special and that that does not apply to him?

The Prime Minister: No, and that is why we are all here today.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): The Prime Minister congratulated those who sought to challenge the decision to prorogue Parliament in the court—bizarrely, given that he did not co-operate with that court case, particularly the one in the Court of Session. Further to the point made by my hon. Friend the Member for Hove (Peter Kyle), surely the Prime Minister did not co-operate because if he had done so and signed that written affidavit, he would be facing potential charges of perjury.

The Prime Minister: I must respectfully disagree with the point that the hon. Gentleman makes. As far as I am concerned, the Government have treated the court with great respect and we intend to respect the judgment.

Geraint Davies (Swansea West) (Lab/Co-op): On the issue of ideas, if Parliament continues to resist the Prime Minister’s desperate pleas for an election in order to enable him to secure a deal, and if Parliament says it will agree that deal but only if it is subject to a public vote, would he prefer that or to inflict a no deal on Britain, with all the medicine shortages and other problems that would entail? Which would he prefer: his deal with our constituents would certainly like to see, or the maximum vote, or no deal?

The Prime Minister: Obviously I would prefer a deal, and I hope I could count on the hon. Gentleman’s support if we were to get one. As for my desperate pleas for an election, actually I am not desperate for an election at all. I rather thought it was the function of the Opposition to be desperate for an election. If he is desperate for an election, perhaps he could communicate with his right hon. Friend the Leader of the Opposition.

Daniel Zeichner (Cambridge) (Lab): In his speech to the United Nations yesterday, the Prime Minister used his in-depth research into the tech sector to talk about artificial intelligence and the possibility of a dystopian future, yet last week it was reported that his chief of staff, Dominic Cummings, had instructed that all Government data held on UK systems should be brought together—an extremely dangerous suggestion. Can he tonight assure the House that the Prime Minister never said that?

The Prime Minister: All I can say is that what I think every Member of the House would like to see, is that the maximum efficiency in government. The hon. Gentleman has mentioned something about which I am afraid I was hitherto unaware, and I cannot tell him whether he is accurate in what he says, but I certainly know what we should be doing as a country. As I said in the UN last night—at four o’clock in the morning—this is the country that leads in the tech sector in all sorts of ways, and we intend, as part of our Government programme, to turbocharge that. That was one of the reasons why we needed a Queen’s Speech, and still do.

Ann Clwyd (Cynon Valley) (Lab): I have been in this House for 35 years and I spent five years in the European Parliament, from 1979 to 1984, with the Prime Minister’s father, who I have to say was a very valuable member of a committee that I chaired. He was a keen environmentalist. All I can say after listening to this debate tonight is that your father talked a lot more sense than you do, Prime Minister.

The Prime Minister: I must humbly accept the criticism of the right hon. Lady, whom I have come to admire over many years, particularly for her campaigns on the Kurds, the environment and many other issues. She has done a huge amount of good. She is perfectly right to say that my father is a great environmentalist, and I hope that this Government will be allowed to fulfil some of his dreams, whether on animal welfare or conservation or the many other issues that he cares about. That is one of the reasons why I hope to have a Queen’s Speech in which we can deliver on some of those ideals.

Chris Stephens (Glasgow South West) (SNP): First, can the Prime Minister stop stretching out his arms like the dirty centre-half who keeps committing fouls when he is cautioned, as he has been about his behaviour and his rhetoric this evening? I ask him: who in Government is responsible for Parliament being unlawfully prorogued? Who will be sacrificed to save his skin? When it comes to accountability and shouts of cowardice, does that not apply to him most of all?

The Prime Minister: We are all accountable to the people who send us here. If we want to verify whether we still have their confidence, of course the best way to do that is to have a general election.

Clive Efford (Eltham) (Lab): I did not expect any humility from the Prime Minister today because he has a track record, but given that he was found to be acting unlawfully in the advice he gave to the Queen and to this House, I am stunned that the Conservative party opposite applauded him like a returning hero. It is absolutely shocking and the public will make their own minds up about it. [Interruption.] Yes, let us get to the general election, because what the Prime Minister has been doing consistently, and the reason he was found to be acting unlawfully, is to use every single device to try to take this country out with no deal. He can use words like “surrender Bill” and all the rest of it, but the fact is that taking this country out with no deal is the least patriotic thing he can do. I did not come here to do damage to my constituents and knowingly vote for it with no deal.

The Prime Minister has waved his finger, pointed over here and said, “If I get a deal, will you vote for it?” My question to him is, will the European Reform Group vote for it?
The Prime Minister: I think we will get a deal that commands the support of the whole House. I hope that it will command the support of the hon. Gentleman. Perhaps he might indicate by nodding whether he will vote for it.

Martin Docherty-Hughes (West Dunbartonshire) (SNP): Let me be clear: I will not surrender the votes of my constituents who voted to remain, and I will be damned if I will surrender their vote for their country, Scotland, to be an independent sovereign nation. Given that the Prime Minister of the United Kingdom of Great Britain and Northern Ireland has surrendered his duty to sign the Benn Bill, will he advise the House whether the Cabinet Secretary will sign it on his behalf and take it to Brussels?

The Prime Minister: We will, of course, respect the law and we will leave on 31 October. I think everybody would agree that the best circumstances in which we could do that would be if all the Labour Members, all the Scottish nationalists and all my Conservative friends came together to do a deal. I think the will is there in this House—let’s get it done.

Rachael Maskell (York Central) (Lab/Co-op): Brexit may be a power game for the Prime Minister, but it will have a devastating impact on my constituents. Whether he tries to strongarm this Parliament into a no-deal situation or a bad deal, the reality is that our country is so divided. It is therefore his responsibility to bring the country together. His demonstration tonight shows that he does not have those skills, whereas my right hon. Friend the Member for Islington North (Jeremy Corbyn) is reaching out to try to find that way. [Interruption.] This is no laughing matter. Our country is in a very precarious state, and it is about time the Government took it seriously. I therefore ask the Prime Minister that he does not disregard the country but puts that deal back to the people to have a final say.

The Prime Minister: The hon. Lady was going so well. I thought she was going to say that she would vote for a compromise deal, and I hope she will think of that, because that is what her constituents would want.

Matt Western (Warwick and Leamington) (Lab): Three weeks ago, thousands of people up and down the country protested against the suspension of Parliament, including 600 good people in Warwick and Leamington incensed by that decision. Now we know, as a result of yesterday’s Supreme Court judgment, that we were deceived, the people were deceived and even the Queen was deceived.

One of my constituents has described the Prime Minister as the “Wizard of Uxbridge” such is his great illusion and deception. He wishes for a general election. Come the day, may I invite him to Warwick and Leamington to help me in my campaign to get re-elected?

The Prime Minister: I cannot prophesy exactly what my itinerary will be in the course of the general election campaign, but I cannot exclude the possibility that I may indeed pay a visit to the hon. Gentleman’s constituency, where I think his opponent has every possibility of success.

Alison Thewliss (Glasgow Central) (SNP): I made use of the “no-roration” to go and chap doors in my constituency, which has been quite interesting because I spoke to lots of people who voted no in 2014 and who, over the past five years, have seen the shambles of Brexit and this Prime Minister unlawfully shutting down Parliaments. Can he tell me what this tawdry, pathetic, shambolic and chaotic farce of a Parliament has to offer my constituents?

The Prime Minister: I congratulate the hon. Lady on the eloquence with which she has just made the point. Is she as confined as the Leader of the Opposition shouts from a sedentary position? Is to stop a no deal.

Matt Rodda (Reading East) (Lab): I have been saddened by the tone of debate in this House tonight. With power should come great responsibility yet, sadly, that is not always the case. We have seen the Prime Minister treat this House and, indeed, the rule of law with a disturbing lack of respect. Does he have any shred of remorse for his behaviour?

The Prime Minister: I am afraid the straight answer is no. I must repeat the humility with which we approach the judgment of the Supreme Court and, indeed, the Supreme Court itself but, on the substance of the issue, we are only sharing an opinion that is also held by the Lord Chief Justice and the Master of the Rolls—those are very high legal authorities.

Mrs Sharon Hodgson (Washington and Sunderland West) (Lab): Since Parliament was unlawfully prorogued, British businesses such as Nissan in my constituency have been putting their products—in this case cars—on ships to be exported across the world without any clarity about what the customs arrangement will be when they arrive at their destination up to six weeks later.

The right hon. Gentleman has been Prime Minister for 64 days, as he proudly tells us. As other colleagues have asked numerous times tonight, what has he been doing? Is he able to give any clarity tonight on what will be in the deal he seeks with Europe so that businesses such as Nissan, which have cars on ships now, know what will happen to them when they arrive in port?

The Prime Minister: Obviously I congratulate Nissan on what it is doing and on its stunning manufacturing performance, and we are working very hard to protect supply chains, not just for Nissan but for all our motor manufacturing companies. The best thing for those companies—

Jeremy Corbyn: Is to stop a no deal.

The Prime Minister: The best thing for those companies, as the Leader of the Opposition shouts from a sedentary position, is to get a deal and not to enfeeble the Government’s negotiating position by trying to take no deal off the table, which is what he has tried to do.

Ian Murray (Edinburgh South) (Lab): The Supreme Court judgment yesterday and the Prime Minister’s performance in the House this evening show that he is not only not fit to be Prime Minister but is embarrassing the entirety of that fine office. His response to my hon.
Friend the Member for Cardiff North (Anna McMorrin), after she appealed to him to tone down his language, that she has “another think coming” is, quite frankly, disgraceful. [ Interruption. ] He may screw up his face, but HANSARD will show that is what he said.

The problem that the Prime Minister has is that nobody in this House trusts him. He has been asked five times this evening if he would abide by all the provisions of the European Union (Withdrawal) (No. 2) Act, and he refuses to answer the question. So for the sixth and final time: if he does not get a deal or no deal through this House by 19 October, will he seek an extension to 31 January from the European Union?

The Prime Minister: No.

Alan Brown (Kilmarnock and Loudoun) (SNP): The Prime Minister was a figurehead for the leave campaign—a campaign that told lies about £350 million a week; a campaign that broke the law on data protection; a campaign that broke the law on spending and funnelled the money to the Democratic Unionist party. Earlier this year, the Select Committee on Standards said that he demonstrated “an over-casual attitude towards obeying the rules of the House”. At roughly the same time, the Independent Press Standards Organisation ruled that he wrote an inaccurate article about a no-deal Brexit. Previously, he was sacked as a newspaper columnist for making up facts. He has been found guilty of an unlawful act is now refusing to abide by the law as passed by this House. We are moving into an extremely dangerous position with regard to a Prime Minister’s accountability to this House and our democracy itself.

Mr Speaker, the Prime Minister has left the Chamber, even though you indicated quite clearly to him that the point of order related to his behaviour. I ask you to express the view that we expect the Prime Minister to be back in this House, so we can ask that question again.

Mr Speaker: I am grateful to the right hon. Gentleman for his point of order. I did not say to the Prime Minister that the point of order related to his conduct or behaviour; I did not know what the point of order was going to be. I said to the Prime Minister that the point of order related to the matters with which we had just been dealing; in other words, in keeping with the approach that I adopted in respect of points of order following earlier statements—points of order that came from hon. or right hon. Members on both sides of the House—I was happy to take them after the statements to which they related. I suggested that the Prime Minister might wish to stay. He indicated initially that he was minded to do so, but he then decided that he wished to leave the Chamber. He has been here since 6.30; he was here for three hours and 11 minutes, and he has chosen to leave.

What I would like to say to the shadow Chancellor and to other colleagues is that I have been in the Chair since 11.30 and will remain for the remainder of the proceedings. Therefore, I have inevitably heard everything that has been said on this and other matters, and I think the fairest thing I can say is that I have heard the Prime Minister say explicitly that we will always obey the law, we will abide by the law and we will adhere to the law. He has said that. Equally, I did hear the answer that he gave earlier. I think his words related to the submission of a request for an extension, and he indicated that he would not be minded to do so. I heard the full question and I heard the full answer, and I think the right and proper thing to say, at this point, is that colleagues—hon. and right hon. Members—should study the record and form their own assessment of it. I have, of course, myself said, as anybody would expect any citizen to say, any parliamentarian to say or any Speaker to say, that adherence to the law must, of course, be non-negotiable.

I do not think that I need to add to that tonight. Let us reflect on these matters, let us remain calm and let us assess the record. Just as I said, good-naturedly, I think, to the Prime Minister some minutes ago in a slightly
different context that repetition was not a novel phenomenon in the House of Commons—never has been, is not and will not be—there will be further opportunities for Members to raise these matters, including this very particular point, in subsequent days. This Chair will always facilitate the fullest and most unsparing scrutiny of the Executive branch, because that is the responsibility of the Speaker—not to be a craven lickspittle of the Executive branch, but to facilitate the fullest and most unsparing scrutiny of it. That is my job, and come hell or high water I will continue to discharge it. Non-negotiable—end of subject.

Anna Soubry (Bromsgrove) (IGC): On a point of order, Mr Speaker. I, too, am very sad that the Prime Minister has left, because I had hoped to raise this point of order to give him the opportunity to perhaps correct the record and reflect on his language and conduct in this House tonight. It gives me no pleasure to say that I am 62, I have been around and I have seen quite a lot of stuff in my life. It takes a lot to reduce this hon. Member to tears. I am not alone tonight; there are others who I believe have left the estate, such has been their distress.

I merely say to everybody in this place, but most notably to those who hold the highest of offices in this the most peculiar and extraordinary of political times, that the language that is used is incredibly important. Whatever side of the debate people are on, we have evidence that when they use words such as “surrender” or “capitulation”, or others use the words “traitor” and “treason”, there is a direct consequence. It means my mother receives a threat to her safety. It means my partner receives a death threat. It means that people go to prison or receive suspended sentences—unreported by a media that have lost the plot—because of the death threats made to hon. Members whose only crime and offence is to say what they believe in, to be true to their constituents. The consequences are that many will not want to return to this place, and a younger generation will not want to serve this country in the future.

Mr Speaker: I have heard what the right hon. Lady has said, and I treat it with the greatest possible respect. I am well aware of, and personally familiar with, the fact of the abuse and threats to which she has been subject over a long period. I deplore in the strongest and most uncompromising terms those threats to her and to other Members. I have received many myself as a matter of fact—I am not complaining about that; I am simply saying that I empathise with her because I have been on the receiving end of many such communications myself. Each and every one of us has a responsibility to weigh his or her words and to try to make the arguments in which we believe with care and, if possible, with eloquence, and even, from time to time, with humour, but in terms that demonstrate respect for those who hold a point of view that differs from our own. I have a feeling that this is a point to which Members will return in days to come.

I cannot overstate the frequency with which I have been informed over the past year or so by Members on both sides of the House, and on both sides of the Brexit argument, of the fact and persistence of threats that they have received. I have previously said very publicly that, in relation to media outlets which have prominently depicted Members as though they were public enemies for differing from the vantage point of those media outlets, that cannot be right. That cannot be right. I have no desire to escalate the tensions and every desire to try to use words that are pacifying rather than inflammatory.

In relation to the Leader of the House, let me say that I am well aware that offensive abuse has been directed at members of his family, and that has been intimidating, and that is wrong. It is not possibly wrong or conceivably wrong or in a certain situation wrong. That is wrong—end of subject—and so is the abuse and threats that other Members have received. The reality of the matter—and I say this with all the force and insistence at my command without fear of contradiction—is that female Members and Members of our ethnic minority communities have been disproportionately subject to that abuse and those threats. It requires nobody to seek to contradict it, because that is the fact. I know it, and the right hon. Lady knows it. We have to rise up against it and to resist it, and everybody has a part to play, including the holders of very high offices.

Jo Swinson (East Dunbartonshire) (LD): On a point of order, Mr Speaker. I fear that the public watching today will perhaps take the view that this House does not take sufficiently seriously threats of violence. Earlier today, we had the Attorney General joke about wife beating. When asked whether they would bring forward the Domestic Abuse Bill now that Parliament has resumed, we had the Government dismiss those requests, and we have had the comments that were made by the hon. Member for Dewsbury (Paula Sherriff) recalling Jo Cox MP and the threats that MPs face on a daily basis—I may add that, today, I have reported to the police a threat against my child—and that was dismissed as humbug. This is a disgraceful state of affairs, and we must be able to find a way to conduct ourselves better.

Mr Speaker: I have known the hon. Lady since she entered the House in 2005, and we have worked together on a number of matters in the past. Rather than issue a lengthy reply now, I would like to reflect on what she said. I am also happy to meet Members—either individually or in groups if they wish—to consider further these matters. We certainly need to take very great care in the days and weeks ahead, and I am as sensitive to that matter as I think I can be. Let me reflect further on what the hon. Lady has said, and I will be happy to see her either for a Privy Counsellor-type conversation or in another form if she so wishes.

Jeremy Corbyn (Islington North) (Lab): On a point of order, Mr Speaker. Thank you for what you have just said—and the sincerity with which you said it—about the threats made to Members of Parliament; the abuse, racism and violence happening in our communities; and the unfortunate messages that come from the language used, which is then repeated on the streets when people threaten public representatives and others with violence. May I ask you to use your excellent and very good offices to call together the leaders of all parties in this House to issue a joint declaration opposing any form of abusive language or threats? We should put the message out to our entire community that we have to treat each other with respect. If we do not, those on our streets who would do violence feel emboldened to do it and the
most vulnerable people in our society suffer as a result. It happens in my constituency and in the constituencies of every other Member of this House. We are an elected Parliament, and we have a duty and responsibility to protect all our citizens from the kind of inflammatory language that has been used that is then meted out on the streets in a form of violence against individuals.

Mr Speaker: I will reflect carefully on the point of order just raised by the Leader of the Opposition. I am very open to convening a meeting of senior colleagues for the purpose of a House-wide public statement. I do not wish now to prolong these exchanges, but I take extremely seriously what has been said to me.

Vicky Ford (Chelmsford) (Con): On a point of order, Mr Speaker. It has clearly been a very intense day. As the chair of the all-party group on women in Parliament, I take very seriously the comments that have been made about respect and toning down everybody’s language. Can we please ensure that that happens on both sides of the House?

Mr Speaker: In all parts of the House, that seems to be an entirely uncontroversial observation with which I readily agree.

Ian Blackford (Ross, Skye and Lochaber) (SNP): On a point of order, Mr Speaker. May I thank those right hon. and hon. Friends who have raised points of order? We are at a very dangerous juncture and are facing a constitutional crisis. One can imagine that the heat is only going to rise over the course of the next few weeks. I commend the Leader of the Opposition for his point of order, because the leaders of the parties here in Westminster have a responsibility; we need to ensure that we can navigate through the next few weeks. All of us collectively have a responsibility to make sure that all our colleagues—all parliamentarians and their friends, families and staff—can go about their business in safety. We need to send a clear message from this House that we will not tolerate bad behaviour: sexism, racism or threats to anyone. It really is important at a time like this that we show leadership and make it crystal clear that bad behaviour will not be tolerated from anyone.

Mr Speaker: I agree with that.

Lucy Powell (Manchester Central) (Lab/Co-op): On a point of order, Mr Speaker. I know that some of these points have been made already, but I just wanted to remind the House that Jo’s murder did not happen in a vacuum. It happened in a context—a context that is not dissimilar to the context we find ourselves in today. I have heard from Jo’s family this evening, and they have been very distressed by watching this place today. I know others have said it, but it has come from one side of the House: the language of “surrender”, of “betrayal” and of “capitulation”. This is the kind of language and the context that led to the murder of an MP leaving her surgery of an evening in a small market town by somebody from the far right, and we cannot forget that context when we conduct ourselves. I just wanted to put that on the record.

Mr Speaker: That point is duly noted. It is a very serious point. I do not want to add to it, but suffice it to say that although I do not know the Cox family anything like as well as the hon. Lady or many other Members here present, I do know members of the family. I have a strong empathy with the objectives of the Jo Cox Foundation, and indeed I am in touch with the family from time to time, including currently in relation to upcoming events, so I am not unsighted on the issues. I do not think any of us in this Chamber will ever forget or entirely overcome our horror, revulsion and distress at what happened to a wonderful human being and the most dedicated of public servants. She was murdered for what she believed, for the values she held, and for her effectiveness in campaigning for them. We do not in any circumstances ever want to witness a repeat of that.

Matt Western (Warwick and Leamington) (Lab): On a point of order, Mr Speaker. Could I ask your advice on how this could be extended to the responsibilities of our media and the Independent Press Standards Organisation? They do have a really important role to play in how this gets reported and the language they use. We think back months ago to the headlines, “Traitors”, “Enemies of the people” and so on towards our judiciary and towards people in this place. Is there a mechanism by which we can engage with IPSO to ensure that that language is not repeated?

Mr Speaker: I would rather not deal with that now on the Floor of the House. I am well aware of IPSO and well aware of complaints that have been made to it from time to time, and colleagues will have their own view about that. There are hugely important issues here. On the one hand, there is an enormous premium, and rightly so, on a free media—a vigorous, outspoken, sometimes extremely irreverent and, from individuals’ or parties’ vantage points, hostile media. It is much better to have that than to have a media that is state controlled. On the other hand, words do have consequences, and it is very important that people in positions of authority or capacity to influence opinion, frankly, operate at a level that reflects their influence and their responsibility. I think this is something that it is better to discuss further outside the Chamber and that Members can raise with the relevant Minister if they so wish. But I am not insensitive to what the hon. Gentleman has said.

Seema Malhotra (Feltham and Heston) (Lab/Co-op): On a point of order, Mr Speaker. In the Chamber we have ways in which we conduct ourselves. We have rules, some written, some unwritten, about decency and the way in which we speak to each other—and, indeed, conduct ourselves in conversation with you, Mr Speaker. Could you advise me as to whether there is any capacity for a formal review about the limits of language that we may use about colleagues, because if we are to change this, experience has shown us that raising it again and again in the Chamber is not enough? Given that we have other rules about how we conduct ourselves, could you advise the House as to whether there is any capacity to review the language used so that we can create other ways in which calling a colleague a traitor could be ruled out of order?

Mr Speaker: I must say to the hon. Lady, and I hope she will forgive me, that having heard the last remark she made, I did not hear any such statement made in the Chamber today. If such a statement was made, I did not hear it, I must say to her. I am not aware of such a
statement having been made. Would I regard it as unparliamentary for one Member to call another Member a traitor? I absolutely would regard that as unparliamentary. Just off the top of my head, that would be my instinctive view. It would be totally unacceptable and I would ask the Member to withdraw.

More widely, perhaps I can say two things. First, the Procedure Committee can look at any issue that is referred to it. Secondly, I am not trying to abdicate responsibility, but I am conscious that 16 days ago I announced to the House my own intentions. What the hon. Lady has raised is very important. I think it will fall to a successor of mine to come to a view about some of these matters. With that successor Members should work, and I wish them every success and progress in doing so, but as I approach the end of my tenure, I am reluctant to say more than the circumstances warrant. That is unusual for me, I know, but there you go. I thank the hon. Lady for what she said.

We come now to the business statement by the Leader of the House and Lord President of the Council, Mr Jacob Rees-Mogg.
Prime Minister not to call the European Union (Withdrawal) (No. 2) Act 2019 the surrender Bill—he could start with that, please.

I thank the Leader of the House for his business statement, following the Adjournment of the House on 9 September. While it is vital that the House sits to scrutinise the Government at this important time for the country, we stand ready to work with the Government to ensure that the Tory party conference takes place in the fantastic Labour-led city of Manchester.

It is surely possible for the Leader of the House to schedule important legislation that commands widespread support across the House. The Government need the three statutory instruments on Northern Ireland, scheduled previously in September. Surely the Leader of the House could bring forward the Second Reading of the Domestic Abuse Bill, which would be supported on both sides of the House. The Animal Welfare (Sentencing) Bill would similarly be supported widely by Members. Those important Bills are not contentious, and they would allow the House to sit while the Conservative party conference went ahead. Given the Government’s desultory approach to motions proposed by Opposition parties, may I also ask for an Opposition day?

I know the Leader of the House was part of the whole process, and I notice that the Prime Minister did not want to talk about the judgment of the Supreme Court, but I want to place on record Her Majesty’s Opposition’s thanks to the justices of the Supreme Court for the speed at which they heard the cases and gave judgment, and to all those who took part in the legal process. The judgment was a clear restatement of the principles on which our democracy, the sovereignty of Parliament and the rule of law are based. I am pleased, Mr Speaker, that you have read into the record the citation of the judgment. I would ask that the whole judgement be included in Hansard. Anyone who reads that judgment will think that it should be a model for citizenship and be taught everywhere, as a vital part of our democracy.

The first sentence of the judgment makes it clear that the issue decided by the Court “is not when and on what terms the United Kingdom is to leave the European Union. The issue is whether the advice given by the Prime Minister to Her Majesty the Queen...that Parliament should be prorogued was lawful.”

The justices were concerned that “the longer that Parliamentstands prorogued, the greater the risk that responsible government may be replaced by unaccountable government: the antithesis of the democratic model.” Does the Leader of the House agree with that? At paragraph 50, they also said that “a decision to prorogue Parliament (or to advise the monarch to prorogue Parliament) will be unlawful if the prorogation has the effect of frustrating or preventing, without reasonable justification, the ability of Parliament to carry out its constitutional functions as a legislature and as the body responsible for the supervision of the executive.”

Does the Leader of the House accept that that will also affect any future Prorogations? The justices confirmed the foundations of our constitution at paragraph 55: “We live in a representative democracy. The House of Commons exists because the people have elected its members. The Government is not directly elected by the people (unlike the position in some other democracies).”

The Government therefore exist because of, and are accountable to, the House of Commons. Will the Leader of the House clarify the comments on a constitutional coup? Did he mean that Government were embarking on a constitutional coup, or was it the Supreme Court? Who exactly is undertaking this constitutional coup?

The question asked by the justices was whether the action of the Prime Minister had the effect of frustrating or preventing the constitutional role of Parliament in holding the Government to account. The answer they gave, at paragraph 56, was, “of course it did”. This was not a normal Prorogation, as you said, Mr Speaker; they mostly last five days.

Why are the Government spinning that they do not agree with the judgment? These are eminent justices well versed in the law, undertaking their role as checks and balances, who have heard the submissions and come to their own conclusion. Does the Leader of the House agree that every Member of the House who impugns that judgment effectively does not accept the rule of law or the sovereignty of Parliament? The Government cannot say they disagree with the judgment when they offered no evidence other than a witness statement from the Treasury Solicitor and a memo from Nikki da Costa, which was copied to various other people. As the justices said, they are concerned not with the Prime Minister’s motive but with whether there was a reason, and none was given for closing Parliament for five weeks. As the memo says, everything was focused on the Queen’s Speech. Why did that require a Prorogation taking five weeks? The evidence of a previous Prime Minister, Sir John Major, was unchallenged by the Government. He said that it typically lasts four to six days, not weeks, and that he has never known a Government to need five weeks to put together the legislative agenda. How long does the Leader of the House think that preparations for the Queen’s Speech should take, and will Parliament be prorogued before the Queen’s Speech on 14 October?

A fundamental change was going to take place on 31 October. With the European Union (Withdrawal) (No. 2) Act 2019, this House, by our motions and enactments, does not support the Government on the issue of leaving without an agreement. At this time, we needed scrutiny Committees and the release of documents updating both Houses, but none of that could take place while Parliament was not sitting. Sadly, the Government did not believe us, but they had to be checked by the Supreme Court.

Given that the Supreme Court has decided that everything that flows from the unlawful Order in Council is unlawful, could we have a debate on the costs to the taxpayer of that unlawful act, including of flights and the return of Parliament, and could the Leader of the House publish those costs? Why should the taxpayer foot the bill for the Government’s unlawfulness?

This Government have cast aside parliamentary sovereignty and the rule of law, and they are now casting aside the checks and balances of our democracy by disagreeing with the judgment. The Leader of the House did not raise an objection. As one of his predecessors has said, he is the voice of Parliament in the Cabinet. Why did the Leader of the House not protect parliamentary sovereignty? He will know that in 1733 Dr Thomas Fuller said: “Be you never so high, the law is above you.”
How very rude. If this Government cannot obey the law and do not believe in accountability to Parliament or in the sovereignty of Parliament, they should step aside now.

Mr Speaker: Order. Before I ask the Leader of the House to respond, I should like to emphasise, because it has been a long day, although we are, arguably, just getting going, that this is a narrow business statement. I do not use the term “narrow” in any pejorative sense; it is narrow in the sense that it is tightly focused on the proposed business for tomorrow. I certainly would not have dreamed of interrupting the shadow Leader of the House, who has put a series of points on the record—I make absolutely no complaint about that—but there will be a further business statement tomorrow, and that will be the occasion for wider inquiries about subsequent days and the preferences of colleagues for debates on those days. This statement treats of tomorrow, and therefore it would be helpful if colleagues would observe that in terms of the questions that they ask. I am not trying to prevent anybody from speaking, but this is about tomorrow’s business. It is not a general debate and it is not about a subsequent week’s business. I hope that that is helpful.

Mr Rees-Mogg: Thank you, Mr Speaker. May I begin by congratulating the hon. Member for Walsall South (Valerie Vaz) on becoming a Privy Counsellor? I am looking forward, wearing my other hat as Lord President of the Council, to being present when she is sworn in as a member. I think that the whole House is pleased that this has happened.

I am very grateful for, though, I am sorry to say, slightly suspicious of, the hon. Lady’s offer that we could all go off to Manchester and business could carry on here if the business were desperately uncontentious. There has been a recent habit for Standing Order motions to lead to legislation, and it would be a pity if the Conservative Benches were empty because we were all in the wonderful city of Manchester. Tomorrow’s motion to have a recess for three days seems only fair, as the Liberal Democrats and the Labour party have had their conferences and we should have ours. [ Interruption. ] I understand that this is difficult for the SNP, but had we carried on with the Prorogation it would have been able to have its conference—[ Interruption. ] Would it not? Well, that is a great loss for so many people.

I share the hon. Lady’s concentration on the Domestic Abuse Bill and the Animal Welfare (Sentencing) Bill. They are both important measures and we will bear them in mind when we make the statement tomorrow, depending on how events go.

The hon. Lady asked about the “constitutional coup”. That phrase has been attributed to me, and I use the word “attributed” with great care.

Helen Goodman (Bishop Auckland) (Lab): It is general knowledge.

Mr Rees-Mogg: The hon. Lady says from a sedentary position that it is general knowledge. Just because something has been in the newspapers, it does not make it general knowledge. It was attributed to me in a Cabinet meeting. Cabinet meetings are confidential. The files will be released under the 30-year rule in the normal way. I reiterate the Government’s position, as expressed by the Prime Minister:

“I have the highest respect, of course, for the judiciary and the independence of our courts, but I must say I strongly disagree with the judgment, and we in the UK will not be deterred from getting on and delivering on the will of the people to come out of the EU on 31 October, because that is what we were mandated to do.”

That is the Government’s position and that is my position.

The hon. Member for Walsall South said that we had been “spinning” our disagreement with the judgment. No, we had not. It was not spin; it was a straightforward statement by the Prime Minister, but with the highest respect for the judiciary. It is reasonable to disagree with somebody whom you respect. Dare I say it, Mr Speaker, sometimes I have disagreed with you, but that has never reduced my respect.

The hon. Lady raised the cost of Prorogation. If we remain in the European Union after 31 October, which the Opposition want, it would cost us £250 million a week. Any cost of Prorogation pales into insignificance compared with the extravagance wished upon the hard-pressed taxpayer by those on the Opposition Benches in their proposals.

Then we have the extraordinary view from the Opposition that our actions are not in support of parliamentary democracy. Government Members want a general election. What is more democratic than that? What sort of tyrants are we that we are willing to go to the British people and say, “Ladies and gentlemen, you choose: do you want my right hon. Friend the Member for Uxbridge and South Ruislip (Boris Johnson) or the right hon. Member for Islington North (Jeremy Corbyn)?” We know why the Opposition are running away from a general election and are so scared of it. They do not back their leader, let alone think that the country will. We know that people think our leader is a great, inspirational, charismatic figure. We trust the people and the Opposition do not.

Mr Mark Harper (Forest of Dean) (Con): I have a question about tomorrow’s business, but if you will allow me a small indulgence, Mr Speaker, I would like to refer to a matter that the shadow Leader of the House mentioned. She said that she would be grateful if the Lord President of the Privy Council, Mr Mark Harper, chief whip... attended a meeting of the Privy Council held by the Queen at Balmoral Castle.

I must say, I could not recollect having done so. I would be grateful if the Lord President of the Privy Council confirmed that it was indeed my right hon. Friend the Member for Sherwood (Mark Spencer), who is the most excellent current Government Chief Whip, who attended the meeting. It would save me a lot of grief from those constituents who have written to me, wondering why I was attending upon Her Majesty at Balmoral castle.

The serious point about the business of the House tomorrow is on the motion to approve the conference Adjournment. If the Opposition are churlish enough not to be generous and support that motion, and the
House sits next week, perhaps my right hon. Friend the Leader of the House could find time for a debate on the Labour conference’s extraordinary decision today to have a policy of no immigration controls, which would allow literally anyone from anywhere in the world to come to Britain, use our national health service, have unlimited benefits and vote in our elections. That policy deserves wide promulgation. I feel sure it will see us well in any forthcoming general election.

Mr Rees-Mogg: I am grateful to my right hon. Friend, and it seems that there was some confusion over forests. He is of course the Member for the Forest of Dean, and my right hon. Friend the Chief Whip is the Member for Sherwood forest, where, I seem to remember, Robin Hood spent his formative years. My right hon. Friend’s point about the Labour party policy is why we want a general election; it would be wonderful to put that fantasy world to the British people and I am confident deny that he said it; perhaps he will get the chance again to tell the House—did he say that, or did he not? If it is a constitutional coup, what does it say about the sovereignty he claims and his claim that this place is little more than some sort of tin-pot dictatorship?

It was, of course, the Leader of the House who led the “Prorogue Three”—the three Privy Councillors who travelled to Balmoral to ask the Queen to act unlawfully in an attempt to draw the monarch into their half-baked scheme. If he will not apologise for the Prorogation of Parliament, will he now apologise to Her Majesty the Queen for attempting to draw her into this sorry state of affairs? I am trying to use measured language, Mr Speaker, but he has simply probably been the least successful Leader of the House since the post was created. He has lost every vote in the House. He has lost the Government their majority. He cannot even get the election the Prime Minister craves. His Prorogation was unlawful. He is supposed to be the smartest cookie in the no-deal Brexit cult coup. If that is the best they have got, Mr Speaker, God help the rest of them.

Pete Wishart (Perth and North Perthshire) (SNP): I, too, congratulate you, Mr Speaker, on the stellar shift you have put in once again today. I think you must now have the most famous bladder in political history, given the time you have spent in that Chair. May I also share your congratulations and thanks to the staff who have been assembled at such short notice and have served us so diligently once again today?

I thank the Leader of the House for his very brief statement on the business for tomorrow. Of course, we all know that this is the last place he wanted to be and that this is the last thing he wanted to do. What does he bring to this House, after all this hard work to get the House to sit again? A motion to simply abandon the place all over again. After we got the courts to reopen this place, he wants us to agree voluntarily to close it all down again so that they can all swan off to their conference. As a member of a party that is never, ever covered by the so-called conference recess—I remind the Leader of the House that the Queen’s Speech that he had scheduled would have been on the first full day of our conference—can I tell him, with all due respect, that he can go and stuff that notion where his top hat don’t shine?

Perhaps while we are at this, and while we are still thinking about the business for tomorrow, we could ask about the Opposition days that the Scottish National party is due—the day and a half that we have still to get on the Floor of the House. Perhaps that could be done tomorrow, because what we have tomorrow as the main item of business is a Brexiteer whinge fest debate. Can we not instead have a debate about obeying the courts and respecting the rule of law?

I share what has been said by so many right hon. and hon. Members tonight about the tone of the debate. I have to say that today we heard the most undignified diatribe from the Prime Minister, which was simply unworthy of the House. I have been in this place for 18 years and I have never heard such a poor statement from any sitting Prime Minister—no apology, no contrition, just petulance and defiance.

The Prime Minister said that the Supreme Court was wrong. Notionally, the Leader of the House said that it was a “constitutional coup”. I did not quite hear him
Mr Rees-Mogg: I am very grateful to my right hon. Friend for all the work he has done to try to bring people together and to seek compromise. It is worth saying that it will not be possible to arrange that particular debate for tomorrow. If any of the Opposition parties wish to have a vote of no confidence tomorrow, they have a few minutes, while I am still speaking, to put that motion down, and it will be accepted by the Government. In terms of a future debate on a deal—assuming the Prime Minister can agree a deal—obviously that will come with a meaningful vote, even if we are in the same Session of Parliament, as it would be a completely separate deal from the one before and therefore would be an entirely different motion from the ones before. In terms of debating it beforehand, I have a feeling that the hon. Member for Gateshead (Ian Mearns), the Chair of the Backbench Business Committee, is going to comment in a moment, and he will have heard the request.

Ian Mearns (Gateshead) (Lab): I ask this more in advance of the business statement we are anticipating tomorrow. As I understand Standing Orders, I ceased to be Chair of the Backbench Business Committee at the close of business in the early hours of 10 September, but yesterday I was reinstated retrospectively by the Supreme Court by a majority of 11-0. If the Leader of the House would like the Backbench Business Committee, now reinstated, to fill any parliamentary time in the coming weeks, could we have as much notice as possible of what time he wants us to fill so that we can fill that time as best as we can with the appropriate debates?

Mr Rees-Mogg: I am grateful to the distinguished Chair of the Backbench Business Committee for his very polite request. It is obviously sensible and we will work with him through the normal channels to ensure that he is notified of the time as soon as possible. I know he had a backlog of debates prior to Prorogation. Some of those have come to me in correspondence and I know are important. And I am glad he has been reinstated. Every cloud has a silver lining.

Harriett Baldwin (West Worcestershire) (Con): I have not quite your stamina, Mr Speaker, but I have been on these Benches for many hours listening to the barrage of invective that my Front Bench have been on the receiving end of. I think I heard the Prime Minister offer something unprecedented—that any Opposition party could table a vote of no confidence tomorrow. Is the Leader of the House aware of anyone having tabled such a motion yet?

Mr Rees-Mogg: I am grateful to my hon. Friend for that very important point. It is an unprecedented offer. It is available for a limited time only. It is like one of those offers in supermarkets. I cannot promise it will be there forever, but it is currently available, but what has happened so far? What have we heard from these people who say they want an election? Absolutely nothing. By their fruits ye shall judge them.

Stella Creasy (Walthamstow) (Lab/Co-op): It may have taken 21 minutes for moderate language to be lost, but it has taken even less time for the brief moment of—perhaps—pride that everyone in the Chamber will have felt about the sense of certainty about why we are all here, and the need to engage in decent debate and make progress, to be lost.

This piece of paper sends a strong message to every victim of domestic violence in the country: the message that yet again, when it was possible to use time in this place to do something decent and right on which there was cross-party consensus, the Government have said no. Indeed, last week, because the House was unlawfully prorogued when the Government missed an important reporting deadline for the United Nations on progress in addressing the elimination of all forms of discrimination against women, it was not sitting to hold them to account.

May I ask the Leader of the House to do something decent tonight? May I ask him to tell domestic abuse victims that we will have this legislation—that we will not be messing around with jolly japes about taking time off and asking for votes of no confidence, but will put their rights on our agenda? I tell him now that if he does not do that, we will.

Mr Rees-Mogg: I think that the hon. Lady has overstated her position. That Bill was going to be a major part of the Queen’s Speech. It is a Bill to which the Government are deeply committed, and to which the Prime Minister is personally committed. It is of great importance.

When we talk about good will across the House and about moderate language, it is worth assuming that, actually, we all have good intentions. We may not always do things in the same way, and we may not have the same philosophy, but this Government have every possible intention of doing everything that they can to stop domestic violence. That is a priority for the Government. The hon. Lady shakes her head; if there is no reassurance that I can give her, why does she ask the question?

Mr Peter Bone (Wellingborough) (Con): May I ask the Leader of the House about tomorrow’s debate on the principles of democracy and the rights of the electorate? Would it be in order for the motion to be amended to read, “That, notwithstanding the Fixed-term Parliaments Act 2011, there is a general election forthwith”? I know that this is a general debate, but general debates and amendments seem to have changed recently.

Mr Rees-Mogg: I am always careful about stepping into your territory, Mr Speaker, when it comes to what is orderly and what is not orderly, but an amendment to a motion cannot change the law. Therefore, even if you, Mr Speaker, were to allow an amendment, it could not override the Fixed-term Parliaments Act, nor could it meet the requirements of the Act, because they are set out very clearly in terms of the wording that must be used.

Lucy Powell (Manchester Central) (Lab/Co-op): Further to our earlier exchanges, Mr Speaker, may I also put on record that I know that the Leader of the House has himself been subjected to abuse online, which then led to physical abuse offline? That is why he supported my Online Forums Bill, and I am grateful for his support. However, I now want to ask him about the conference recess.

As the Member of Parliament for Manchester Central, I want the Conservative conference to go ahead—not because I want to welcome the Conservatives to our city, but because livelihoods depend on it, and I think that it is an important part of our democracy. However,
given the current lack of trust across the House because of the unlawful Prorogation, it is difficult to see the motion, as laid, being passed tomorrow. May I ask the Leader of the House, at this eleventh hour, to continue the cross-party conversations that have been happening today? I think that, through the usual channels, generous offers have been made about next week. May I ask the right hon. Gentleman to continue those discussions, so that we do not cancel or curtail next week’s conference and cost many people throughout Manchester their livelihoods?

Mr Rees-Mogg: I am grateful for the spirit in which the hon. Lady has put her question. It is important to the Manchester economy that the conference goes ahead, and it is a concern for the Conservative party, as well as for the Government, that it should not be cancelled for that reason. Usual channels conversations are always extremely welcome, but the hon. Lady has pointed out that there is not a great deal of trust at the moment. Let us hope for the best, but I would not hold my breath.

Sir Jeffrey M. Donaldson (Lagan Valley) (DUP): May I, on behalf of my party, echo the sentiments that have been expressed this evening? We know more than most what it is like to live with the constant threat of attack, and still to live with a very high level of security for politicians in Northern Ireland. May I welcome the general debate that is to take place tomorrow, and say to the Leader of the House that we on these Benches hope that the Government will intervene in Northern Ireland very soon, because the principles of democracy have been turned on their head and the rights of the electorate are being denied? The Northern Ireland electorate have been turned on their head and the rights of the people of Northern Ireland, and all the other political parties, to ransom. In our view, that breaches the principles of democracy and denies the rights of the electorate, who in good faith voted in the Assembly elections to send their people to do a job.

We will also make the point tomorrow that amongst those who lose out when democracy is put on hold are the victims of historical institutional abuse in Northern Ireland, who, having had a recommendation made that they should be compensated for their suffering, are being denied that support because one party in Northern Ireland refuses to form a Government. That breaches the principles of democracy and the rights of the electorate.

Mr Rees-Mogg: I am very grateful to the right hon. Gentleman for making that point. It is a matter of great concern to the Government, who want to see the Northern Ireland Executive re-formed as a matter of urgency. I note very much what he has said about the contribution that the Democratic Unionist party is making to ensure that that happens, and I am aware that there is one party that is obstructing that. That can of course be raised with the Secretary of State for Northern Ireland in due course, and we will have to have some debates on the Northern Ireland subject to the Northern Ireland (Executive Formation etc) Act 2019, and that may be an opportunity to raise some of these subjects further in coming days and weeks.

Mr Clive Betts (Sheffield South East) (Lab): I am sure the Leader of the House is forward-thinking. In anticipation that his motion for tomorrow may not be carried, he is probably thinking what business might be considered next week instead. Would that thinking include an announcement on a social care Green Paper, which the House has been waiting for for the last three years?

Mr Rees-Mogg: Unfortunately, I have to keep the hon. Gentleman in suspense, but I can reassure him that there will be an exciting announcement tomorrow, in a statement from me, and all will be revealed as to what may happen under certain circumstances, or under different circumstances. But Opposition Members, in the spirit of generosity that has been emerging at this late hour, may well vote for the conference recess so that the Manchester economy can be protected, and so that the sauce that the goose has already had shall become sauce for the gander, to use a term that the Prime Minister favours.

Sandy Martin (Ipswich) (Lab): The Attorney General this morning, and then the Prime Minister and now the Leader of the House, have made it absolutely clear that they would like us to call for an immediate general election. So may I ask the Leader of the House the question that I asked the Prime Minister, whose answer, I am afraid, I failed to understand? If we have a general election, what is the point of a Queen’s speech?

Mr Rees-Mogg: I am very sorry that the hon. Gentleman did not manage to understand the Prime Minister; that is unfortunate. The point of a Queen’s speech is for setting out the Government’s programme, which we have to do because we have not got a general election. If there were to have been the general election, on the motions that we tabled twice in September, we would have had a Queen’s speech opening a new Parliament, not just a new Session. I would have thought that was rather obvious and straightforward.

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): In every constituency, ballots are arriving today for Royal Mail workers who are set to take industrial action unless Royal Mail Group sticks to its promises made on jobs, terms and conditions and drops its plans to sell off Parcelforce. I stand with the Communication Workers Union and the postal workers and I am pleased that the Labour party stands in solidarity with them. Does the Leader of the House support the postal workers, and will the Government make a statement on that fact?

Mr Rees-Mogg: The hon. Gentleman may raise these matters in many ways. Details of how to apply for Adjournment debates have been posted on the Annunciator and he could apply for one of those. We have already discussed Backbench Business debate. I do hope that as we get closer to Christmas, postal workers will not think of going on strike and causing misery to families. I think that is always a great shame, and that it would be unfortunate if that were to happen, but there are parliamentary opportunities to discuss the matter.

Helen Goodman (Bishop Auckland) (Lab): I do not know whether the Leader of the House is planning to speak in the general debate on the principles of democracy. If he is, he might want to explain something to us.
If not, could he say now what he meant by a “constitutional coup”? He has not denied saying it, and the Attorney General led us to believe that he did say it. Did he mean definition 1, a sudden and illegal seizure of power from the Government; or definition 2, an instance of successfully achieving something difficult?

**Mr Rees-Mogg:** The hon. Lady has left out a third definition of a coup: something hens live in.

**Chris Bryant (Rhondda) (Lab):** The trouble with the Leader of the House’s argument about the recess motion tomorrow is that there is already a provision on the Order Paper for Westminster Hall debates next Tuesday, and lots of people have already submitted for them. I have submitted for a debate on skin cancer because the number of men in particular in recent years who are presenting the skin cancer, particularly at later stages which can be fatal, has grown quite dramatically. Postal workers are still not provided with free sunscreen, and nor in many cases are police officers, so it would be good to be able to have that debate on Tuesday. I guarantee absolutely that if the Leader of the House were to allow us to sit on Monday and Tuesday and he guaranteed absolutely that if the Leader of the House were to allow us to sit on Monday and Tuesday and he brought forward the Domestic Abuse Bill on Monday, there would be no other contentious business to deal with.

**Mr Rees-Mogg:** I know that the hon. Gentleman has suffered personally from skin cancer and I reinforce what he is trying to do to ensure that more people know about it, so there is greater awareness and so that treatment can be faster and quicker. I therefore think it is a very suitable subject for debate, because Westminster Hall debates do have the effect of raising awareness, and I wish him extraordinarily well both in his personal health and in this campaign. However, he knows procedures of the House better than I do, and he is aware that Westminster Hall debates and Adjournment debates are organised, assuming the House is sitting, before recess motions are taken, and that they then get changed. Government business in Government time is not announced unless a recess motion has been either not taken or sorted out. So it is routine for Westminster Hall to have an announcement for next Tuesday, regardless of tomorrow’s motion.

**Peter Grant (Glenrothes) (SNP):** May I reveal to the House that the Leader of the House unintentionally learned some guid Scots words more than 20 years ago when he was knocking doors in my constituency, and that what he referred to was not a constitutional coup but a constitutional convoluted, which I think well describes the position the Government have got us into. May I ask him, even at this late stage, to think again about the necessity to close down Parliament in order for the Conservative party to have its annual conference? I do not think anybody is suggesting that it should be cancelled, because it has been pointed out that that would have serious economic implications for Manchester, among other things, but this will be the fifth year in succession that members of the Scottish National party in this House have had successfully to manage the fact that we are expected to be here as Members of Parliament at the same time as our party members want us to be at our party conference. This year, the conference is in Aberdeen, which is more or less twice as far from here as Manchester is. The Queen’s Speech is right in the middle of our conference, yet we will manage that. My right hon. Friend the Member for Ross, Skye and Lochaber (Ian Blackford) has had to make some extraordinarily difficult and tortuous journeys to combine both duties. If 35 SNP Members can manage that every year, surely almost 300 Conservative MPs can manage it just this once. Let the conference go ahead, but let us have Members of Parliament in the House doing the job they have been elected to do.

**Mr Rees-Mogg:** The hon. Gentleman reminds everybody that I stood in his constituency many years ago, in 1997. Standing in Glenrothes was a great honour and privilege, and the people of his constituency are fantastic people—[Interruption.] They did not vote for me, but that is a separate matter. That does not stop them being good people. I am not so exclusive in my view of good people. I was very touched on becoming Lord President of the Council to get a letter of congratulation from Elizabeth Scott, who in 1997 was chairman of the Conservative Association in Glenrothes—a small but perfectly formed Conservative Association.

I am very conscious of the point that the hon. Gentleman makes. It is a long-standing problem that the SNP conference takes place when the House is sitting. What I would say to him in relation to the Conservative party conference is that we have had no notice of this change, whereas the SNP was aware when booking its conference that the House would be sitting. I therefore do not think that the two are exactly comparable, but I am certainly sympathetic to the situation that he and his party find themselves in.

**Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op):** The Leader of the House clearly enjoys his role as Lord President of the Council. Can he tell us when was the last time the Lord President of the Council presented an Order to Her Majesty that was subsequently found to be unlawful? Has he apologised to Her Majesty, and will he rule out requesting any further Prorogations?

**Mr Rees-Mogg:** Mr Speaker, the hon. Gentleman has forgotten what you said at the beginning. This statement is narrowly about tomorrow’s business. He has not asked for a debate; he has not asked for a statement; he has not asked for any parliamentary activity. He really ought to get to know the procedures of this House, and then I look forward to answering his questions.

**Alison Thewlis (Glasgow Central) (SNP):** It strikes me that the business tomorrow is incredibly light. I want to offer to help out the Leader of the House with some legislation he could bring forward tomorrow. He kindly wrote back to me on the issue of drug deaths in Scotland. I was glad that he did—he showed me more courtesy than the Minister for Crime, Policing and the Fire Service and the Home Secretary, who have failed to come to Scotland to discuss this issue.

Tomorrow, we could discuss the Second Reading of the Supervised Drug Consumption Facilities Bill, which would go some way to preventing a repeat of 1,187 souls that we lost in Scotland last year to drug deaths. As the FAVOR campaign says, “They keep talking, we keep dying”. People in Scotland are dying and we are not even getting to talk about it in this House. I ask the Leader of the House to bring forward this ten-minute rule Bill, which would help to solve some of these issues.
Mr Rees-Mogg: The issue the hon. Lady raises is of the greatest importance and I will happily take it up again with the Home Office, further to the response that I have already sent her. She is entitled to receive proper answers. That is one of the purposes of this set of questions: to allow me to follow up where people have not got the answers they feel they want.

Tomorrow will not be the day for ten-minute rule Bills, but there will be further opportunities for ten-minute rule Bills. I absolutely accept that the issue the hon. Lady raises is of fundamental importance. Anything that relates to drug deaths is something that this House must take really seriously, both in terms of how we help people who are addicts and in terms of how we enforce the law. Both of those issues need attention.

Wes Streeting (Ilford North) (Lab): In relation to tomorrow’s general debate on the principles of democracy, one of the unfortunate consequences of the unlawful Prorogation is that it has dragged the Crown into a matter of enormous controversy on one of the biggest issues of our time and calls into question the role of constitutional monarchy. If in future the monarch was asked to sign off an unlawful Prorogation and simply rubber stamped it, it would call into question the very need for a constitutional monarch. Conversely, if Her Majesty was asked to agree again an unlawful Prorogation and, having had this experience, refused, Her Majesty the Queen would again be drawn into political controversy.

Given the enormous speculation about the role of Her Majesty the Queen in relation to the last Prorogation and in relation to future Prorogations, does the Leader of the House and Lord President of the Council not consider it a matter of enormous personal regret that the actions of the Government of which he is a part have dragged Her Majesty the Queen into such controversy and plunged the whole notion of constitutional monarchy into the political spotlight, in a way that I do not think anyone who believes in constitutional monarchy could possibly want?

Mr Rees-Mogg: The Prime Minister said earlier that the hon. Gentleman normally makes sensible points. This is the second time today when he has not. That is the most fatuous point I have heard. We know full well that Her Majesty acts on the advice of her Prime Minister. That was set out in front of the Supreme Court and was not questioned by anybody. Her Majesty does not independently decide whether to prorogue or not to prorogue. The British public know that. The only doubt that is ever caused is by hon. Gentlemen opposite and in relation to future Prorogations, does the Leader of the House and Lord President of the Council not consider it a matter of enormous personal regret that the actions of the Government of which he is a part have dragged Her Majesty the Queen into such controversy and plunged the whole notion of constitutional monarchy into the political spotlight, in a way that I do not think anyone who believes in constitutional monarchy could possibly want?

Mr Rees-Mogg: The Prime Minister’s and this is the routine a, b, c of constitutionalism. Anybody who understands the constitution knows that Her Majesty had no discretion. There was no question of dragging her into it and it is the hon. Gentleman—who is, to use your favourite word, Mr Speaker, chuntering away merrily—who ought to go back to school and learn about the constitution. A Ladybird book can be provided.

Mr Speaker: It is not for me to say, and it was not evident to me whether the activity was being undertaken merrily, but I can certainly confirm that there was chuntering from a sedentary position. I may say, of course, that the expression “chuntering from a sedentary position” is very commonplace in the work of the House, but I have noticed in my travels to Parliaments around the world that it is a source of regular comment and no little amusement.

Mr Mark Francois (Rayleigh and Wickford) (Con): It is great to see the Leader of the House at the Dispatch Box, in his natural element. May I ask him a question that does not relate to Brexit? Before the House was prorogued, because of a Standing Order No. 24 debate it unfortunately lost the opportunity to debate and conclude the remaining stages of the Animal Welfare (Sentencing) Bill. The measure is uncontroversial on both sides of the House, and its basic point is to extend the sentence for cruelty to an animal from six months to five years.

Will the Leader of the House be in a position to say something in his statement tomorrow about finding Government time for this important Bill which, amid all these other controversies, would allow us better to protect animals across the country? The Bill is vital to the millions of animal lovers in the United Kingdom, so could the Government find time to bring back the Bill and get it on the statute book as soon as possible?

Mr Rees-Mogg: My right hon. Friend raises an important point. It would be wrong of me to pre-empt what I will say tomorrow, but I encourage him to keep his hopes up.

Ian Paisley (North Antrim) (DUP): Yesterday was an excellent day for burying awkward news, and the awkward news that emerged way down on the bulletins was that the National Crime Agency had decided that there is no evidence of any criminal activity whatsoever by Leave.EU, or by its founder and key supporter, Mr Arron Banks, for that matter. That has not brought forward any apologies from Members who asked the NCA to begin that investigation.

Will there be scope in the debate on the principles of democracy and the rights of the electorate for Members who had wrongly raised that matter, causing great burdens on individuals in that organisation, to apologise for abusing the court process?

Mr Rees-Mogg: My hon. Friend makes a crucial point. Members of this House must be very careful when they use parliamentary privilege to raise accusations of crime, not just in relation to Leave.EU but in relation to certain senior figures who were accused of very horrible crimes, all of which turned out to be untrue and the work of a fantasist. Indeed, tomorrow may well be an opportunity for people who have, or ought to have, a guilty conscience to come to the House and ask for forgiveness of their consciences.

ADJOURNMENT

Resolved, That this House do now adjourn.— (Mr Marcus Jones.)

10.58 pm

House adjourned.
Speaker’s Statement

Mr Speaker: Before we get under way with today’s business, including a number of urgent questions and statements, I just want to say a few words to the House. I think there is a widespread sense across the House and beyond that, yesterday, the House did itself no credit. There was an atmosphere in the Chamber worse than any I have known in my 22 years in the House. On both sides, passions were inflamed, angry words were uttered and the culture was toxic. This country faces the most challenging political issue that we have grappled with in decades. There are genuine, heartfelt, sincerely subscribed to differences of opinion about that matter. Members must be free to express themselves about it and to display, as they unfailingly do, the courage of their convictions. It ought, however, to be possible to disagree agreeably, and I can see Members on both sides of the House who are fine exponents of that principle and tradition. Yesterday, that was not the majority strain, I am sorry to say.

I have, overnight, received an approach from two very senior Members on either side of the House pressing the case for a formal consideration of our political culture going forward. Manifestly, any such formal structure—any such conference, deliberation—would not take place under my aegis. Like everybody else here, I just want what is best for the House. Pending consideration of that approach and the argument for having a sober consideration of the issue of political culture and conduct over an ongoing period, I can advise the House that there will be an urgent question later today on the matter to which I have just referred, and that will be an opportunity for colleagues to say what they think.

This is something of concern across the House. It is not a party political matter and, certainly as far as I am concerned, it should not be in any way, at any time, to any degree a matter for partisan point scoring. It is about something bigger than an individual, an individual party or an individual political or ideological viewpoint. Let us treat of it on that basis. In the meantime, may I just ask colleagues—that is all I am doing and all I can do as your representative in the Chair—please to lower the decibel level and to try to treat each other as opponents, not as enemies?

Sir Peter Bottomley (Worthing West) (Con): On a point of order, Mr Speaker.

Mr Speaker: Order. I genuinely am not convinced, but I will take one point of order if the hon. Gentleman insists. I am not sure how helpful it will be, but let us see.

Sir Peter Bottomley: Would it be helpful for the House to know the subjects of the other urgent questions and statements, please?

Mr Speaker: I am grateful to the hon. Gentleman. The first urgent question is from the hon. Member for Edinburgh South (Ian Murray) on the subject of the European Union (Withdrawal) (No. 2) Act 2019. The issues will play out, but it is about compliance with the Act. It is a perfectly reasonable question from the hon. Gentleman. The second is from the hon. Member for Hornsey and Wood Green (Catherine West) on the situation in Hong Kong. The third is from Mr Chris Law on the subject of arms export licences to Saudi Arabia. The fourth urgent question, to which I perhaps slightly elliptically referred, is from the hon. Member for Birmingham, Yardley (Jess Phillips) on the matter of the toxicity of our political culture and the need to take appropriate steps to minimise that toxicity and conduct to a better atmosphere.

The statement from the Secretary of State for Business, Energy and Industrial Strategy is on the subject of international climate action at the United Nations climate action summit. There will also be a further business statement, of which we had notice last night, from the Leader of the House. I hope that has satisfied the legitimate inquisitorial appetite of the hon. Member for Worthing West (Sir Peter Bottomley).
Compliance with the European Union (Withdrawal) (No. 2) Act 2019

9.41 am

Ian Murray (Edinburgh South) (Lab) (Urgent Question): I am happy to have been slightly delayed by an actual point of order. My urgent question is to ask the Prime Minister to make a statement on compliance with the European Union (Withdrawal) (No. 2) Act 2019.

The Parliamentary Under-Secretary of State for Exiting the European Union (James Duddridge): In the tone that you are setting, Mr Speaker, perhaps I may refer to a Member incorrectly and thank my hon. Friend, because there are many friends across the Chamber. If one reads the newspapers this morning, there is a feeling that we are permanently adversarial and at war with one another. That is not the case. Many of us work together bilaterally in groups and Committees in this House, and most of the time on the Floor of the House we work in a consensual nature.

Turning to this important urgent question, the Government will obey the law. That has always been the case. The House has heard that from the Prime Minister; it has heard it from the First Secretary of State, my right hon. Friend. Friend the Foreign Secretary; it has heard it from the Lord Chancellor, who has constitutional responsibility for upholding the rule of law; and yesterday right hon. and hon. Members had the opportunity to put similar questions to the Attorney General.

The Government opposed the Act that was passed earlier this month. Notwithstanding our fervent attempts to resist the passage of the Bill, even its architects must accept that the Act makes provision for a potential range of outcomes, not one outcome. The outcome the Government want—the outcome this Government have always wanted—is a deal with the European Union. That deal can deliver the mandate of the British people. That deal is possible and is now within reach.

My right hon. Friend the Secretary of State for Exiting the European Union, along with the Prime Minister’s negotiating team, has been engaged in constructive negotiations. As the Prime Minister told this place yesterday, we were told that Brussels would never reopen the withdrawal agreement, but we are now discussing reopening the withdrawal agreement in detail. While I appreciate that some may seek to anticipate failure, to frustrate from the sidelines or to speculate for some type of sport, this Government will not indulge in defeatism.

I trust that the House, and the collective wisdom of hon. Members, will focus its energies today and beyond on the prospect of success in the negotiations and prepare to give any revised agreement its full and unfettered support.

Ian Murray: In the same tone, I would like to say to my hon. Friend—we have been on many delegations together—that we should treat one another with respect across the House. I would also like to say, in the same spirit as your opening remarks, Mr Speaker, that I stand in front of the shield of Jo Cox and I hope that today this Parliament could have a little bit more respect, not just for one another and Parliament, but for the public as well.

Mr Speaker: Thank you for granting this urgent question. The European Union (Withdrawal) (No. 2) Act was passed by the House and given Royal Assent by Her Majesty the Queen on Monday 9 September and brought in the names of my right hon. Friend the Member for Leeds Central (Hilary Benn) and the right hon. Member for North East Bedfordshire (Alistair Burt). That Act clearly says that the Prime Minister must seek an extension to article 50 to 31 January if the Prime Minister is unable to meet one of the two conditions of either having a withdrawal deal passed by this House, or having an affirmative vote by this House to back no deal.

The Minister said in his opening response that there was a range of options. That is the only range of options in that Bill—to pass a deal, to pass no deal, or subsequently to seek an extension. The Supreme Court decision this week and the statement in this House followed by questioning of the Prime Minister yesterday were a national embarrassment. Under any other political equilibrium, this Prime Minister would have seriously considered his position as Prime Minister, and potentially resigned from it. Many people have lost their jobs in government for a fraction of what this Prime Minister has done over the last two weeks.

Yesterday, the Attorney General, at that Dispatch Box, during the urgent question tabled by my hon. and learned Friend the Member for Edinburgh South West (Joanna Cherry), said clearly, in answer to a question by my hon. Friend the Member for Grantham and Stamford (Nick Boles), that he would abide by the law of the EU (Withdrawal) (No. 2) Act 2019. He said that with uncharacteristic clarity when he said simply, “Yes” in response to that question. Last night, the hon. Members for North East Fife (Stephen Gethins) and for Paisley and Renfrewshire North (Gavin Newlands) and many others pressed the Prime Minister to make the same commitment. He did not give the same commitment in this House. And under questioning from myself, very late in the sitting last night, when I asked whether he would fully comply with the provisions of the Act, should he not get a deal through this House, or an affirmative vote for no deal, by 19 October, the Prime Minister answered with one word: he answered, “No.”

I have tabled this urgent question, first, to seek clarity; and secondly, to ask the Minister, in all good faith, to tell us, which he has not done yet, what the Prime Minister meant when he said “No,” because frankly, and with reference to my earlier remarks about respect across this House, I am sure that there are very few people in this House, and very few people in this country, given the events of the last few weeks, who trust the words of the Prime Minister, even when said from that Dispatch Box. The Prime Minister used—in a direct answer to my question, the word “no,” so I have several questions to ask the Minister, and with this new level of respect I hope he is able to answer them directly.

What does the Prime Minister intend to do if he does not get a deal through this House by 19 October or an affirmative vote for no deal? That is question No. 1.

Mr Speaker: Order. Can I very gently say to the hon. Gentleman that he must rattle through the remainder of the questions very quickly, without drama? Very quickly—please.
Ian Murray: Question No. 2: do we have to take the Prime Minister to court again to comply with the law? Question No. 3: what message does it send out when the Prime Minister says no to a straight question whether he will comply with the law? Lastly, and most importantly, the Minister said, and the Attorney General said, that the Government will obey the law. What does that mean? Can the Minister just come to the Dispatch Box and say that obeying the law means that the Government will seek an extension to 31 January if the provisions of that Act are not met?

James Duddridge: In politics, we are quite often berated for not giving a straight answer. I thought that the Government's position was very, very clear: we will obey the law. Does the Prime Minister, do this Government, want to extend? No, we do not want to extend. We want a deal. That is our focus.

The hon. Gentleman talks of equilibrium. Well, in a normal equilibrium we would be having a general election, and we would ask the public to decide. That would bring back the equilibrium.

The hon. Gentleman needs to appreciate that the Prime Minister, the Government, and I, as a Minister in the Department for Exiting the European Union, will obey the law, and we will obey the law at every stage and turn of this process.

Mr David Gauke (South West Hertfordshire) (Ind): My hon. Friend will be aware that the Prime Minister has said that he will both obey the law and not seek an extension. Can my hon. Friend point to any legal argument made by any senior lawyer that suggests that if the conditions are not met—in other words, if Parliament has not voted for a deal, or has not approved no deal—the Prime Minister will have any choice? The law is quite clear: he would have to seek an extension.

James Duddridge: I was interested to read this morning that the right hon. Gentleman nearly became Chancellor of the Exchequer. I apologise—I have never been in such illustrious circles, and I am not, like him, a lawyer—but that was a hypothetical question into which I do not really want to be drawn at this stage. However, we will obey the law.

Keir Starmer (Holborn and St Pancras) (Lab): The Act that was passed three weeks ago is very simple. If by 19 October the Prime Minister has not got a deal through and has not secured the agreement of the House to no deal, he must seek the extension in the terms that are set out in the Act. It is very simple.

It is true that the terms of the letter that the Prime Minister must write were set out in a schedule, as was the duty to accept the extension that the EU agrees. Those were not in the previous version of the Act, which was passed in April, because there was a consensus that the then Prime Minister would comply with the law, understood the rule of law and could be trusted, and it was therefore not necessary to put them in the Act. They are in the Act now because, I am afraid to say—and this is a low point in our history—across the House those assumptions no longer hold, and the answers given by the Prime Minister last night, and his behaviour, make that less likely.

If the Prime Minister genuinely wanted to get a deal through the House, he would not have divided the House in the way that he did yesterday. That is not the behaviour of a man who is trying to unite the House so that it can come together around a deal. The role of the Prime Minister is to unite the country. This Prime Minister is whipping up division, and I have not seen that from any Prime Minister in my lifetime.

There is a very simple, non-hypothetical question, and a precise question. If a deal has not been passed by the House by 19 October and there has been no agreement in the House to no deal, will the Prime Minister comply with the law by asking for the extension, given that that is what the Act requires? Let me make clear that if he does not do so, this will be enforced in the courts, and we will take collective action in the House to do whatever is necessary to make him comply with the law.

James Duddridge: The right hon. and learned Gentleman says that we are at a low point. I agree. One of the reasons we are at a low point is that we asked the public for their views, and now Parliament is ignoring their views. We do have a responsibility—the whole Government have a responsibility—to unite, but not necessarily to unite this Parliament. Our responsibility is to unite the country behind the decision that the country has taken.

The right hon. and learned Gentleman asked me specific questions about 19 October. The Government will obey the law on 18, 19 and 20 October, and will always do so.

Sir William Cash (Stone) (Con): The issue of compliance raises a very simple question. I say this to the right hon. and learned Member for Holborn and St Pancras (Keir Starmer): it is by no means certain that the law of the land is reflected in the passing of the European Union (Withdrawal) (No. 2) Act, because there is an apparent inconsistency between that Act and the European Union (Withdrawal) Act 2018. I have no time to go into the details, but the reality is that compliance is not just a simple question. It is a matter of grave importance in terms of which law is the law of the land.

James Duddridge: I thank my hon. Friend for advancing that argument. I think that the House will be grateful if I take it outside the House and have a detailed discussion with him, rather than detaining the House when it is dealing with urgent questions.

It appears that that was one of my more popular answers.

Peter Grant (Glenrothes) (SNP): I wholeheartedly associate myself and those on the Scottish National party Benches with your earlier remarks, Mr Speaker. Hardened political journalists went home last night in tears, and none of us can feel any pride in what happened. I say this from the SNP Benches. I have had words with some of my colleagues, and I hope that those on other Benches have done so as well. No party is entirely innocent, and it does not take us forward in any way if all we do is blame someone else.

I commend the hon. Member for Edinburgh South (Ian Murray) for asking the urgent question. The identity of the Minister who has been sent to answer it—I say this with respect to the relative juniority of the Minister—and the fact that the Prime Minister has not come to
answer it, perhaps tell us more than the answer itself. I make this offer from the SNP to those on the Government Benches, and I hope they will take it back to the Prime Minister: if he brings back an extension that takes no deal off the table, he can have his general election. However, the Minister might also want to advise the Prime Minister that he should be careful what he wishes for, because his wish might just be granted.

What an extraordinary position we are in, when we have to ask questions in Parliament about whether the Prime Minister will obey the law of the land. Yesterday, he was asked whether, in a specific set of circumstances in which the law required him to take precise action, he would do what the law required. I heard him say no. This is an extraordinary state of affairs. We have not yet had a satisfactory answer on how the Prime Minister thought that that single one-word answer, no, was not an assurance that he would defy the law. He does not want to extend, but if the law says to him “thou shalt extend,” will the Minister confirm that the Prime Minister will obey the law of the land? Will he also confirm that a Prime Minister who shilly-shallies in any way, ever obeying the law of the land is not fit to be Prime Minister?

James Duddridge: I particularly reflect on the hon. Gentleman’s comment that there are no innocent parties. Every Member of the House has probably overstepped the line at one point or another, and we must certainly all reflect on the words that we use. I can guarantee that there will be no shilly-shallying. The law will be obeyed, and I look forward to discussing that in more detail when I visit the Scottish Parliament next Thursday—this place permitting.

Sir Edward Leigh (Gainsborough) (Con): The difficulty we face is that most laws are relatively easy to interpret because they prevent you from doing something rather than making you do something. They prevent you from murdering your wife; they do not make you love your wife. This Act is therefore capable of numerous interpretations, and we are talking about a completely hypothetical situation. For instance, what is a deal? There is one way round this, however. We just need to compromise and agree a deal.

James Duddridge: I am sure that my right hon. Friend’s mastery of some of the technical details will stand him in good stead in his candidacy for your role, Mr Speaker, as and when that comes. He is right to say that the Act is not perfect. Specifically, the Government believe that the Kinnock amendment has deficiencies and that its effect is unclear.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): May I ask the Minister what his interpretation of the law is? If no deal has been agreed by Parliament or if the Prime Minister does not get a deal and Parliament has not voted in favour of no deal, does he think that the law will then require the Prime Minister to write a letter? Yes or no?

James Duddridge: The Government will take legal advice on this and a number of other issues. As the right hon. Lady knows, there is a long-standing constitutional convention that neither the fact nor the content of Law Officers’ advice is disclosed outside the Government without their consent, and I am not intending to break that convention today.

Greg Hands (Chelsea and Fulham) (Con): I am delighted to hear again of the Government’s commitment to getting a deal, which is actually what this House ought to be debating in the coming weeks. Will the Minister tell us a little more precisely how the passage of this Act has made the negotiations and discussions in Brussels more difficult?

James Duddridge: There was a big shift in the negotiations when the Prime Minister met Macron and Merkel, and that has really opened up the dialogue with the Prime Minister’s sherpa, who has been travelling twice, then three times a week, including to meetings at the United Nations General Assembly and several other forums. That activity has potentially slowed as a result of the House of Commons position. What the House of Commons has done makes a deal more difficult, and no deal, which is not what we want, more likely.

Tom Brake (Carshalton and Wallington) (LD): If the Prime Minister fails to secure a deal by 19 October and refuses to send the letter, as he is required to do by law, does he intend to resign or stand down temporarily and let someone else in the Government sign the letter for him?

James Duddridge: The Prime Minister will obey the law.

Justine Greening (Putney) (Ind): The problem with the Minister’s answers is that he obviously needs to leave the Government significant wriggle room because the hon. Member for Stone (Sir William Cash) has clearly reflected the underlying Government policy, which is that they want to find a way to avoid complying with the European Union (Withdraw) (No. 2) Act 2019, which this House passed. That does this country a disservice, because it means it will take us till late October before we resolve the question that the Government are clearly raising. Would it not be better for people in Britain if the Government were simply transparent about their views and intentions and we could find a way to resolve that much earlier?

James Duddridge: If I may try to be clearer, the Government want to be transparent, we want a deal and we will use every bit of wriggle room we can find to get that deal.

Hilary Benn (Leeds Central) (Lab): The House is grateful to the Minister for confirming that the Government will obey the law, but it should not need saying. The fact that the Minister is here today, having to answer these questions is a sign of the anxiety felt on both sides of the House and by many people in the country about the way in which the Government are conducting this matter. The problem is that the Minister’s clear answer is not compatible with the answer that the Prime Minister gave yesterday evening to my hon. Friend the Member for Edinburgh South (Ian Murray). I want to read the exchange. My hon. Friend asked:

“if he does not get a deal or a no deal through this House by 19 October”—

those are the two conditions to meet that mean that he would not have to write the letter—

“will he seek an extension to 31 January from the European Union?”


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[Peter Grant]
How on earth can what the Minister has said, in good faith—and I have great respect for him—possibly be reconciled with what the Prime Minister said to the House of Commons last night?

James Duddridge: I was here when the Prime Minister made that statement—

Peter Grant: Why is he not here?

James Duddridge: The hon. Gentleman asks why the Prime Minister is not here today. He was here for three and a quarter hours, answering, I think, more than 125 questions—

Mr Speaker: One hundred and eleven.

James Duddridge: Thank you for rescuing me, Mr Speaker. Your encyclopaedic memory is better than ours.

The Prime Minister does not want an extension. Every sinew of Government is focused on a deal. [Interruption.] Hon. Members say that that is not the case, but my day is filled with trying to find a deal. That is the right thing for the country, the right thing for Parliament and it is the right thing to do, and we will obey the law at every single point.

Anne Milton (Guildford) (Ind): I associate myself with your remarks at the beginning of the proceedings, Mr Speaker.

My hon. Friend the Minister’s insistence that the Government will comply with the law and his repetition of that sounds as if he is dodging something. That is the problem. I am a simple soul, so I ask my hon. Friend: under what circumstances will the Prime Minister seek an extension?

James Duddridge: A week is a long time in politics and in a negotiation things move—

Emily Thornberry (Islington South and Finsbury) (Lab): Answer the question.

James Duddridge: The right hon. Lady says, “Answer the question”, but we are trying to be as simple as we can and use as few words as possible. We will obey the law, but who knows what will happen between now and the end of negotiations? We are seeking a deal and the nature of that deal is moving forward on a daily basis. Beyond saying that we will always abide by the law, I will not get into it any further.

Ms Angela Eagle (Wallasey) (Lab): Notwithstanding the Minister’s answer today, the Prime Minister hinted in answer to my question last night that he would obey the law but said directly to my hon. Friend the Member for Edinburgh South (Ian Murray) that he would not. The Minister’s answers today would be listened to with a little more belief if senior sources in No. 10 did not keep briefing that they are going to break the law.

James Duddridge: The hon. Lady has a Minister, not a senior source in No. 10, saying on the record that we will obey the law. I think that trumps any so-say, off-the-record briefing.

Simon Hoare (North Dorset) (Con): Tomorrow, the Prime Minister will hold a political Cabinet. May I ask my hon. Friend to make sure it is heard that we support the Prime Minister in his pursuit of a deal and have a huge reluctance to an extension, but that it comes to a very bad place in politics when a Tory Government’s adherence to the rule of law comes into question and is in doubt? There needs to be a change in the mood music emanating from No. 10 because, as a Tory party, we obey the rule of law, and the fact that that is in question in this place should bring shame on us all.

James Duddridge: I am sure a number of people will hear my hon. Friend’s comments, which I will pass on to the Secretary of State for Exiting the European Union, who will attend the Cabinet on behalf of the Department. I thank my hon. Friend for those comments.

Joanna Cherry (Edinburgh South West) (SNP): The Minister has repeatedly said this morning that he will obey the law, but it is the law of the land that, if the Prime Minister cannot get a deal or a no deal through this House by 19 October, he must seek an extension to 31 January from the European Union. Last night, as the right hon. Member for Leeds Central (Hilary Benn) said, the Prime Minister was asked by the hon. Member for Edinburgh South (Ian Murray):

“So for the sixth and final time: if he does not get a deal or a no deal through this House by 19 October, will he seek an extension to 31 January from the European Union?”—[Official Report, 25 September 2019; Vol. 664, c. 821.]

And the Prime Minister replied, “No.”

Again, I ask the Minister to explain how his assurance this morning that the law will be obeyed sits with the Prime Minister’s direct denial last night that the law will be obeyed.

James Duddridge: The Prime Minister does not want an extension. He will obey the law, but every sinew of our efforts is based on getting a deal. If this House got behind a deal, perhaps we could move forward and change the tone of this place, with which we are collectively unhappy.

Maria Caulfield (Lewes) (Con): Part of the European Union (Withdrawal) (No. 2) Act is to agree a deal by 19 October, but a person would not get that impression from this place’s obsession with discussing an extension. Does the Minister agree that, if people want to avoid a no-deal exit, all our energies should be behind getting a deal and getting it through this place? Or is the real motive stopping Brexit completely?

James Duddridge: I fear my hon. Friend is right. Friend is right that many are less worried about the law and more worried about stopping Brexit. We have had extension after extension, and the answer to this uncertainty cannot be more extension.

Mr Chris Leslie (Nottingham East) (IGC): The most visible evidence giving us grounds to doubt the Government’s intention is their £100 million billboard advertising campaign saying, “Get ready—31 October, here we come.” That is actually inaccurate and misleading, because nowhere, not even in the small print, does it mention that the law of the land may prevent a no-deal Brexit. Should the Government not be honest with
Mr Chris Leslie: Businesses and consumers? I will certainly be writing to the Advertising Standards Authority. The Government should be honest in their advertising and not mislead the public in that way.

James Duddridge: Let us be honest that a no deal is a very real possibility. Even if this House extends, whether through this Act or some other mechanism, we still might be in the same position and a deal might not be done. We would then be in a no-deal position. It is right that everyone responsible business prepares for no deal, despite the fact that we want a deal.

Chris Green (Bolton West) (Con): Extension or a renegotiated deal are the two options, but the only demand we have heard today is for an extension. Given that the European Union has shown that it is prepared to move and to renegotiate, does the Minister agree that the House of Commons should unite behind the Prime Minister to get the best deal for the United Kingdom? If it does not do so, this House would be seeking to defeat democracy and the democratic decision of the British people.

James Duddridge: I thank my hon. Friend for that question. It does worry me that this House seems consistently to agree on what it does not want but fails to grasp what it does want. If we could take some of the energy around the semantics of obeying the law and put it into getting a deal done, I think this Parliament would be held in greater respect than it is currently by the country.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): The Minister is a popular man in the House. We all know that some Members are more popular than others, and some less so. Indeed, a junior Minister has just left the Chamber shouting. I deplore that. I want us all to work together harmoniously. The Minister has said that he wants greater transparency. There is a rumour running around the place—it is in the press—that the Government are going to shut down Parliament again for their own purposes. Is that right and why are they doing it?

James Duddridge: That is the first time I have heard that I am popular. I think the hon. Gentleman may very well be misinformed, but I thank him for that. When it comes to rumours, I am slightly conflicted. I am not sure what gives me more pleasure: appearing at the Dispatch Box to answer Opposition questions, or speaking to lobbyists at the Conservative party conference.

Mr Ben Bradshaw (Exeter) (Lab): People watching will notice that the Minister has been at the Dispatch Box for nearly 40 minutes and has repeatedly failed to answer a simple question, which I will put to him again. In the absence of this House supporting a deal or no deal, how will the Government comply with the Benn Act and leave the European Union on 31 October?

James Duddridge: For 40 minutes, I have tried to give a consistent answer. I think that hon. Members do not like that answer.

Angela Smith (Penistone and Stocksbridge) (LD): Everyone understands that the Government are trying to get a deal—we know that and do not need to hear it again—but this House bears a responsibility to test the Government’s intentions in the event that on 19 October, they fail to agree either a deal or no deal. Once again, therefore, I press the Minister: please show respect for the House and give a proper answer to the question. How does he reconcile refusing to ask for an extension with obeying the law, namely the European Union (Withdrawal) (No. 2) Act 2019?

James Duddridge: We do not want an extension, but we will obey the law as it stands at that time.

Seema Malhotra (Feltham and Heston) (Lab/Co-op): The Minister has repeatedly answered questions with what the Government want to do. In circumstances relating to the law, however, what is important is not necessarily what we want to do but what we might be obligated to do. May I ask the Minister a slightly different question? What is his understanding of what the Benn Act asks the Government to do if, by 19 October, neither a deal has been agreed by this House nor a no deal has been passed?

James Duddridge: Our focus is on a deal. When it comes to the point that the hon. Lady refers to, we will look at the law very carefully and we will obey the law.

Lisa Nandy (Wigan) (Lab): Many of us in this House genuinely want a deal and have been working cross-party to achieve it—in fact, we amended the withdrawal Bill to make it clear that the purpose of the extension was to achieve and agree a deal. I say to the Minister that we can see what is happening here. We can see what the Prime Minister was doing with that horrendous, divisive language yesterday. We can see that it is a clear electoral strategy to whip up hate and try to divide us and to whip up the hate of people against Parliament. For those of us who want to work cross-party to achieve a deal, that is making it much, much more difficult. Will the Minister now restore some trust to this House of Commons and tell us clearly, on the record, that if a deal is not achieved by 19 October, the Prime Minister will sign that letter seeking an extension from the European Union?

James Duddridge: I want to restore trust in the House. There is genuine division—it is not just an issue of linguistics and language. The House is divided; the country is divided. That is why we want to provide as much clarity as possible: we want a deal, and if we do not get that deal, we will obey the law as it stands at the time.

Mr Clive Betts (Sheffield South East) (Lab): Is the Minister saying that the Government believe that if this House does not agree a deal and does not agree no deal by 19 October, there is a doubt that the law requires the Prime Minister to sign the letter asking for an extension?

James Duddridge: I am not going into that legal advice. I have not done that. I think the hon. Gentleman is asking if that is the point that I am making. That is not the point that I was making. In my answer to the
right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper), I talked of legal advice and the normal conventions around it.

Mrs Madeleine Moon (Bridgend) (Lab): On Tuesday, I was in Addis Ababa with a delegation from across the NATO Parliamentary Assembly in a meeting with the United Nations, the European Union and the African Union. I sat with my colleagues and saw the shock on their faces as they watched a pronouncement that a British Government were deemed to have acted unlawfully.

In an alliance, trust is essential. It used to be that when people talked to the British, we could say, “My word is my bond.” People no longer have that trust. I understand the Minister’s expertise, particularly in relation to Africa, but is he aware of the damage done internationally to our reputation when we hear of a Government trying to wriggle their way out of a binding legislative decision by this House of Commons?

There is an international danger to our reputation. I saw as my NATO colleagues watched on their iPads—they all speak English—the responses from across the British press. They watch this House daily. They no longer have the level of respect and regard for this House that used to be felt. May I urge the Government to rebuild that respect, because the dangers and the risks to this country are huge?

James Duddridge: I thank the hon. Lady for the work she does on defence and for giving me the opportunity to confirm this Government’s belief in the international rule of law, specifically and incredibly importantly in relation to NATO. Although exiting the European Union is rightly taking up an awful lot of time in this House, the relationship across the eastern border and with NATO is potentially more important than it has been for a long time. Our NATO allies, whether in meetings in Addis or in normal NATO meetings, should know that they can rely on the United Kingdom as they have done in the past.

Sir George Howarth (Knowsley) (Lab): The Minister earlier appropriated the words of Harold Wilson when he said that a week is a long time in politics, so what does he think is going to happen in the next week—or, for that matter, the next month—that will change the terms of the Benn Act?

James Duddridge: I thank the right hon. Gentleman for reminding me whose words I was stealing to try to sound eloquent. Anybody in this House who predicted where we might be in a week would be a fool. If anyone does have any certainty, I suggest that they head to the bookies, shop.

Caroline Lucas (Brighton, Pavilion) (Green): It feels like we have entered into some kind of surreal world or parallel universe, a bit like Alice in Wonderland, where words mean whatever we want them to mean and the Minister is outdoing the Queen—I mean the Queen in Alice in Wonderland—who was thinking six impossible things before breakfast. Anybody watching this will think that this Government have taken leave of their senses. They cannot be trying to claim that two incompatible things are compatible, so I ask the Minister again: will he stop hiding behind the falsehood that legal advice is necessary to clarify the law on this and tell us how the Prime Minister is going to keep to the law?

James Duddridge: I must say that I did not quite keep up with all those Alice in Wonderland references, but I am more than happy to discuss this matter over a cup of tea, as long as the hon. Lady and I are not considered two Mad Hatters.

Vernon Coaker (Gedling) (Lab): I think many of us feel that the Minister has prevaricated with his answers today, so may I just ask him again what my right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer) asked him earlier from the Front Bench? To comply with the law, the Prime Minister is required to send a letter should a deal or a no deal not be agreed by Parliament. The schedule to the Act actually includes the letter; it is part of the law. That letter starts, “Dear Mr President” and finishes, “Yours sincerely, Prime Minister of the United Kingdom”. How on earth can the Minister stand there and say that the Prime Minister can comply with the law without reassuring Parliament from the Dispatch Box that the Prime Minister would sign the letter as set out in the schedule to the Act in the circumstances that the two conditions laid out in the Act are not met?

James Duddridge: I have consistently said that the Prime Minister will obey the law, but we do not want to get to that position; we want to get to a deal position as early as possible, and that is what we are trying to do. That is what we were mandated to do by the British people in the referendum, and it is what previous laws have instructed us to do.

Sammy Wilson (East Antrim) (DUP): The Prime Minister hit the nail on the head last night when he described the Act in the way he did, because the fact is that he has two choices: to go in all sincerity and negotiate a deal, which we know would be voted down by those who do not want us to leave the clutches of the EU; or to crawl to Brussels begging to be allowed to stay at the cost of £1 billion a month. Does the Minister agree that if there is such distrust in the Prime Minister, the courageous thing to do would be to hold a general election and allow the people of UK to decide what they think of this humiliating piece of legislation? If it was not for the fact that the scaredy-cats on the Opposition Benches are running away from the electorate, they would be calling for an election today.

James Duddridge: I should thank the right hon. Gentleman for what now appears to be a cross-party consensus that we should have a general election. It is good to see other people—even hon. Friends on the Opposition Benches—saying that they would support an election. A general election will launch the boil that has been festering here in the Commons. We are a divided House, and we are divided not just on normal party lines; crucially, we are also dividing ourselves against the nation. That is only going to be resolved by delivering Brexit or by going back to the nation and saying, “What do you want?”

Luciana Berger (Liverpool, Wavertree) (LD): The Minister has repeatedly told us this morning that his Government are focused on a deal. If that is the case,
why did the Prime Minister yesterday call for an immediate confidence vote, which would shut down Parliament within 14 days and make voting on a deal impossible?

**James Duddridge**: The new Parliament would be able to vote on a deal and negotiations would continue. Ministers remain Ministers as we go through the process and negotiations would continue.

**Debbie Abrahams** (Oldham East and Saddleworth) (Lab): I welcome the change in tone from last night, which many people have already said was absolutely appalling, but I have to say that I do not find it helpful to question the legitimacy of the EU (Withdrawal) (No. 2) Act. Is this the basis for the apparent contradictions between what the Minister has said and what was said to my hon. Friend the Member for Edinburgh South (Ian Murray) last night, or is there something else?

**James Duddridge**: Let us be clear: I did not question the legitimacy of the EU (Withdrawal) Act. My hon. Friend the Member for Stone (Sir William Cash) questioned it. I did say that there were a number of outcomes within that Bill, but I did not question, and had no intention of questioning, the legitimacy of a Bill that has been passed through the House. We opposed that Bill and we lost.

**Patrick Grady** (Glasgow North) (SNP): Exactly, because that was the House exercising the sovereignty and taking back the control that the leavers were so desperate to do. I do not know what message the Minister thinks it sends even to leave voters when there are questions about whether the Government will respect a law that this House has passed. The one thing the House does agree on—the one majority that there is—is that we do not want to crash out with no deal. So if they really want to get around the Benn Act, the way to do it is to agree an extension now, and then we can all have the general election before the extension period ends.

**James Duddridge**: All I will say to that is that it is somewhat amusing to see a member of the SNP defending the sovereignty of this House.

**Kate Green** (Stretford and Urmston) (Lab): I accept what the Minister says—that the Prime Minister wants to secure a deal—but may I respectfully suggest that the best way for us to do that with our European friends and allies is in a relationship of mutual regard and respect? To talk of the legislation as being a surrender Act implies that they are somehow trying to bully us into accepting a deal that will be good for them but bad for us. May I invite the Minister to pass back to the Prime Minister that that language is not only unacceptable in creating divisions in this country but divides us further from our European neighbours?

**James Duddridge**: Without wanting to up the tone of a debate that has been quite consensual, the Act does surrender some of our negotiating power by matter of fact. It compels the Government to do something, reducing the leverage in negotiation. I am actually seeing that as being part of the negotiating. It is deeply unhelpful and it has surrendered some of our powers of negotiation, which makes it more likely that we will get no deal. It is unfortunate. I am trying not to up the tone in any way but just to speak factually about what is happening.

**Jonathan Edwards** (Carmarthen East and Dinefwr) (PC): Am I right in understanding that the British Government have sought and obtained legal advice on how to avoid the provisions of the Benn Act?

**James Duddridge**: We do not discuss what legal advice has been taken; nor do we discuss the contents of that legal advice, as I have already said in the House.

**Martin Whitfield** (East Lothian) (Lab): I take this opportunity to welcome the Minister to the Dispatch Box. We have had a lot of discussion and intimation today about complying with the rule of law. Section 3 of the Act will oblige the Prime Minister to do something. In the spirit of the law, how will the Prime Minister meet that obligation?

**James Duddridge**: The law very clearly lays out the obligations in section 3 and other sections. I have nothing further to add.

**Gavin Newlands** (Paisley and Renfrewshire North) (SNP): If, as many of us suspect, the Prime Minister and Mr Cummings will attempt to navigate a path around the effect of the Benn Act—a feeling that the Minister’s answers this morning have not assuaged—what will the Government’s response be when the Court of Session in Edinburgh uses its nobile officium powers to sign a letter seeking an extension for him?

**James Duddridge**: I do not think I am sharing a secret: it is the Government’s intention to navigate their way around the Benn Act by getting a withdrawal agreement and a deal through the House of Commons. That is our plan A.

**Lady Hermon** (North Down) (Ind): I have to tell the Minister that I am extremely concerned that he has indicated that it is acceptable to the Government and the Prime Minister, for whom he is speaking this morning, that no deal will be acceptable. Can I just remind the Minister of the very serious consequences of no deal for Northern Ireland? I should not need to remind him or, indeed, the Government. If there is any hardening of the border between Northern Ireland and the Republic of Ireland, it will incentivise dissident republicans, who are already attacking the Police Service of Northern Ireland, to commit even greater violence along the border. With that, I suspect there will be a backlash—certainly a reaction—from loyalists. I do not predict that with any pleasure at all, but this Government should be aware of the consequences of no deal in Northern Ireland.

**Mr Gregory Campbell** (East Londonderry) (DUP): Disgraceful.

**Lady Hermon**: It will also embolden—

**Mr Campbell**: Outrageous.
Lady Hermon: Thank you. It will embolden Sinn Féin to campaign for a border poll, to take Northern Ireland out of the United Kingdom into a united Ireland. The Government need to be extremely mindful, and for the Minister to imply that it is acceptable that we leave without a deal is totally unacceptable.

James Duddridge: We want to leave with a deal, but no deal is a possibility. I am very aware of the concerns that the hon. Lady raised, and the Government are committed to the Belfast/Good Friday agreement. In fact, one of the first things I did as a Minister was go to Belfast and also down to visit the border and the people who live around it. In itself, turning up and looking around does not solve the problems, but I am very aware and consistently bear these things in mind when looking at negotiations, particularly those that are currently happening in relation to the Northern Ireland border. That will continue to be very important in the Government's machinations.

Dr Sarah Wollaston (Totnes) (LD): The terms of the Benn Act are very clear, but so too is its intended purpose and spirit. The Minister has not been asked today whether the Government and the Prime Minister want to comply with the terms of the Act. He has been asked a very specific question: if, by 19 October, the House has not agreed to a deal or no deal, will the Prime Minister write the letter asking for an extension, as set out in the Benn Act? Can he answer yes or no, because I am afraid we have no clarity at all on that specific question today?

James Duddridge: We will obey the law.

Andy Slaughter (Hammersmith) (Lab): The Minister is knowingly confusing the Government's negotiating position with the authority of the law as made in Parliament and enforced by the courts. The Prime Minister says, without evidence, that the Supreme Court is wrong, and now he is saying that he will not follow a very clear provision in an Act of Parliament. Does the Minister accept that that trivialises and undermines the rule of law?

James Duddridge: No. It is not the Government who are causing the confusion; it is the Act itself and the constitutional position we found ourselves in through a number of areas, including the Fixed-term Parliaments Act 2011, which means that we cannot have a general election and resolve this by going back to the people, who have already decided in a referendum—a referendum that our predecessors in this House fully supported.

Alan Brown (Kilmarnock and Loudoun) (SNP): To any rational person, the law of the land states that if the Government do not get a deal through the House of Commons or a mandate for no deal, they must write a letter by 19 October asking for an extension. The Prime Minister has said that he will not do it, and the Minister at the Dispatch Box will not answer yes or no about sending a letter: he just keeps saying that the Government will obey the letter of the law, sometimes adding “at that time”. Without breaking convention and giving away the contents of legal advice, will he confirm—yes or no—that the Government are taking legal advice on alternatives to sending that letter and complying with the law?

James Duddridge: Successive Governments do not comment on not only the detail of advice but whether legal advice has been taken, so the answer to the hon. Gentleman’s question is no, I cannot comment on that further.

Justin Madders (Ellesmere Port and Neston) (Lab): Businesses are telling me that thousands of jobs in my constituency are at risk if there is no deal, but it sounds to me like the Government think that that is a price worth paying to get Brexit done by 31 October. Is that right?

James Duddridge: We have the highest rate of employment for decades. I am specifically responsible for small and medium-sized enterprises in deal and no deal. While some of the larger businesses are well prepared, there is still more room for further preparations in smaller businesses, and I recommend that they visit the Government website, which is absolutely superb and very detailed. Last week, I was in Birmingham and while some specific issues were raised, which we are working on, people were impressed with the Government’s preparations.

Wayne David (Caerphilly) (Lab): A few moments ago, the Minister said that the Benn Act was unclear. Will he explain to the House why he thinks it is unclear?

James Duddridge: That is a fair question, but I am not necessarily going to give the hon. Gentleman an answer that he will be happy with. I have already said that the Government will take advice, but that legal advice will be confidential. That cannot and would not be shared with the House, and that would have been the case when the hon. Gentleman was a Member of the European Parliament and when he was a Minister.

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): In some countries, Governments try to make compliance with the law considerably easier for themselves by making political appointments to the judiciary. Can the Minister please categorically rule out reports that the Government are seriously considering political appointments to the judicial bench?

James Duddridge: I think that is well beyond my pay grade.

Several hon. Members rose—

Mr Speaker: I say for the benefit of those observing our proceedings as much as for Members of the House that there is a notable although on the whole healthy competition between two hon. Members who share the same surname but whose first name is spelt in one instance Stewart and in another Stuart. One is Stuart C. McDonald and the other is Stewart Malcolm McDonald. I have called Stuart C. I do not want Stewart Malcolm to feel socially excluded in any way. That would be very damaging.
Stewart Malcolm McDonald (Glasgow South) (SNP): I am grateful for that, Mr Speaker.

The Minister and I are both successors of the late Teddy Taylor. When Teddy was a Glasgow MP, he was known as the Tenement Tory who talked straight. Let me invite the Minister to find his inner Teddy this morning. Are there circumstances in which the Prime Minister will write to Brussels as outlined in the Benn Act?

James Duddridge: I thank the hon. Gentleman enormously for allowing me to pay tribute to my predecessor—[Interruption.] Predecessor, apologies. It is a great disappointment that, while he saw the referendum—I campaigned with him and he was in good health at that point—he has now passed away. Even after we won the vote and we knew he was in ill health, we thought that we would have Brexit before he died. I think that, looking down on us, he will be disappointed that, collectively, the House has not continued in that light and delivered on the referendum result.

Ruth George (High Peak) (Lab): Minister, this House and the country would have more confidence in the Government’s will and ability to do a deal within the rapidly reducing timeframe if we had any evidence of that happening. The Prime Minister’s update yesterday contained a lot of criticism of the Opposition but not a single word on the actual progress he had made in negotiations in the past few months. Will the Government bring a statement to the House on their progress and the abundant options that the Prime Minister has claimed there are?

James Duddridge: The Prime Minister answered a large number of questions and there was plenty of opportunity when he spoke for more than three and a half hours. I suspect that there will be plenty of opportunity to go into more detail on the negotiating strategy over the coming days and weeks.

Clive Efford (Eltham) (Lab): The Minister pointed to the Opposition Benches and suggested that those who want to remain will vote against a deal or never vote for one, but there are also Government Members who would never vote for a deal. Twenty-one Tory MPs have been thrown out of their group, including some who said that they would vote for a deal. Has the Prime Minister held negotiations with the European Research Group, some of whom are in the Cabinet, and have they signed up to say that they would vote for a deal that he negotiates?

James Duddridge: The Prime Minister constantly meets and talks to all members of the Conservative party and other parties.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): The Minister said there would be ample time after an election for any new Government to legislate accordingly and vote on a deal or seek an extension, but it normally takes at least four weeks for a new Government to pass substantive legislation. Does that reveal that having an election before seeking an extension is simply a bogus device for this Government to engineer a no-deal Brexit by default?

James Duddridge: No, not at all. The hon. Gentleman is right to say that the timetable is highly constrained, but after three and a half years we have only ourselves to blame collectively as a House.

Mr Richard Bacon (South Norfolk) (Con): Nearly every question from the Opposition has included the word “if”. Does the Minister feel that it is unreasonable to expect him to have a crystal ball and predict what situation this country will face on 19 October, and what complying with the law will require? Is it better just to accept his assurance that the Government will obey the law?

James Duddridge: I thank my hon. Friend for that question. A lot could change between now and 19 October, and providing clarity that we will obey the law is clearer than picking specific laws and saying how we will obey them.

Alex Sobel (Leeds North West) (Lab/Co-op): Notwithstanding the Minister’s previous response, he said that plan A is to get a withdrawal agreement agreed at the European Council, which is merely three weeks away. He also said that we are only just at the stage of reopening the withdrawal agreement. If—if—no agreement is reached at the European Council, does he guarantee that the House will get the opportunity to vote on a motion on whether or not we will accept a no-deal Brexit?

James Duddridge: It is not that negotiations have just restarted. Michel Barnier’s mandate to negotiate has not formally started, and that cannot happen until the European Council, where effectively all the work will be done. However, right from the point of the meeting with Macron and Merkel, there was a step change in meetings at sherpa, political and technical levels with the Commission—that was the point I was trying to make, not that negotiations have only started recently.

Neil Gray (Airdrie and Shotts) (SNP): At the start of the urgent question, the Minister rightly reiterated your cull, Mr Speaker, for greater respect. One way of being respectful in this House is to be transparent, but the Minister has clearly not been transparent after repeated questions about whether the Prime Minister will write the letter seeking an extension. I now give the Minister one final opportunity to be clear and unequivocal in his response, and not to hide behind some form of words about obeying the law or dodge the question: if the first two conditions of the Benn Act are not satisfied, will the Prime Minister write a letter seeking that extension—yes or no?

James Duddridge: I hate to disappoint the hon. Gentleman, but we will obey the law.
Catherine West: Throughoout the summer, Hong Kong has remained gripped by protests, with tens of thousands of demonstrators filling the streets each weekend to demand their fundamental rights. Although the Chief Executive of Hong Kong, Carrie Lam, has announced that the controversial extradition Bill will finally be withdrawn, this for some is far too little, too late. The level of protest has grown in the face of brutal police repression, and I have been appalled by the way that protesters have been beaten by police officers and gangs rumoured to be associated with the Hong Kong Government.

Basic democratic freedoms of the press, the right to assemble and the right to protest are enshrined in the Sino-British joint declaration, an internationally recognised treaty to which we are of course a signatory. In the past few weeks, protesters have also been gathering outside the British consulate in Hong Kong demanding that our Government do more. Will the Foreign Secretary please tell the House what contact he has had with the Hong Kong Government about the ongoing protests in Hong Kong and specifically on the issue of police brutality? What dialogue has he had with the Hong Kong Government to promote a move towards universal suffrage as per the joint declaration? What steps are the Government taking to support any holders of a British national overseas passport in Hong Kong who are facing undue risk or harassment as a result of taking part in the protests? Finally, when will the next six-monthly report on the joint declaration be published?

Dominic Raab: I thank the hon. Lady for her questions and interventions on the substance and the constructive way she has presented them to the House. I share her concerns about the repression of peaceful protest, though mindful, as I have said, that some of the protests have been violent, which is unacceptable, too. I also share her concern to make sure that the right of peaceful protest enshrined in the joint declaration is respected on all sides in Hong Kong and by us and the Chinese Government.

I will, if I may, make a couple of further points. The joint declaration, as a bilateral treaty, reflects not just the right to peaceful protest but the basic international human rights obligations, which would apply to China in any event. It is a bilateral expression of those rights, and it is important not just for the people of Hong Kong but for the wider model that China advocates—the one country, two systems model—and which we wish to respect.

The hon. Lady asked what contact I had had with the Chief Executive, Carrie Lam. I spoke to her at length on 9 August, and I raised all the issues that I have already expressed, particularly the disproportionate use of force by the police against the protesters. I also raised the issue of the Independent Police Complaints Council. In line with and alongside the withdrawal of the extradition Bill, that is an area where the Government in Hong Kong have taken some steps to try to strengthen and continue to engage with Hong Kong and the Chinese Government, reiterating the fundamental importance of upholding the UK-Chinese joint declaration. Hong Kong’s high degree of autonomy is what guarantees its future prosperity and success. It is incumbent on all sides to respect it.
reinforce their impartiality and therefore their credibility. We need to test that very carefully and see whether it produces an impartial and objective review.

The hon. Lady rightly raises the issue BNOs, and I thank her for that. The status of BNOs is part of the package that was agreed in terms of the joint declaration. There is no right of permanent residence under the BNO passport, but it is part of the overarching model of one country, two systems which, at least at this point, we are arguing needs to be respected, but it needs to be respected by all sides, including by China.

Finally, on the six-monthly report, I would hope that to be due at the end of October, or by November at the latest.

Tom Tugendhat (Tonbridge and Malling) (Con): Again, I welcome my right hon. Friend to the Chamber today, and I thank the hon. Member for Hornsey and Wood Green (Catherine West), a fellow member of the Foreign Affairs Committee, for raising this important question.

Although I appreciate the points that the Secretary of State has already made about BNOs, it is clear that the UK Government did take a subtly different position at the time of handover when certain key members of the Administration were granted UK citizenship to give them the confidence to stay on at a moment of—let us face it—trouble and doubt. Is there not an opportunity now to assure people that they do not have to make urgent decisions now, by knowing that their rights will be guaranteed? Will he also talk to his friend the Lord Chancellor about the presence of UK judges in the Court of Final Appeal? We all know that Hong Kong’s economy is underwritten by the rule of law, as, indeed, is ours. The independence of the judiciary and the ability to have judges who can speak freely and fairly and without threat of influence from Beijing is one of the things that underwrites not just Hong Kong’s economic expansion but China’s. Therefore, valuing those judges, knowing that they are an integral part of the rule of law—not just on commercial rights, but on civil rights—would seem a very good place for the UK to start.

Dominic Raab: I thank my hon. Friend the Chair of the Select Committee. He makes a number of very important and powerful points, and I have been reflecting on them and, indeed, on the reports from his Committee. May I just say that I will of course pass on his comments in relation to the judiciary to the Secretary State for Justice? He makes those points in an important way. Of course, they are good for Hong Kong and its reputation and the wider reputation of China as a place that is open to do business.

Let me be clear about this issue of BNOs. The BNO status, which did not entitle the holders of those passports to a right of permanent residence in the UK, was part of the delicate balance and negotiations that were conducted and then concluded at the time of the joint declaration. We are seeking not to change the status of any one part of that package, but rather to press all sides, including the Chinese, to respect the delicate balance reflected in that package. That is why, for the moment, we will not change or alter the status of the BNOs, but we will make sure that, in terms of their rights and entitlements they are entitled to expect within that status, they have our full support.

Helen Goodman (Bishop Auckland) (Lab): I thank you, Mr Speaker, for granting this urgent question, and I congratulate my hon. Friend the Member for Hornsey and Wood Green (Catherine West) on securing it.

As the Foreign Secretary said, we are now entering the 16th week of this chaos and there is absolutely no sign of the crisis abating. We continue to witness appalling brutality by the Hong Kong police against the protesters. The abandonment of peaceful methods by some sections of the pro-democracy movement does nothing to help its cause, which we in the Opposition believe is right and just.

Will the Foreign Secretary tell us whether the Hong Kong Executive have made any progress in setting up the independent inquiry that we have all called for? Did the Foreign Office get any credible explanation from the Chinese Government for the paramilitary forces massed on the Hong Kong border over the summer?

The announcement that the Hong Kong Executive will formally withdraw the extradition Bill is welcome, but it is too little, too late. Peace and normality will be achieved only if the Hong Kong Government meet the largely reasonable demands of the protesters and fulfil the promises made to Hong Kongers in the Basic Law. That needs to start with democratic reform and moves towards universal suffrage.

The Foreign Secretary is the fifth Minister in four months to have spoken on the UK’s moral and legal responsibility to safeguard the rights of Hong Kong citizens, and I would like to ask him two further questions. What are the implications for BNO passport holders of the Government’s announcement over the summer of changes to the rights of students studying in the UK? Also, what is he going to do to fulfil the UK’s obligations to Hong Kong under the joint declaration if the situation does not improve?

Dominic Raab: I thank the hon. Lady. For the measured and careful way in which she has responded to this issue. Amidst all the Brexit divisions we have, it is important that we have some cross-party consensus where it is practicable on this issue, because that allows us to send the clearest signal to our international partners, and indeed to Hong Kong and China, on its importance, so I welcome that.

I share the hon. Lady’s concerns around the issue of peaceful protest. We have expressed those to the Chinese Government. I spoke to the Foreign Minister about this. I have also spoken to Carrie Lam. The hon. Lady is also right to say that we condemn violence and that it risks tainting the protests, which, on the whole, have been conducted in a peaceful way by the majority.

The hon. Lady asked about the independent inquiry. The Administration in Hong Kong have not gone the full way we would like them to, but they have taken steps to reform and reinforce the independence of the Police Complaints Council. Whether that is enough, we shall see. What we need to ensure ultimately is that we have the goal of a proper, thorough and objective review of some of the conduct by the police against protesters.

I share the hon. Lady’s concern about reports of troops being increased at the border. We in this House and across the international community must be clear with our Chinese friends and partners about the Rubicon
that would be crossed if we saw a major intervention in Hong Kong. No one wants to see any repeat of the tragic circumstances in Tiananmen Square all those years ago. We want China and Hong Kong to move forward, not backwards.

The hon. Lady made the point that the action on the extradition Bill is not enough, and I share her frustration to see more done on political dialogue. In fairness, it is important to note that steps are taking place this week, and indeed today, to engage local groups in political dialogue. As she said, it is the long-standing view of the UK that there is a transition to universal suffrage for the elections of the Chief Executive and the Legislative Council, because that is provided for in the Hong Kong Basic Law, and that would be the best way to guarantee the stability of Hong Kong, but also to respect one country, two systems, which is advocated by China. There has been no change in the status of BNOs.

Overall, I share the hon. Lady’s concerns. There is not silver-bullet answer. We know that the Chinese Government will be very mindful of behaviour and of its reputation, and of what is going on in Hong Kong in the lead-up to the anniversary on 1 October. We need to make sure in this House and across the international community that we are seized of this issue and that we make it clear to the Government of China that we want to respect one country, two systems, but that also needs to be reflected on their side.

Fiona Bruce (Congleton) (Con): Freedom of speech, including on constitutional matters, is one of the rights enshrined in the joint declaration, yet we have recently seen pressure exerted on individuals to desist from dialogue on certain issues—pressure that is completely unacceptable in any country, let alone in Hong Kong, where these rights are enshrined in the joint declaration. What can our Government do publicly to ensure that the right to free speech is upheld in Hong Kong?

Dominic Raab: I pay tribute to my hon. Friend’s tenacious efforts to raise the issue of free speech and peaceful protest right around the world. She is a credit to this House and is doing a lot of work for the party on this. The UK has raised the issue of peaceful protest and the right of free speech, mindful that it must be lawful and peacefully conducted. I have done that consistently and will continue to do so, and I know the Prime Minister feels the same way.

As my hon. Friend and, I think, the shadow Minister said, we need to see steps towards meaningful political dialogue. We have seen the removal of the extradition Bill and the initiative from Hong Kong to consult with people from across the communities in Hong Kong. That is a first step, but we should recognise and credit the Administration in Hong Kong when they take steps in the right direction. We now need to see that followed up with meaningful, inclusive dialogue that preserves the autonomy of Hong Kong and the one country, two systems approach that China advocates.

Stewart Malcolm McDonald (Glasgow South) (SNP): I welcome much of what the Foreign Secretary has said this morning. Of course, it is important that we recognise the courageous strength of those in Hong Kong who have protested over the past few months. Indeed, this all takes place on the 30th anniversary of the Baltic Way.

What an inspiration it is to see the spirit of the Baltic Way invoked, with people standing up for liberty and freedom as they rightly should.

The Foreign Secretary mentioned the legally binding agreement with China. While it is not for me to defend old empires, he is right that it is, to this day, a legally binding agreement. Of course that must be upheld, not least because international treaties are being picked away at by populists around the world. However, context is everything, and the UN Security Council that he mentions—as we know from the conflict in Syria, for example—is utterly broken. This matter cannot be resolved in a broken Security Council. I have been asking the Government for years what proposals they have for reform of the United Nations Security Council. That will be pivotal in this affair and much else.

Finally, this issue in Hong Kong is undoubtedly falling prey to international disinformation and misinformation campaigns, from China to Russia and many others. What steps are the Government taking to support people in Hong Kong to get the truth out to the world?

Dominic Raab: I thank the hon. Gentleman for his remarks and his support for the approach we are taking. He made some valuable points about the joint declaration. It is legally binding and, of course, there is always the need to be vigilant to make sure that international treaties are respected on all sides. It is not just a bilateral arrangement, but reflects wider international human rights obligations, particularly those on peaceful protest reflected in the international covenant on civil and political rights.

I do not think the situation in Hong Kong is necessarily analogous to Syria, but I do—

Stewart Malcolm McDonald: I did not say that.

Dominic Raab: I know, but the hon. Gentleman. Gentleman made that reference. I do, however, share his sense that we need to make the UN work as effectively as possible. We have been out at the UN General Assembly this week. That has been curtailed, as he will know, but those are the kinds of things we talk about. Of course, China is a permanent member of the UN Security Council, so it is reasonable and legitimate to expect China to uphold the values of the United Nations when it comes to Hong Kong.

Dr Julian Lewis (New Forest East) (Con): Following directly the point that was just made by the SNP spokesman, is there any evidence that the Chinese intelligence services, adopting classic communist methodology, are trying to discredit the protesters by infiltrating them with agents provocateurs, where the violent fringe is concerned? Will my right hon. Friend give special consideration to about 265 former members of the Hong Kong armed services, who should in the past have been offered the choice of a British passport but, I believe, have yet to receive that offer?

Dominic Raab: I thank my right hon. Friend for his remarks; I know that he follows these issues closely. I am going to be a bit careful about commenting on what is really happening in relation to intelligence services from any other country, but one thing I would say is
that it is becoming increasingly clear, in relation to some of the counter-protests, that there are criminal gangs involved, and it is not clear entirely what their links may or may not be with the various administrations. I think, for our part, we need to play this in a very straight way, which is to say that there are some legally binding obligations on the Hong Kong Government, and indeed on China, to respect peaceful protest. Frankly, wherever those incursions or erosions or impingements come, we will call them out.

Chuka Umunna (Streatham) (LD): In response to a written question tabled by my right hon. Friend the Member for Orkney and Shetland (Mr Carmichael), Ministers have confirmed that UK law enforcement agencies provide training to the Hong Kong police. With that in mind, has that training been put through the overseas security and justice assistance risk management system? If so, what assessment, particularly in the light of recent events, has been made of the risk that that training may now be assisting in human rights violations in Hong Kong?

Dominic Raab: I thank the hon. Gentleman. Of course, one of the reasons that we might take a judgment in relation to Hong Kong, or anywhere in the world, to provide police training is precisely to make sure that policing is done in a proportionate way, and with some restraint where that is called for. So I would not quite accept the premise that he has argued from.

Chuka Umunna: An assessment.

Dominic Raab: We will constantly consider all assessments in relation to this kind of support. The hon. Gentleman will know that, as the former Foreign Secretary, my right hon. Friend the Member for South West Surrey (Mr Hunt), stated during his remarks in the House of Commons on 25 June in relation to, for example, crowd control equipment, no further export licences will be granted for that kind of equipment unless we have got absolutely clear assurances that our concerns around human rights and fundamental freedoms are respected and addressed.

Several hon. Members rose—

Mr Speaker: Such illustrious colleagues! It is very hard to choose—wow. Sir Geoffrey Clifton-Brown.

Sir Geoffrey Clifton-Brown (The Cotswolds) (Con): Thank you, Mr Speaker. Might my right hon. Friend consider raising with Carrie Lam, when he next has a conversation with her, an issue that has been raised with me by a number of young people, including the demonstrators: social mobility in Hong Kong? For the ordinary person, even if they have actually got a good degree, it is very difficult to get a job that is well enough paid to better their standard of living from that of their parents.

Dominic Raab: I thank my hon. Friend. He raises a very important point, which is that the protests that we are seeing have been fuelled by the economic/social concerns that, in any mature democracy, would find expression through the democratic institutions. I think he is highlighting, in a very specific way, why having political dialogue leading to the democratic autonomy that is reflected in the Basic Law would be valuable and important, not just for the individuals raising those issues, but for Hong Kong as an autonomous entity within the one country, two systems model, to address those issues in a way that is constructive and in the long-term interests of the people of Hong Kong.

Chris Law (Dundee West) (SNP): All UK citizens’ rights and means to travel subject to entry requirements should continue to be protected, and we in the Scottish National party call on the Government of China and Hong Kong to facilitate the safe passage of UK citizens when they are compliant with the law. BNO UK passport holders in Hong Kong, however, are not currently recognised by China. Can the Foreign Secretary update the House on the consular services and support that have been offered to those UK passport holders?

Dominic Raab: I thank the hon. Gentleman for that. We do provide consular assistance to the BNO passport holders, but he is right also to talk about the limitations on that status. That was part of the careful balance that I referred to in my earlier remarks. We want to see that respected on all sides. That is one element of the one country, two systems model. That is what China advocates. That is what we want respected. It must be respected on all sides.

Several hon. Members rose—

Mr Speaker: A noted sinologist, I think—Mr Richard Graham.

Richard Graham (Gloucester) (Con): The 98th anniversary of the Communist party of China approaches imminently, and there are a range of issues which the Foreign Secretary knows are delicately balanced. One, of course, is the importance of what happens in Taiwan; the second is what is going on in Xinjiang; and the third is the current crisis in Hong Kong.

The Foreign Secretary knows that Committees in both the Senate and Congress have advanced a new Hong Kong Human Rights and Democracy Act, which would require an annual assessment to see whether Hong Kong is sufficiently autonomous still to justify that city’s special trading status with the United States. Has he discussed that with his US counterparts, and are things at a stage where Hong Kong’s special trading status could be seriously endangered by the situation?

Dominic Raab: My hon. Friend has raised quite a few questions. Let me try to address just two of them.

When I was in Washington earlier this week, I had a chance to talk to Congressmen on both sides of the aisle about the United States legislation, and they are making progress in that regard. My hon. Friend also referred to the forthcoming anniversary on 1 October and some of the wider concerns beyond Hong Kong, and he mentioned Xinjiang. We are concerned about, for example, reports and they are credible reports—of more than 1 million people being held in camps against their will. There is, I think, increasing international...
concern about that and about the repressive mistreatment of those people and its impact on China’s international human rights obligations. Let me again make the point that China is not a leading member of the international community. It is a P5 member of the Security Council, and it is very important for those basic international obligations to be respected.

Jenny Chapman (Darlington) (Lab): There is a long-standing affinity between many of my constituents and Hong Kong, primarily through family links or because they were posted there during service in the Army. There is particular concern about British national overseas passport holders and the rights that are afforded to them. The Foreign Secretary has made it very clear that he does not wish to look at the issue at the moment because it forms part of the agreement, and there is a logic to that, but would he be prepared to move quickly should there be some variance, shall we say, from that agreement in some other regard, in which event their rights might need to be re-examined very speedily?

Dominic Raab: I thank the hon. Lady for the careful and measured way in which she asked that question. Our overarching effort now is to convey the message from the UK, but also from the international community, that the one country, two systems model is respected. It has implications for BNOs, and it has implications for autonomy and the right to peaceful protest in Hong Kong. They are all part of the same package. I am not going to start getting into what will happen if that package is ripped up on the other side, but I do think that—particularly given the concerns raised by the hon. Member for Bishop Auckland (Helen Goodman) about the question of troop movements and whether there might be a major intervention from Beijing—we need to be very clear about the fact that that would put at risk the model that China itself has advocated.

Mr Bob Seely (Isle of Wight) (Con): Does the Foreign Secretary understand the concerns in the House about the BNOs? China is not trying to abolish one country, two systems, but it is squeezing it and pressuring it, and China is now a leading member of the international community. It is in the interests of anyone in Hong Kong, in China or, as the hon. Member for Darlington (Jenny Chapman) said, from that agreement in some other regard, in which event their rights might need to be re-examined very speedily?

Dominic Raab: My hon. Friend is absolutely right. It is very clear that he does not wish to look at the issue at the moment because it forms part of the agreement, and there is a logic to that, but would he be prepared to move quickly should there be some variance, shall we say, from that agreement in some other regard, in which event their rights might need to be re-examined very speedily?

Dominic Raab: The hon. Lady has made an excellent point, which is that it is in the interests of Hong Kong and China to respect the one country, two systems model and the autonomy, both economic and political, that is reflected within it.

Bob Blackman (Harrow East) (Con): Hong Kong is clearly a major financial and trading centre. Will my right hon. Friend impress on the Chinese Government, and the Chinese, the opportunities that arise from having such a vibrant centre and the fact that anything that prejudices that or brings it into question damages China as well as damaging millions of citizens around the world?

Dominic Raab: My hon. Friend makes an excellent point, which is that it is in the interests of Hong Kong and China to respect the one country, two systems model and the autonomy, both economic and political, that is reflected within it.

Louise Haigh (Sheffield, Heeley) (Lab): Ofcom is currently investigating the Chinese state-backed news channel CGTN following its coverage of the protests. Has the Foreign Secretary spoken to his colleagues in the Department for Digital, Culture, Media and Sport about that investigation and, in particular, about the future of the channel ahead of its launch in London if it continues to propagate state bias in direct contravention of our broadcasting regulation?

Dominic Raab: I agree with much of what the hon. Lady says, and I can reassure her that I met Foreign Minister Wang Yi in Bangkok on 31 July. I was due to agree with much of what the hon. Lady says, and I can reassure her that I met Foreign Minister Wang Yi in Bangkok on 31 July. I was due to meet him again in New York this week, but of course the House is now sitting again.

Luke Graham (Ochil and South Perthshire) (Con): I welcome some of the comments from my right hon. Friend, especially his condemning violence and praising peaceful protest. How can he use his offices and our position in the UN to make it clear that the Sino-British declaration is a live international treaty and not a historical document, as many Chinese officials have tried to suggest?

Dominic Raab: My hon. Friend is absolutely right. It is widely accepted that this was an international agreement. It is binding under international law, and while there may be some who call it into question, I do not think it is in the interests of anyone in Hong Kong, in China or, for our part, in the United Kingdom, to call it into question. That is something on which there is widespread agreement among our international partners.
Dr David Drew (Stroud) (Lab/Co-op): Those of us with friends in Hong Kong know how difficult it is now for people to go about their ordinary lives and how their businesses are being affected. Is it not the responsibility of the whole international community to try to settle these disputes before the situation gets even worse?

Dominic Raab: Yes.

Bill Grant (Ayr, Carrick and Cumnock) (Con): Does my right hon. Friend agree that the latest developments we are witnessing in Hong Kong are part of a wider trend of civil and political freedoms being reduced over time? What actions can the UK take to halt, or indeed reverse, such a trend?

Dominic Raab: We can make our position clear both to the Administration in Hong Kong and to my Chinese opposite number, as the Prime Minister and all Members of the Government do. We also need to work with our international partners to look carefully at the situation to ensure that we are telegraphing as clear and broad a signal as possible to the Government in Beijing about the concerns that my hon. Friend rightly raises.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): Further to the comments from the hon. Member for Strangford (Jim Shannon), does my right hon. Friend agree that the latest developments we are witnessing in Hong Kong are part of a wider trend of civil and political freedoms being reduced over time? What actions can the UK take to halt, or indeed reverse, such a trend?

Dominic Raab: I do not think that the point right now is to issue threats to the Government of China. The UK and our international partners need to be very clear that we want to respect the one country, two systems model and that some of the things that we are seeing in Hong Kong and the military build-up of troops on the Chinese side of the border—about which concern has been expressed on both sides of the House—would put that at risk.

Mr Speaker: I call Sir Philip Dunne.

Mr Philip Dunne (Ludlow) (Con): I am not actually Sir Philip, Mr Speaker, but thank you for elevating me.

Mr Speaker: I apologise to the right hon. Gentleman, who is a member of the Privy Council. I had thought that he had that additional honour, but I think it is only a matter of time. If I have moved it on a bit, that is surely a positive thing. However, for now, I call Mr Philip Dunne.

Mr Dunne: Thank you, Mr Speaker.

I lived in Hong Kong for some years, including during the political transition, so I feel particularly acutely the pressures on the people who are legitimately protesting there. I welcome the fact that concerns have been expressed across the House about the way in which the Hong Kong authorities have handled the protests. Although it was more than 20 years ago, I am acutely aware of the strong and close trading and financial links between this country and Hong Kong. What can my right hon. Friend do to ensure that business confidence is maintained so that Hong Kong remains the vibrant financial centre that is so important in international trade?

Dominic Raab: My hon. Friend is right. I am saying that we have a rigorous and robust system—one of the best in the world—for export licence control and we will keep it constantly under review. We monitor and listen to our officials on the other side, but in the end we make an objective and independent assessment to ensure that the UK rules are respected.

Steve Double (St Austell and Newquay) (Con): I was going to ask the Foreign Secretary about the position of BNO passport holders, but he has already answered many questions on that. I just want to add my support to doing all we can for them. What assessment has he made of the treatment of religious minorities in Hong Kong by the Chinese authorities? Will he ensure that the Government do everything we can to support not only the civil and political freedoms of the people of Hong Kong, but religious liberty there?

Dominic Raab: My hon. Friend is right. I put on the record that I have had conversations about BNO passport holders and I know that the Home Secretary is apprised of their situation. We have discussed the matter and we keep it under review.

My hon. Friend rightly raises freedom of religion. There is a broader issue around freedom of belief and conscience. We are concerned about the persecution of groups in China on the grounds of religion or belief and that the Chinese Government guidelines on unapproved religious activity, education and travel would restrict the peaceful observation of those rights, which are of course guaranteed under international human rights instruments.
Stephen Kerr (Stirling) (Con): Building on the Foreign Secretary’s response to my hon. Friend the Member for St Austell and Newquay (Steve Double), the confidence of the people of Hong Kong in the intentions of the Chinese Government is undermined by clear evidence of the violation of human rights, especially in freedom of religion or belief or the exercise of conscience, as my right hon. Friend described it. Will he be specific about the representations Her Majesty’s Government have made to the Chinese Government about the 1 million Muslims who are being held in re-education camps?

Dominic Raab: We raise that matter in the United Nations. I have been clear about the UK’s position, which is that we are very concerned about it. The reports look credible and it looks as if the most basic undertakings under international human rights law have been violated. We will continue to ensure that those concerns are expressed directly and candidly. We want a friendship and a partnership with the Government of China—I have said that to the Chinese Foreign Minister—but in all good friendships we must be able to talk candidly when there are concerns.

Arms Export Licences (Saudi Arabia)

11.24 am

Chris Law (Dundee West) (SNP) (Urgent Question): To ask the Secretary of State for International Trade if she will make an urgent statement on the recent unlawful award of arms export licences to Saudi Arabia, in contravention of a Court of Appeal ruling that determined that the UK must cease arms exports to the country.

The Secretary of State for International Trade (Elizabeth Truss): Today, I will be tabling a written ministerial statement updating Parliament on the latest situation in relation to the undertaking given to the Court of Appeal on 20 June about export licences for Saudi Arabia and its coalition partners. As the Government informed the Court on 16 September and followed up with an affidavit today, my Department identified errors in the export licensing procedure in relation to the Saudi coalition’s activities in the conflict in Yemen.

As I stated publicly on 16 September, I unreservedly apologise for the export licences that my Department issued in error. I have also given my unreserved apology to the Court. A procedure to ensure that export licences for Saudi Arabia and its coalition partners are not granted for goods for possible use in the conflict in Yemen was put in place on 20 June 2019. That followed the Court order and the then Secretary of State’s statement to Parliament.

The Export Control Joint Unit subsequently issued export licences for Saudi Arabia and its coalition partners and, in line with the agreed procedure, these were signed off at official, rather than ministerial, level. It subsequently came to light that two licences were in breach of the Court undertaking, and one licence was granted contrary to the statement in Parliament, as these licences were for goods that could possibly be used in the conflict in Yemen.

Without seeking to prejudice the independent investigation, it appears that information pertaining to the conflict had not been fully shared across government. I took immediate action as soon as the issue was brought to my attention on 12 September: taking immediate steps to inform the Court and Parliament; putting in place immediate interim procedures to make sure the errors could not happen again; and instigating a complete and full internal review of all licences granted for Saudi Arabia and its coalition partners since 20 June. The Department’s permanent secretary, on my behalf, commissioned a full internal investigation.

The Court and Parliament were informed on 16 September with the appropriate detail, and the interim procedures mean that senior officials in the Department for International Trade, the Foreign and Commonwealth Office and the Ministry of Defence guarantee that the latest information available to the Government is used in their advice. All recommendations to grant licences for the export of items for Saudi Arabia and its coalition partners will now be referred to Ministers, rather than being signed off at official level. The full review of licences for Saudi Arabia and its coalition partners is currently being undertaken, and this internal review is still ongoing.

As a result of the internal review so far, we have identified one further licence that has been granted in breach of the undertaking given to the Court of Appeal. This licence has not been used and has now been revoked.
[Elizabeth Truss]

My officials are also carrying out an urgent review of the composition of the coalition. This has identified a further licence that is in breach of the parliamentary statement. We reassessed the licence in the light of the latest information and subsequently revoked it in so far as it applies to Jordan.

My officials continue to review all the information relating to licences granted for Saudi Arabia and its coalition partners since 20 June 2019, and we will be open and transparent with the Court and Parliament as to any new issues that emerge. In addition, the DIT permanent secretary, on my behalf, has commissioned a full independent investigation, which will establish the precise circumstances in which the licences were granted and whether any other licences have been granted in breach of the undertaking to the Court or contrary to the parliamentary statement, and it will confirm that procedures are in place so that no further breaches of the undertaking can occur.

This investigation will be led by an independent senior official: the director general of policy group for the Department of Work and Pensions. It is possible that more cases will come to light. As I have done so far, I will keep the Court and Parliament informed of any new information that emerges.

Chris Law: I thank the Secretary of State for her response. She made the shocking revelation that two further licences break the law and that more may yet be discovered, but I welcome her unreserved apologies for the errors, as they have been called, made so far.

The situation in Yemen is currently the biggest humanitarian crisis in the world, with half the country’s population at risk of famine and 22 million Yemenis in need of aid and protection. Although the UK has given £770 million in aid to Yemen over the past few years, the UK has earned eight times as much from arms sales to Saudi Arabia and its coalition partners. That is the result not of a so-called inadvertent error but of a shamefully incoherent foreign policy that has put profit ahead of upholding international humanitarian law.

The UK has licensed £4.6 billion-worth of arms to the Saudi military, which the United Nations has found to be directly accountable for an estimated 10,852 civilian casualties as of November last year. And now, despite the Court of Appeal ruling that the UK’s arms sales to Saudi Arabia were unlawful, the Secretary of State has approved arms export licences to the Royal Saudi Land Forces.

The Secretary of State has said:

“Given the fact that RSLF troops were deployed in Yemen at the time the licence was issued, this licence should not have been granted.”

How could there ever have been any doubt that the RSLF was in Yemen, given that it makes up more than half the Saudi armed forces, which have invaded Yemen by land? The situation is crystal clear.

The process that led to the licences being granted demonstrates the same carelessness and utter lack of regard for human life that has defined the UK’s arms sales to Saudi Arabia over the years. Rather than wasting time and money appealing the Court decision or lobbying other foreign Governments to resume weapons sales to Saudi Arabia, will the Secretary of State rescind these unlawfully granted arms export licences? Furthermore, does she take full responsibility for her Department’s unlawful award of arms export licences, in contravention of the Court of Appeal? If so, will she do the right thing and resign?

Elizabeth Truss: Clearly, the conflict in Yemen is a cause of great concern and we fully support the UN-led process to reach peaceful resolution. As the hon. Gentleman said, we have contributed £770 million of UK aid. What we are talking about today, however, are specific procedural issues relating to export licences.

We have a procedure that follows the consolidated criteria and is very clear about humanitarian law. In its judgment on 20 June, the Court of Appeal was very clear that we have in place a rigorous and robust process. The issue is how that process has been followed. That is why, when I was first informed of this issue, on 12 September, as Secretary of State I took immediate action to have an internal investigation into what had happened. I asked the permanent secretary to get a leader from another Department to fully investigate the process and to make sure that no such licences could be issued in error by putting in place a robust process. At the same time, I took immediate steps to inform the Court and Parliament. I have been completely open and transparent about what has happened.

This is a procedural issue. I do not want to prejudge the investigation, but the issue appears to be the sharing of information across government. That is why senior officials will now be asked to sign off on the advice that is put forward, and Ministers will be asked to sign off these export licences.

Several hon. Members rose—

Mr Speaker: Order. It might be helpful to colleagues if I indicate that, while wishing to accommodate the legitimate and not inconsiderable interest in this urgent question, I want also to move on to the next urgent question at or close to midday. There is, therefore, a premium on brevity from Back and Front Benchers alike.

Mr Philip Dunne (Ludlow) (Con): I think everyone across the House shares my right hon. Friend’s views on the significance and the horror of the humanitarian situation in Yemen. I believe that what she has expressed to the House today is quite proper remorse and steps to ensure that the Government follow the well-established procedures for arms exports, but will she reflect on the fact that only yesterday the House was debating the impact on the kingdom of Saudi Arabia of the attack on oil facilities in that country by its neighbours across the Gulf, the Iranians? This is a very sensitive area. One of our key allies in the Gulf is under considerable pressure from the Iranian authorities, and we as a Government need to act responsibly to ensure that we stand by our allies when they come under attack.

Elizabeth Truss: My right hon. Friend makes an important point, but the topic of today’s question is the following of procedures in the consolidated criteria. The consolidated criteria are right; they are a good way to make sure that we issue export licences to the right
parties. The problem here is specifically whether that process was followed correctly within government and whether information was shared between Departments. That is the issue we have identified. I have taken immediate steps to ensure that information is properly shared when those decisions are taken and to investigate what went wrong, but of course I take full responsibility as Secretary of State, and I have made an unreserved apology both to the Court and to Parliament.

Several hon. Members rose—

Mr Speaker: Enviable eloquence, to be equalled by breathtaking brevity—Mr Barry Gardiner.

Barry Gardiner (Brent North) (Lab): Indeed, Mr Speaker.

The Government did know; they just did not tell the Department for International Trade. Which Department knew? Which Minister had the responsibility to tell the Secretary of State, and why are they not sitting alongside the right hon. Lady, making an apology to Parliament?

The evidence presented during the court proceedings earlier this year and the recent revelation prove that the Government have failed to abide by their own undertaking. On two occasions since the Court of Appeal’s verdict, licences have been awarded in contravention of the determination precisely because a careful assessment was not carried out. Will the Secretary of State explain why the reports in 2015—the widespread reports that Saudi troops had been deployed on the ground and were leading the co-ordinated efforts of coalition forces, which form half the Saudi military and were operating on the ground in Yemen when the licences were issued, forming part of the invasion by land into Yemen by a country—Saudi Arabia—found to be in breach of international humanitarian law, which is precisely what is supposed to be checked before licences are granted.

Elizabeth Truss: I can assure my hon. Friend that I have put in place an interim procedure to ensure that there is sign-off from senior officials in all three relevant Departments and ministerial sign-off on any proposed export licences to the relevant parties. I also assure him that we are conducting an investigation, which will be led by a director general from the Department for Work and Pensions, into exactly what went wrong in this case to ensure that it cannot happen again.

Stewart Hosie (Dundee East) (SNP): I recognise and welcome the Secretary of State’s apology and acceptance of responsibility. It is true that the breaches in export licensing that are the subject of this urgent question may well be described, as she said, as “procedural”, but this case highlights some profound problems with her Department. We are talking about spare parts for armoured vehicles and for military radio used by Saudi land forces, which form half the Saudi military and were operating on the ground in Yemen when the licences were issued, forming part of the invasion by land into Yemen by a country—Saudi Arabia—found to be in breach of international humanitarian law, which is precisely what is supposed to be checked before licences are granted.

Can the Secretary of State tell us whether the provision of incomplete information shared across the Government was simple incompetence? Were her Department and others not aware of their responsibilities in this regard? She will have to be convincing, because I am not convinced that the actions being taken so far remove the perception that this Government and this Department are prepared to ignore the law—in this case, from the Court of Appeal—when it suits them to do so.

Elizabeth Truss: The Court of Appeal was very clear in its judgment that there is a rigorous and robust process in place across the Government. The question is about the specific sharing of information between Departments. I have absolute confidence that the unit, when it receives information, implements that in doing its work. The issue is the sharing of information. That is why we have conducted an internal review of the licences
already issued as well as asking another Department to look across the board at where information was shared. This is not an issue about the process, which was deemed by the Court of Appeal to be rigorous and robust; it is about how that process has been followed. A lot of people are saying, “Why can’t we do this quicker?” It is very important that we get this right. In the interim period, I have put in place a procedure that makes sure that there is senior sign-off from all three Departments—the Foreign Office, the Ministry of Defence and the DIT—as well as ministerial sign-off. There was not ministerial sign-off on these licences. This was done under the previous procedure. There will now be ministerial sign-off on all the relevant licences.

Several hon. Members rose—

Mr Speaker: Can I appeal to colleagues please to ask single-sentence questions and give brief replies, because in that way we will get through as many as we possibly can in the truncated period?

Luke Graham (Ochil and South Perthshire) (Con): I welcome my right hon. Friend’s statement. It is important when we get things wrong that we own up to it and take responsibility. Can she please assure this House that no further licences will be granted to Saudi Arabia or its coalition partners for weapons that could be used in Yemen, especially when many are Scottish-made?

Elizabeth Truss: I agree that it is important that we are clear when errors have been made, and I am clear that that is the case. I am confident that we now have a robust interim procedure while this investigation is conducted and make sure that we have a proper procedure in the long term to ensure that the process is followed.

Several hon. Members rose—

Mr Speaker: First I call the longest-serving member of the Committees on Arms Export Controls—Ann Clwyd.

Ann Clwyd (Cynon Valley) (Lab): Thank you, Mr Speaker.

Does the new Minister realise that it took almost a year, at the start of this Parliament, to set up the Committees on Arms Export Controls because the Government dragged their feet—and, I would say, dragged their feet deliberately? I am sick of hearing about “rigorous and robust”—this is neither rigorous nor robust. Representatives of the various parties in the Saudi-led coalition were recently at the arms fair. Can she give us an assurance that no new undertakings or contracts were agreed to service or export new goods to the countries involved in the coalition in Yemen?

Elizabeth Truss: The role of the joint unit is to scrutinise licences. I can assure the right hon. Lady that we have put in place an interim process to make sure that all available Government information is reflected in advice to Ministers on the issuance of these licences to Saudi Arabia and its coalition partners and that that will specifically have ministerial sign-off.

Neil Parish (Tiverton and Honiton) (Con): I very much welcome the Secretary of State’s statement. Britain has played a leading role in both diplomatic and humanitarian aid in Yemen. What more political pressure can we bring to bring about a political solution in Yemen?

Elizabeth Truss: My hon. Friend is right that we play a significant role in terms of aid to Yemen—we have provided £770 million-worth—and it is important that we work through the UN, to which the Foreign Secretary is committed, to seek as quickly as possible an end to conflict in Yemen.

Chuka Umunna (Streatham) (LD): When Court orders are contravened a couple of times, it can perhaps be dismissed as a failure to follow procedures, but when it happens on multiple occasions, it suggests that there is a systemic problem; the system is not working. Will the Secretary of State look at implementing a policy of the presumption of denial in respect of all export licences to countries listed as human rights priorities on the annual Foreign Office human rights report, so that those exports to those countries would be banned in the first instance?

Elizabeth Truss: To be clear for the hon. Gentleman, it was on 12 September that the errors were identified within the Department and notified to me. We then notified the Court and immediately conducted an internal review of all the licences already issued. All these issues relate to decisions that were made before 12 September, and that is why we have put in place the new interim procedure.

Stephen Kerr (Stirling) (Con): It is of vital reputational importance that we maintain the most rigorous and robust export licensing regime in the world. To that end, what is the basis upon which these licences are granted, as in this instance?

Elizabeth Truss: The basis on which these licences are granted is in line with the consolidated criteria. Specifically for Saudi Arabia and the coalition partners, we are very much cognisant of the Court of Appeal’s ruling and the undertaking of the former Secretary of State to Parliament.

Ellie Reeves (Lewisham West and Penge) (Lab): Despite repeated assurances from the Government over the years that they had acted within the law concerning export licences for arms to Saudi Arabia, we found out last week that the Government had acted unlawfully and today that there might be further breaches. When will this Government recognise the plight facing the Yemeni people and immediately suspend all existing and future arms exports to Saudi Arabia?

Elizabeth Truss: I acknowledged in my statement that there have been errors in the way that this procedure has been followed, which is why we have put in place interim measures to deal with this and are conducting an internal review, as well as an investigation by another Department.

Keith Vaz (Leicester East) (Lab): The Secretary of State’s apology is welcome, but the narrative is shameful. In August this year, 236 Yemenis were killed, and the
bommg raids reached 20,000. Last week, a bomb fell on a mosque, and a bomb fell on a family eating their dinner. What do they put on the death certificate? Do they put “death caused by administrative error”?

Elizabeth Truss: As I said earlier, I unreservedly apologise for the errors that were made. That is why, when this was brought to my attention as Secretary of State on 12 September, I took immediate action to stop this happening.

Stephen Twigg (Liverpool, West Derby) (Lab/Co-op): The Court of Appeal identified a failure by the Government to meet their legal obligation to make a systematic assessment of past possible violations of international law. The Secretary of State today has acknowledged a failure to share information across government. Surely these failures demonstrate that we no longer have a robust system of arms control in this country.

Elizabeth Truss: I do not agree with the hon. Gentleman. We have found specific errors, for which I have apologised and taken immediate action to address, but overall, as the Court of Appeal itself points out, we have a robust and rigorous process.

Graham P. Jones (Hyndburn) (Lab): May I make a declaration? I have just returned from a two-day visit to Abqaiq in Saudi Arabia, facilitated by the kingdom, and in the coming days I will include that in the Register of Members’ Financial Interests.

As Chair of the Committees on Arms Export Controls, I would like to thank the Secretary of State for writing to me immediately on this issue and making it very transparent what the problems were. The Kingdom of Saudi Arabia is fighting vile terrorists in Yemen who are using human shields. Does she agree that we are approaching the point where our current arms export regulations are not sufficient to deal with the issue of the rebels—the terrorists—using human shields and that the number of civilian casualties is a result of that?

Elizabeth Truss: I thank the hon. Gentleman for his comments. In this particular case, we have already identified a problem in sharing internal information within government which led to these exports licences being issued. Of course we are doing further investigation into that, but that is the specific issue around the breach of the Court of Appeal judgment. That is where I am putting my focus as Secretary of State.

John Woodcock (Barrow and Furness) (Ind): I refer Members to my declaration in the Register of Members’ Financial Interests. These mistakes are highly regrettable and point to the need for the Government to put their house in order in terms of the overall suspension as quickly as possible. Is it not lamentable for any Member of this House to imply that the suffering in Yemen is principally caused by any arms relationship or our coalition partners rather than the disgrace of the Houthi Islamist regime?

Mr Speaker: I am immensely obliged to the hon. Gentleman.

Elizabeth Truss: The hon. Gentleman makes an effective point, but the specific issue I deal with as Secretary of State for International Trade is making sure that our export licensing regime is in line with the process that we have laid out as well as the judgment of the Court of Appeal.

Several hon. Members rose—

Mr Speaker: Order. I would like to accommodate remaining colleagues, but colleagues who ask long questions do so knowing that they are stopping other colleagues from contributing. I am sure that they are not going to do that, because they are comrades and they will behave in an egalitarian manner. I feel absolutely certain of that, starting of course with Lloyd Russell-Moyle.

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): Last year, the Department issued 30 million rounds of Warsaw Pact weapons to Saudi Arabia incorrectly. Then the Court of Appeal judgment and now this. Is it not time for the joint unit to be turned into an independent unit like any other regulator and for the Committees on Arms Export Controls to be turned into a proper Committee of the House?

Elizabeth Truss: As I have said, errors were made and that is why we have asked the director general at the Department for Work and Pensions to conduct a full review of how this process is being operated.

Louise Haigh (Sheffield, Heeley) (Lab): Are any sanctions available for the companies involved in these mistakes, some of which presumably know full well that they should not be applying for the licences in the first place?

Elizabeth Truss: The issue is the issuance of licences. That is the issue I look at as Secretary of State and make sure that it is in place properly.

Sir Vince Cable (Twickenham) (LD): Can the Secretary of State describe the action of British officials in Saudi Arabia in overseeing the use of British weapons by the Saudi forces in a process agreed with her Department and the Ministry of Defence?

Elizabeth Truss: This specific issue is how our process was administered within government. The specific cause of these errors, as we have identified so far, has been the lack of information sharing, but of course I will take up the right hon. Gentleman’s point, too.

Tulip Siddiq (Hampstead and Kilburn) (Lab): When is the inquiry due to report back?

Elizabeth Truss: I hope to have the results of the internal review within the next few weeks.

Hywel Williams (Arfon) (PC): Was there a change to UK policy on arms sales to Saudi Arabia in 2016 to discontinue consideration of past Saudi humanitarian law breaches?

Elizabeth Truss: As I said, the issue here is not the policy so much as how the procedure was or was not followed.

Andy Slaughter (Hammersmith) (Lab): In the light of continuing breaches of international humanitarian law by the Saudis, and another disregard for the law by this Government, will the Minister withdraw her appeal?
Elizabeth Truss: The issue in question is specifically about whether or not the process was followed, and today we have submitted an affidavit to the court with full details.

Martin Docherty-Hughes (West Dunbartonshire) (SNP): With regard to the kindness of the House, may I be the first to thank my hon. Friend the Member for Dundee West (Chris Law) for securing this urgent question to expose the utter incompetence around this issue. Thousands of UK citizens, military and civilian, are working on projects that are designed to be beyond the reach of this Parliament. What steps are the Government taking to ensure that they are not involved in projects in Yemen?

Elizabeth Truss: The question refers specifically to the process of issuing export licences, and that is what I have been focusing on.

Brendan O’Hara (Argyll and Bute) (SNP): Is it not the case that this Government will always seek to break their own rules and turn a blind eye to breaches of humanitarian law when there is money to be made and deals to be had?

Elizabeth Truss: As soon as this issue was brought to my attention on 12 September, I took action to ensure that such things cannot happen.

Alan Brown (Kilmarnock and Loudoun) (SNP): In reality, these so-called errors were discovered only after third parties took the UK Government to court, and the Government have fought this issue all the way through the courts. Rather than having an interim procedure, is it not time to end arms sales to Saudi Arabia altogether?

Elizabeth Truss: The breach in the Court findings is specifically about how the procedure was followed, and that is what we must focus on.

Prime Minister’s Role in Creating a Safe Environment

12.3 pm

Mr Speaker: I referred earlier to events in the Chamber yesterday, and what I am about to say I say as much for the benefit of those observing our proceedings as for Members of the House, as I think it extremely important that our proceedings are accessible to the people who are interested in them. In the light of the appalling atmosphere in the Chamber yesterday, and the toxicity that can spawn or exacerbate in the country at large, I have granted an urgent question to the hon. Member for Birmingham, Yardley (Jess Phillips), which treats of this matter. In my book, it is manifestly urgent.

Jess Phillips (Birmingham, Yardley) (Lab) (Urgent Question): I had wanted to ask the Prime Minister, but I shall ask the Minister if he will ask the Prime Minister to reflect on his language and role as Prime Minister to create a safe environment both in our country and our country’s Parliament.

The Parliamentary Secretary, Cabinet Office (Kevin Foster): British democracy has always been robust and vibrant, and healthy respectful debate is vital to it. Freedom of speech is a fundamental British liberty, but it is not an excuse to threaten or abuse anyone whose views we do not agree with. That liberty is compromised when a culture of intimidation forces people out of public life or discourages citizens from engaging in the political process. Let me make clear and say with no equivocation that such behaviour is wrong, unacceptable and must be addressed.

The Government recognise that this is an ongoing challenge that does not stop after each election. It is important that we tackle this issue and ensure that everyone, no matter their background, can participate in our democracy, free from hatred and intimidation. That is why we are taking action to confront it. The Government have committed to legislating for a new electoral offence on intimidation of candidates and campaigners in the run-up to an election. We have already made secondary legislation that removes the requirement for candidates standing at local and mayoral elections to have their home addresses published on the ballot paper and we will do the same for the Greater London Assembly elections.

Members across the House have faced threats of violence, attacks on their constituency offices and staff, and abuse aimed at family members. This is abhorrent. I know that right hon. and hon. Members from across the House raised this concern yesterday. We want to ensure that people from across the political spectrum can stand for office free from the fear of intimidation and abuse. We want to tackle this extremely serious issue and protect voters. The security arrangements for Members of Parliament have been kept under constant review by the Palace of Westminster authorities and the Metropolitan police’s parliamentary liaison and investigation team. Local forces engage with their MPs and other political figures to meet their security needs. Each force has a single point of contact who has contact with the PLAIT through regular updates and meetings as required.
The Government are also considering what further steps are necessary to ensure the safety of parliamentarians and their staff. Crucially, this applies not only to the vicinities of Parliament, but also in constituencies and online. We are working with social media companies to address threats online and abuse of MPs, candidates and others in public life to create a safe environment for debate.

Jess Phillips: I did ask a question, and that was whether the Prime Minister would reflect or could be asked to reflect.

Let me start by saying that I am not—and nobody is in this House—a traitor. They are not ignoring their constituents; they are all acting in good faith. I was raised thinking that we on these Benches were the goodies and over there were the baddies, but what I found when I got here was that everybody pretty much wanted to get to the same conclusion, just in a different way. I will wager that, more so than the Prime Minister, I spend time in my constituency office, loving and laughing with my constituents, no matter what they voted.

I do not just want to probe the idea that we all get abuse—not doubt we will hear a lot of that today—because we all get abuse. I had a death threat this week that literally quoted the Prime Minister. It used his name and words in a death threat that was delivered to my constituents. So we know that it gets out. What I want to look at today—and what I want answers to today—is when there is a clear strategy to divide. The use of language yesterday and over the past few weeks, such as “surrender bill”, invoking the war, and talking about betrayal and treachery, has clearly been tested, workshopped and worked up, and is entirely designed to inflame hatred and division.

I get it: it works; it is working. We are all ambitious. I am not going to pretend that I am not ambitious, but I also have a soul. It is not sincere; it is totally planned; it is completely and utterly part of a strategy designed by somebody to harm and cause hatred in our country. When I hear of my friend’s murder, and the way that it has made me and my colleagues feel scared, described as “humbug”, I actually do not feel anger towards the Prime Minister; I feel pity for those who still have to toe his line. Government Members know how appalling it was to describe the murder of my friend as mere humbug.

Kevin Foster: I will show calm and dignity in my responses today as well. I am very clear that the Government are looking at how we can create a safe environment not just for Members of Parliament, but for parliamentarians and others in public life who can face abuse merely for being involved in what they do, and, of course, for members of the judiciary. I am always clear that no one is a traitor for saying what they believe, or for arguing a different political point. That is part of public debate. The last actual traitor was in 1946—someone who tried to support those looking to overturn this democracy by violent means.

It is right to say that the Government are moving to take action. We have the “Online Harms” White Paper. With colleagues in the Department for Digital, Culture, Media and Sport, we are working to tackle some of the corrosive nature of the debate online. We see some of the work that is being done across government to try to tackle the issue and see where things are being done and to make sure that people do feel safe to express their views. We have been very clear that the law applies as much online as it does in the physical world.

We can all look at what may have been said over the years—I am sure that the hon. Lady has said over the years about particular political figures as well. It is about how we do not get into a game of what-aboutery, but focus on what we can do to protect. I heard the comments that you made this morning, Mr Speaker, about some of the suggestions. I am sure that you, like me, will be interested to hear some of the thoughts that have come out about the idea that has been floated with you.

As the Minister who is responsible for our defending democracy programme, I would be only too happy to meet the hon. Lady to discuss in a different format where it comes, and, ultimately, to see where we can go with the approach of this House. As I have said, we are already committed to legislating around intimidation at election time, which is one of the things that many picked up on following the last election, and we see that as an ongoing debate. Actually, I was due even yesterday—if this House had not been sitting—to have a meeting with the police to discuss what we can do to ensure that all candidates receive support in any future general election, as it is not just when people are Members of this place that they face intimidation and abuse.

As I have said, the Government are taking a range of actions. Ultimately, it is for everyone to think about what they say and how they have contributed. Certainly today, what we talk about comes from the Government is a calm dignity in response, making clear what we are doing to tackle this issue and create a safe environment for all, and not just for Members of Parliament.

Mrs Maria Miller (Basingstoke) (Con): When it comes to creating a safe environment in this place, we have a very clear code of conduct, which is enforced by you, Mr Speaker, in this Chamber. Yesterday, you were rightly, I think, rigorous with the Prime Minister, as ever, in the enforcement of his behaviour in accordance with that code. Now, I have the very greatest respect for the hon. Member for Birmingham, Yardley (Jess Phillips). We serve on the Women and Equalities Committee together, and I know how passionately she feels on many issues, but I am afraid that, yesterday, she was the person I could hear screaming the loudest from her Bench—so
noticeable was it that she was actually having a conversation with one of the Whips who was standing by the side of your Chair, Mr Speaker. It was that that created a significant impression to people watching this debate of the hostility that the media reported. Is not one of the issues here the equal implementation of the code of conduct, so that all Members of this House feel as affected by the code and its requirement for all of us to treat each of us with respect, regardless of party?

Kevin Foster: My right hon. Friend makes a valid point: it is for all of us to look at how we contribute to respectful debate in this Chamber. Of course when it comes to what happens in this Chamber, Mr Speaker, it is you and your deputies who ensure that Members stick to the code of conduct and, of course, you have taken action when you believe that that is not occurring. Ultimately, it is about—certainly for the Government—not just this place, but the whole of democratic debate. There are people who will be thinking of doing their democratic duty, as they see it, in standing for this place and in giving their fellow citizens a chance to vote for a particular set of policies who will know that, in doing so, they will have their arguments, their thoughts and their proposals put to the test, but what should not be put to the test is just how thick a skin they have.

Mr Speaker: What the Minister has said is absolutely right: that code of conduct has to be enforced and, indeed, as far as the Chamber is concerned, adjudicated by the Chair. The record is clear and the evidence is there for all to see. People can observe week after week after week after week that there can be abuses on both sides—for example, during Prime Minister’s questions—and every time without fail the Chair intervenes to seek to restore order. It has been the case; it is the case; and it will always be the case. It is not a matter of party politics; it is a matter of procedural propriety, and that is the way that it must continue to be.

Jeremy Corbyn (Islington North) (Lab): I start by congratulating my hon. Friend the Member for Birmingham, Yardley (Jess Phillips) on securing this urgent question.

It is extremely disappointing that the Prime Minister has not respected this House by attending here today. His language and demeanour yesterday were, frankly, nothing short of disgraceful. Three years ago, our colleague—our Member of Parliament—Jo Cox was murdered by a far right activist, shouting, “Britain First. This is for Britain.” The language that politicians use matters and has real consequences. To dismiss concerns from Members about the death threats that they receive and to dismiss concerns that the language used by the Prime Minister is being repeated in those death threats is reprehensible. To dismiss those concerns in an abusive way, as he did, is completely unacceptable. I pay tribute to my hon. Friends the Members for Dewsbury (Paula Sherriff) and for Batley and Spen (Tracy Brabin), and other Members, including the right hon. Member for Broxtowe (Anna Soubry), for what they said yesterday.

Today, I have written to all Members of the parliamentary Labour party expressing solidarity with my friends and setting out the conduct expected of all colleagues. No part of this House, as you have said, Mr Speaker, has a monopoly of virtue. Inappropriate language has been used by all parties, but we all have a duty to keep our debates political and not to descend into personal abuse.

I disagreed profoundly with the previous Prime Minister, but she did offer cross-party talks to try to find a compromise. She also set out her approach to this House, allowing for scrutiny and debate. I was pleased to participate in a meeting with her and other party leaders about conduct and abuse in the House and around the parliamentary estate. The current Prime Minister, unfortunately, has sought to entrench divisions, refused to set out any detail of the deal that he is seeking and continues to pledge that we will leave with no deal on 31 October, despite the fact that this House has voted against, and legislated against, such an outcome. Not only should he comply with the law, but he should come to this House and apologise for his conduct yesterday, which fell well below the standards expected by the people of this country of the way their elected representatives should behave, should speak and should treat each other.

Kevin Foster: I have outlined what the Government are doing, but the Leader of the Opposition mentioned the murder of Jo Cox—a dreadful crime committed by an extremist. Many of us who were in the House at that time remember exactly where we were when we heard the news of that appalling attack—in my case, I was attending a constituency event. In the same way, many from a previous generation of politics remember where they were when they heard that our colleagues Anthony Berry, Robert Buckland and Airey Neave had been assassinated by those looking to bring terror to this country.

The biggest issue is that delay will just bring more division to this country—

Mr Speaker: Robert Bradford.

Kevin Foster: I apologise. Thank you for correcting me, Mr Speaker.

In terms of how the Government are tackling this issue, we do need to bring a resolution to debates. As the Leader of the Opposition will know, the Government were clear that we were prepared to take our arguments to the country on Tuesday 15 October and to ask the electorate to pass a judgment. That would have not only given us a chance to resolve the division affecting this House, but given the country a way to move forward. As you yourself have reflected, Mr Speaker, the passions that this issue has inflamed will only carry on if there is not a resolution.

Anne Milton (Guildford) (Ind): I once again associate myself with the remarks you made at the beginning of proceedings today, Mr Speaker. I fear that the Minister is going to go to great lengths to take this argument to the wider issues of MPs’ safety, but this question is about what happened here yesterday. It was completely unacceptable behaviour in every way. Whipping up a crowd and creating division is not helpful, from whichever side it comes. If we cannot deal with these issues in this place, maybe it is time to put aside our party parliamentary T-shirts and our Brexit and remain T-shirts and to put on a T-shirt that stands for parliamentary democracy,
unity of purpose, consensus and agreement. Yesterday was unacceptable, and if we do not do something to change things, we are putting our parliamentary democracy under threat.

Kevin Foster: The question clearly relates to creating a safe environment in both the country and Parliament; certainly, as the Minister responsible, I do not want this debate to be just about MPs being a case on their own—there are many who face abuse and intimidation, from the judiciary, to journalists, to those who will never be Members of Parliament but who just want to take part in our democratic process.

We heard your comments this morning, Mr Speaker, about some of the thoughts and reflections on what may happen in this place. Ultimately, it is for the House itself to decide how it wishes to regulate itself, how it wishes to behave and what changes it may wish to make to its Standing Orders, and we can, of course, rely on you and whoever is elected to replace you to lead the way in enforcing them.

Kirsty Blackman (Aberdeen North) (SNP): As others have said, the scenes in the House of Commons last night were deeply disturbing. The Prime Minister’s tone was appalling, his behaviour was appalling and his language was appalling. We have in No. 10 a man who has built his career on making inflammatory remarks, stoking division and shouting down those who disagree with him. The Prime Minister is not fit for office. His behaviour is an outrage, and his Government are treating with disrespect, and I know, of course, that if that happened, it would be dealt with.

People want leadership, and they want accountability. Yesterday, the Prime Minister should have come in front of this House and apologised for acting unlawfully. He should have held his hands up, agreed he had acted wrongly and pledged not to do it again. Instead, he chose to brazen it out, proving that he embodies the worst of the wrongs in our society and totally ignoring the seven principles of public life.

Young people are watching our Parliament today. They are watching and learning that, to get to the top, all they need to do is break the law and shout people down. The House of Commons and the Prime Minister should be setting a good example to all those living across these isles. The Prime Minister should be here today. He should pledges to stop using language that incites hatred or violence, whether that is against other MPs, citizens with different political beliefs, or migrants who have chosen to live and work in the UK. Will the Minister ask the Prime Minister to come before us and do that?

Kevin Foster: When we look at creating a safe environment for debate, many colleagues will reflect on exactly how that was shown at times online during the 2014 Scottish independence referendum. However, in terms of the comments that have just been made, if the Scottish National party has no confidence in the Prime Minister, it had a perfect opportunity yesterday to table a motion for debate to that effect today. There was also an opportunity for SNP Members to take their arguments to the country on Tuesday 15 October. However, it is an invitation that they declined.

Sir Bernard Jenkin (Harwich and North Essex) (Con): There is already a danger of these exchanges turning into a “holier than thou” competition. We should reflect on how much unhappiness and anxiety there is among Members of the House and that this is going to be expressed in various ways. People are going to use robust and emotive language to express their views, and that is entirely understandable. May I just make one request, Mr Speaker—that we no longer invoke the name of any person who has been a victim of attacks in order to try to make political points because— [Interruption] Well, there we are. It is simply used as an opportunity to shame other Members of this House. I do not think any of the exchanges and mentions of Jo Cox yesterday were particularly fair on her family.

Kevin Foster: It is always useful to benefit from my hon. Friend’s experience in this House over many years. He is right to say that we can have robust, emotive debates. The issues settled in this Parliament are of great concern across the nation, and people will rightly get passionate about them, but we should not do so with disrespect, and I know, of course, that if that happened, it would be dealt with.

The language that leaders use matters because it sets the tone for public debate. I am sure I am not alone in looking across the Atlantic at the rallies with crowds of people chanting, “Lock her up!” about Hillary Clinton or, “Send her back!” about Ilhan Omar—by the way, it is no coincidence that women are often the targets of this hate, and especially women of colour—and seeing worrying echoes in our own politics of that Trumpian approach. Can the Minister give any assurance that there will be no deliberate campaign to use that kind of language to inflame? I fear that he cannot, because the repeated use of those inflammatory words by the Prime Minister yesterday was, it seemed, very obviously deliberate.

I would just end by saying that, on Tuesday morning, I spoke to a group of 400 young women. They asked how I dealt with abuse and hate on social media as a woman in public life. They asked whether going into politics was something I would recommend. I want to be able to say to such young women and to all young people that they should play their role in public life. We in this House need to be able to create the environment that enables those young people to come forward into our public life, and I fear that we are failing to do so.

Kevin Foster: I think we all want to see an environment where everyone feels they can take part. That is why I have outlined some of what the Government are looking to do, such as legislating on intimidation around election times. The hon. Lady gave examples of what we have seen across the Atlantic. I am sure she will join me in saying that, while I never voted for him, seeing a group of people chanting, “Tony Blair can eff off and die!” is something we would all condemn.

Jo Swinson indicated assent.
Kevin Foster: I see her indicating that that is the case. What would inflame the debate further is the idea that we should just have more delay and people feeling that when they do vote and want to have a say, they are ignored. That is why we need to bring the Brexit matter to a resolution, as the Government are seeking to do.

Several hon. Members rose—

Mr Speaker: I call Mr Kenneth Clarke.

Mr Kenneth Clarke (Rushcliffe) (Ind): I was only just beginning to stir, Mr Speaker. You spotted me rather promptly!

What concerns me is whether there is any sense of a deliberate strategy in all this. I would like my hon. Friend to reassure me. I assure him that I have been a junior Minister myself, so I do realise he is probably not consulted closely about strategy—I am not sure many members of the Cabinet have much idea of what the strategy is at the moment. Can he allay two fears that I have?

First, it seems to me that the Prime Minister is absolutely desperate to have an election before 31 October, so that he can fight it before the chance of some untoward effects after that date. Also, I fear that the strategy is to fight it on the people versus Parliament platform that Nigel Farage invented and that we are imitating. Will my hon. Friend assure me that what happened yesterday was one of those occasions when people lost control of themselves and the House, not for the first time, erupted in disorder and that this is not part of some grand discrediting of the usual political institutions in order to fight a populist and nationalist campaign?

Kevin Foster: As a junior Minister, it is always good to benefit from the advice of the Father of the House. I reassure him that the Government’s strategy is to do what the vast majority of the nation want, which is to bring a resolution to Brexit and deliver the referendum result. I know that the Father of the House has voted for deals and has seen that as compromising and moving forward. The Government will look to fight a general election on a platform of resolving Brexit, no more pointless delay, bringing 20,000 extra police officers on to our streets, increasing school funding and taking our economy forward. I have to say that our platform will be far stronger than that of the Opposition.

Mr Speaker: Having called the Father of the House, I want now to call the Mother of the House.

Ms Harriet Harman (Camberwell and Peckham) (Lab): I thank my hon. Friend the Member for Birmingham, Yardley (Jess Phillips) for bringing forward this urgent question and you, Mr Speaker, for your comments last night and your comments from the Chair this morning. I agree with everything the Father of the House said. I think that what happened last night was just an ugly spectacle of things that have been happening for months and months getting even worse. We all know that hon. Members from across the House have felt inhibited in doing the work that they are elected to this place to do. It is important—it is essential—that everybody who is elected to this House is able to speak out without fear or favour to say what they believe in. Nobody in this House should do anything that stops any other Member exercising that right. Whether it is threats to people who are remainers or people in balaclavas bursting into a university meeting that was being addressed by the Leader of the House, we cannot allow it in our democracy. Nor can we have a situation where Members are fearful not only for themselves and their own safety, but for their staff and their families.

The Minister has mentioned a number of initiatives. Heaven knows, we have had enough discussion and wringing our hands about these problems over the months in this Chamber. We have had a number of initiatives, but there is a lack of coherence and focus for action. That is why the Father of the House and I have proposed a Speaker’s conference that brings together the police, the Crown Prosecution Service, the House authorities and the parties to look at what can be done to ensure that we protect our democracy. It also needs to look at our political culture. We know, for example, that we cannot call each other blackguard, guttersnipe, stoolpigeon or various other things. We need rules of this House that are updated and that protect us and enable us to do our business today.

Kevin Foster: I reflect on the productive conversation that I had with the women’s caucus, when the Mother of the House was present. Again, people should be able to speak out. An example was given at that meeting of a female candidate being advised that a solution to the problem was to not campaign on social media. That completely unacceptable solution had been advised by a local council. That would mean that women could not engage in politics in the same way as men, which is completely unacceptable.

The rules of the House may be something you wish to reflect on, Mr Speaker, or that whoever happens to be elected by the House to replace you wishes to work on. Some of those expressions probably are not in common parlance today, by contrast to other statements that are. The Government’s focus is not just on Members of Parliament. This is about all who engages in public life—journalists who face abuse for what they say and others who just want to discharge a public duty or share their opinion in our democracy. We need to ensure that they are covered by any proposals as well.

Justine Greening (Putney) (Ind): Like many people in this Chamber, I was shocked by the unacceptable conduct of the Prime Minister and particularly by his attitude, which succeeded that of the Attorney General earlier in the day, to how this House works. My concern is that these institutions—both the Supreme Court and the judiciary, which we debated earlier, and Parliament, where laws are set in the first place—are absolutely crucial to the wellbeing of people in our country. We all rely on them. All those who are part of these institutions are effectively custodians who should protect their wellbeing for the future.

What we are seeing right now in British politics is effectively, in my view, a deliberate race to the bottom to a form of gutter politics that, unfortunately, directly disadvantages those of us not willing to be part of that race. The sooner the leadership of the main political parties in this country rise to the challenge of showing the levels of integrity in their conduct and behaviour that the British people are entitled to expect, the better.
Kevin Foster: I always reflect on comments by the right hon. Lady. I say again that we as a Government are committed to ensuring that what we do about public discourse, particularly online via the “Online Harms” White Paper, is not just about how we make sure that people are not breaching the law and how people can participate without fear of abuse, but about ensuring that we tackle some of the disinformation that can have such a corrosive impact on our society. Ultimately, the social media giants have made some moves, but there is obviously a need to do even more.

Edward Miliband (Doncaster North) (Lab): All of us need to take care of our language and none of us is without fault, but the Prime Minister of our country holds a special responsibility. I say to Members across the House, I spent four and a half years opposite David Cameron and I never saw a performance like the one we saw last night from this Prime Minister. He said in answer to my hon. Friend for Hove (Peter Kyle), “the best way to ensure every parliamentarian is properly safe and to dial down the current anxiety in this country is to get Brexit done.”—[Official Report, 25 September 2019; Vol. 664, c. 803.]

Yes, “safe”.

Everyone in this House shares the frustration about the last three and a half years—in fact, some of us did not want the referendum to happen in the first place—but none of us can agree that the safety of Members of this House should depend on the way they vote in this House. It is a disgrace that the Prime Minister said that yesterday. He should apologise and the Minister should apologise on his behalf.

This language and the language of surrender suggest that we are at war either with Europe or with each other. Let me say, as someone who grew up with parents who were born in the shadow of war: we are not at war with Europe and we are not at war with each other. Go down any street in this country and there are people who voted remain, there are people who voted leave and there are people with different views about how Brexit should be resolved.

The Prime Minister has a special responsibility. He is not exercising that responsibility; he is trying to divide an already divided country. Some people say this strategy will work. I say this strategy will not work, because the British people are better than this.

Kevin Foster: It was interesting to hear the right hon. Gentleman’s brief mention of his parents. I remember the attacks he faced in terms of his own father and his reaction to them. I thought those attacks took politics to a place which was not appropriate. We should always judge Members by who they are and what they say, not seek to attack their family. In terms of the strategy, I am very clear, when we liaise with the police and when we talk to them about appropriate measures to be taken, that that applies whatever opinion anyone adopts within this House. I suspect my discussions are more likely to be about where we make this stop. If we want to do that we need to understand where it starts, and how the extremists on all sides of our political culture will trump proudly about how they might stand at Cable Street to defend people’s rights, or will listen to Steve Bannon and disagree with him, but have absolutely no understanding or comprehension of how we get to a Cable Street or how we get to a Steve Bannon in the first place. The danger with the Prime Minister’s conduct last night is that it is feeding a culture and a language that normalise extremism, so that those of us who have had “Traitor!” shouted at us in the street, as well as online—because the online and the offline are no different—experience this as “the heat of the kitchen” rather than as language that does nobody any favours in our democracy.

The most important thing the Minister can do now is go and listen to what we are missing, because this does not affect everyone equally. We are still going to have white men of a certain age, with independent means, in our politics. It is the young people, the women, the people from minority communities, who are already saying they are not going to take part in our politics, not because they have already experienced the rape threats and the death threats, the bomb threats and the intimidation, but because they see it. When the trolls are in Parliament, how do we stop feeding the trolls?

Kevin Foster: As the hon. Lady outlines, what is important is that we get the message out there that action is being taken, not just online—as she said, the law applies online as it does offline—and that we tell people that they have a place here, that they can make a difference and that their votes count. Ultimately, the longer indecision goes on on one issue—Brexit—the more there will be frustrations, but that does not justify people crossing the line of abuse in hatred and intimidation. It needs to be clear that the same legal standard will apply, at whichever extreme people are. There are two sides of the same coin of hate.

Several hon. Members rose—

Sir Desmond Swayne (New Forest West) (Con): There is a strategy. The Prime Minister is the last thing standing against ending the Brexit enterprise entirely. He can expect no quarter. Absolutely everything is going to be thrown at him, isn’t it?

Kevin Foster: I think it is safe to say, as you yourself reflected, Mr Speaker, that the Brexit process has provoked passions and arguments and debate, but I think where the Prime Minister is very clear is that his view is the way to deal with this, and the Government’s view is that we should ensure that we deliver Brexit on 31 October 2019.

Stella Creasy (Walthamstow) (Lab/Co-op): The challenge of what the Minister is saying is that this is not actually about Brexit, and nor, for many of us, is this about how we make this stop. If we want to do that we need to understand where it starts, and how the extremists on all sides of our political culture will trump proudly about how they might stand at Cable Street to defend people’s rights, or will listen to Steve Bannon and disagree with him, but have absolutely no understanding or comprehension of how we get to a Cable Street or how we get to a Steve Bannon in the first place. The danger with the Prime Minister’s conduct last night is that it is feeding a culture and a language that normalise extremism, so that those of us who have had “Traitor!” shouted at us in the street, as well as online—because the online and the offline are no different—experience this as “the heat of the kitchen” rather than as language that does nobody any favours in our democracy.

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Mr Speaker: Colleagues, I will call a few more Members, but what is needed is a single-sentence question from each.

Caroline Nokes (Romsey and Southampton North) (Ind): I fear I might be repetitive because last night I asked my right hon. Friend the Prime Minister whether it was not just about language but about tone. I commend my hon. Friend the Minister for his tone today, but how would he suggest that I should respond to those in the beautiful marketplace of Romsey who three Saturdays ago told me I was a traitor who deserved to be shot, when the language of “traitor” is heard in this House?

Kevin Foster: As I said earlier, there is no one in this House who is a traitor; there is no one in this House who should be threatened in that way. Those who shouted that in the marketplace should realise that if it was not just about language but about tone, there is a criminal law that they can be held accountable to.

Luciana Berger (Liverpool, Wavertree) (LD): Our words carry consequences. They reverberate far and wide beyond these four walls. The Prime Minister, who holds the highest office in our land, also bears the greatest responsibility for what he says and inspires. I do not believe that the Minister can tell this House that he seeks to reduce online harm while the Prime Minister booms out toxic, divisive soundbites, the clips of which are immediately posted and promoted on online, hate-filled social media channels. We have seen the incidents of hate crime in our country increase, and as a Member of this House who has seen no fewer than six people convicted of harassment and hate crimes directed at me, can I ask the Minister to take back to this Prime Minister that he must urgently reconsider this deliberate strategy of sowing seeds of division in our country?

Kevin Foster: As the hon. Lady rightly indicates, those who behave in certain ways will face the criminal justice system and conviction for their offences. However, I would just gently reflect that a national party going round with the slogan “Bollocks to Brexit” will not necessarily help tone down the debate. Ultimately, for us all, bringing a resolution to this issue is a key part of what this Parliament is meant to be here for, and if we cannot do it in this Parliament, I would look forward to having the mature, sensible and informed debate with the electorate that we should have been having on Tuesday 15 October.

Sir Alan Duncan (Rutland and Melton) (Con): Mr Speaker, if you were to read your Samuel Pepys, you would find a line in the diaries of over 350 years ago, which says that so low had the rump fallen in the eyes of the people, that the lads in the street “do now cry, ‘Kiss my Parliament’”. If we are to avoid that same reputation persisting today, in our current politics, may I ask the Minister and all in this House to apply to our conduct of social media the same standards that you, Mr Speaker, are asking for today, and that it should include us, journalists and the wider public if we are not to see the continuing debasement of the body politic?

Kevin Foster: I am not sure whether I shall be using the “Kiss my Parliament” adage. [Interruption.] Well, I suppose, it is a new take on the famous “Never kissed an MP” T-shirt that some people like to wear. However, my right hon. Friend is absolutely right to say that it is not just about MPs; it is about journalists, judges—anyone involved in public life. Some of the comments that have been directed at one journalist this morning would hardly be seen as the top brow of political debate. As I said, though, it is about the Government looking to create an environment that is safe for all to engage in, not just within this House, because ultimately the culture of debate outside this House will be reflected in the Parliament that is elected to be in this House.

Dame Margaret Hodge (Barking) (Lab): Down the years that I have been a Member of this House, we have had memorable and important debates on highly contested issues—on Iraq, when I remember Robin Cook’s speech; on 9/11, when I remember David Blunkett’s speech; on the great crash, when I actually remember Gordon Brown’s speech. When I come into the Chamber today—I think last night was the culmination of a trend—I feel I am coming into a session of the Bullington Club. That is what it feels like in here. That culture is set by the leadership; it is always set by the leadership.

The courageous thing that the Prime Minister could have done today would have been to come to this House and explain to us why he thinks that style of leadership is appropriate. In his absence, will the Minister tell us what practical steps the Prime Minister will undertake to set a new culture of leadership that brings this House back to sensible debate on critical issues and makes us the important Chamber that we should be?

Kevin Foster: When reflecting on some of the great debates and issues of the past, I sometimes wonder how the political discourse might have been affected if Twitter, Facebook and other social media had existed at that time. That certainly applies to the 1975 referendum.

The Prime Minister and the Government will continue the work that we have already outlined to tackle intimidation, hatred and abuse, and, during the current Parliament, bring back a deal that will deliver the referendum result and finally put the Brexit issue to bed. I hope we can look forward to wide cross-party support for that.

Mrs Helen Grant (Maidstone and The Weald) (Con): In the context of creating more diversity in Parliament, does the Minister agree that the toxic, nasty, aggressive behaviour that is emanating from all parts of the House is preventing many more women—and some men—from coming to the House, feeling safe, enjoying it and believing that Parliament is a place where they can achieve, progress and reach their full potential?

Kevin Foster: I hear my hon. Friend’s passion. We do want more people to feel that they can stand for election, not just to Parliament but to their local council, or to become an elected mayor or a police and crime commissioner, without facing the type of abuse that some have sadly faced in recent years. However, people should also see Parliament as a place where decisions are made, rather than a place that ends up on a merry-go-round of delay without actually making a decision on behalf of the nation. That, ultimately, is why people stand for Parliament—they want to make that difference—and we want to see people from all backgrounds here. I am a comprehensive school kid, the son of a Paignton labourer, and not many of my type used to get into Parliament; but we can now.
Paula Sherriff (Dewsbury) (Lab): Yesterday, I asked the Prime Minister to moderate his language, because I desperately wanted to remind him that words have consequences. I accept that it is necessary for all of us in this place to reflect on our language and our behaviour. After all, I have been known to have the odd heckle here.

I am grateful for the solidarity shown by my fellow MPs, including many on the Government Benches, but last night I was horrified to see a tweet from the Member for Middlesbrough South and East Cleveland (Mr Clarke); I will not refer to him as “honourable”. I informed his office that I would be raising this issue today. The tweet that he sent last night appeared to mock me, referring to the Labour party as toxic—which, sadly, brought more abuse.

The Minister has said that his Government want to stamp out abuse, but how can we believe him when the Prime Minister describes genuine concerns expressed by female MPs as “humbug”? This morning, his official spokesperson confirmed that the Prime Minister regrets about the language that he used. Will the Minister confirm that the tweet from the Member for Middlesbrough South and East Cleveland reflects the view of the Government? Will he also take the opportunity, further to the comments from the Prime Minister’s official spokesperson, to say that he stands by the Prime Minister’s comment that threats to female MPs—death threats and daily abuse—are humbug?

Kevin Foster: My own speeches have been subjected to the odd heckle from the hon. Lady. I am always grateful for the solidarity shown by my fellow MPs. I have been known to have the odd heckle myself in this House, but I have never received the kind of abuse that members of the Labour party have received.

Mr Speaker: One sentence.

Vicky Ford: Please, Mr Speaker, will you continue to make sure that you are fair and balanced, because sometimes it does not feel like that? [Interruption.] Secondly, please will all Members, including those on our Front Bench, dial down the language? Thirdly, please can we all work together to heal the divisions in our country, and that means respecting democracy? Fourthly, because it matters, please can we bring the Domestic Abuse Bill back to the House?

Mr Speaker: Let me just very gently say to the House that, as experienced Members know, there was a time when statements did not run for very long and not many Members were called. That has changed, and over the last decade I have called nearly everybody most of the time. The idea that if you do not call everyone every time they want to speak, that is somehow unfair, is so manifestly absurd that I think that most of the House would recognise it as such. I do what I can to stand up for the rights of this House and those of right hon. and hon. Members on both sides of it. I have done that for a decade; I am doing it now; and I will go on doing it. I am standing up for the important principle of the decency of our democracy, and I should have thought that that was pretty fair.

Kevin Foster: Let me first compliment my hon. Friend the Member for Chelmsford (Vicky Ford) on the work that she does, as chair of the all-party parliamentary group on women in Parliament, to ensure that the views of women both inside and outside Parliament are heard.

Yes, this is about having a calm and dignified debate, taking the challenge in the way it is meant and responding to it in a dignified way. The Government are seeking to work together to heal the divisions by bringing an end to the Brexit process, and doing so by delivering the result of the referendum. The longer the delay and indecision continue, the more, sadly, this argument will continue.

Dr Rosena Allin-Khan (Tooting) (Lab): I was elected to this place on the day that Jo Cox was taken from us. A week later, we had the EU referendum.

I have only ever known a politics of division in this place. It is beyond embarrassing that the Prime Minister has sent a junior Minister with a folder full of rebuttals today, making every excuse in the book. So I ask the Minister this: what does it say in your little folder about the Prime Minister acknowledging that unless he dials down the tone, unless he watches his language and adopts the position of statesperson, the wounds that divide this country will turn into scars—permanent scars?

Kevin Foster: The hon. Lady made the point herself that, for over three years, this Parliament has been absolutely focused on rows and debates around Brexit. Hundreds of hours have been spent on it and we are unable to move on to the agenda that many people wish to see us discussing. The best way to finally bring that debate to an end and to move on is to support the Prime Minister in getting a deal, and I hope we will have her support when he brings a deal back.
Mr David Gauke (South West Hertfordshire) (Ind): At best, the Prime Minister’s answers to some of the questions last night were deeply insensitive, but the concern that many of us have is that there is a deliberate strategy of division and confrontation. Can the Minister reassure me that the Conservative party and the Government are not going to pursue a strategy of division, of confrontation and of the undermining of the institutions that protect the peace and stability of our citizens?

Kevin Foster: I can reassure my right hon. Friend that the Conservative party, going into a general election, will go forward with a manifesto that seeks to serve the country and unite the country, but a key part of doing that is bringing a resolution to the Brexit process. I know he has supported a deal, and I hope when the Prime Minister brings back a deal we can look forward to his support again.

Several hon. Members rose—

Mr Speaker: Order. We have another statement to follow in a minute from the Secretary of State for Business, Energy and Industrial Strategy. There is also a motion to be voted on and a further debate, so we must proceed. I regret that, because I like to hear everybody, but there is a moment of interruption today in a way that there was not yesterday. We could extend yesterday, but we cannot do so today and I have to take account of that. So unless there is a point of order appertaining to this particular exchange—

David T. C. Davies (Monmouth) (Con): Can I make a point of order, Mr Speaker?

Mr Speaker: Very well. Point of order, David T.C. Davies.

David T. C. Davies: On a point of order, Mr Speaker. Could you confirm that it would be unacceptable under any circumstances for a senior Member of this House to say of a female MP: “We should lynch the bastard”?

Mr Speaker: Yes. That would be totally unacceptable. I am not aware of the particular circumstance to which the hon. Gentleman is referring, but I can confirm that that is totally unacceptable.

Dr Matthew Offord (Hendon) (Con): On a point of order, Mr Speaker—

Mr Speaker: No, I am not going to take a whole series of points of order—[Interruption.] Sorry, no, I am now going to proceed with the statement from the Secretary of State—[Interruption.] Order. I do not require assistance from the hon. Gentleman. We come now to the statement by the Secretary of State for Business, Energy and Industrial Strategy. [ Interruption. ] Order. If people who are leaving the Chamber would please do so quickly and quietly, we can attend to the terms of the statement from the Secretary of State. I think there is now something approaching calm.

International Climate Action

1.2 pm

The Secretary of State for Business, Energy and Industrial Strategy (Andrea Leadsom): I am delighted that my first statement as the Business and Energy Secretary is on a subject that matters so much to every Member of this House and also to every person on the planet. As we heard from a 16-year-old girl, Greta Thunberg, it is vitally important to act now so that our children and grandchildren have a bright future ahead of them. We only have this planet, and we all have a duty to do everything we can, cross-party, cross-country and cross-world, to leave it a better place than we found it. So today, with permission, I would like to make a statement on the UN climate action summit in New York that took place on Monday this week.

The Prime Minister and the Secretary of State for International Development joined the UN Secretary General, world leaders and key figures from business, industry and civil society at the UN climate action summit on Monday. The science is clear about the speed, scale and cost to lives and livelihoods of the climate crisis that is facing us. Costs show that the total global damage from climate-related events was more than $300 billion in 2017 alone. We know that, globally, emissions are continuing to rise year on year with tragic impact. We also know that the world’s most vulnerable are being hit hardest by the impacts of climate change. Natural disasters are already pushing 26 million people a year into poverty, with hundreds of millions of people potentially facing major food shortages in the coming decade.

The Prime Minister and other world leaders met because they are determined to take decisive collective action to cut emissions and to improve the resilience of countries and communities, and the Prime Minister showed very clearly what decisive climate action looks like at home and abroad. In the UK, we have cut emissions by 42% since 1990, while growing the economy by 72%. We have cut our use of coal in our electricity system from almost 40% to only 5% in just six years, and we are leading the world in the deployment of clean technologies such as offshore wind. In just that one renewable sector, the UK is home to almost half the world’s offshore wind power. We became the first country in the G20 to legislate for net zero greenhouse gas emissions by 2050.

We are already seeing thousands of jobs being created as part of this transition. Almost 400,000 people are employed in the low-carbon sector and its supply chains, a number that we plan to grow to 2 million by 2030. We are also playing a critical part on the world stage. In his closing speech, the Prime Minister set out his determination to work together with others to tackle the climate crisis. He called for all countries to increase their 2030 climate ambition pledges under the Paris agreement and confirmed that the UK will play our part by raising our own nationally determined contribution by February next year.

To help developing countries to go further and faster, we also committed to doubling the UK’s international climate finance from £5.8 billion to £11.6 billion over the period from 2021 to 2025. This funding will support some of the most vulnerable communities in the world
to develop low-carbon technologies and to shift from fossil fuels to clean energy by, for example, helping to replace the wood-burning stoves and kerosene lamps used by millions of the world’s poorest families with sustainable and more reliable technologies such as solar power for cooking, heating and lighting.

This new funding will also help our incredible rain forests and mangroves, which act as vital carbon sinks and help to restore degraded ecosystems such as abandoned land, which were once home to rain forests, mangroves and other precious habitats. So many of us have been glued to David Attenborough’s incredible series, “The Blue Planet” and “Planet Earth”, which really brought home the scale of destruction and the need for global action. Doubling our international climate finance will help the most vulnerable to deal with the damaging effects of climate change and to become more resilient.

On Monday, as part of the international climate finance commitment, the Government clearly put technology at the heart of our response with the new £1 billion Ayrton fund to drive forward clean energy innovation in developing countries. The fund is named after the British physicist and suffragette Hertha Ayrton, whose work at the beginning of the 20th century inspired the Ayrton anti-gas fans that saved lives during the first world war. This is new funding that leading scientists and innovators from across the UK and the world can access, to save lives in the future as Hertha Ayrton’s work did over a century ago.

Our Prime Minister is not alone in taking action. We led on the summit’s adaptation and resilience theme with Egypt, and delivered a powerful call to action, joined by 112 countries. As part of that, we launched a first of its kind coalition for climate-resilient investment to transform infrastructure investment by integrating climate risks into decision making, ensuring that, for example, when roads and bridges are built, climate risk is taken into account. We also launched a new risk-informed early action partnership, which will help keep 1 billion people safer from disaster by greatly improving early warning systems of dangerous events such as floods and hurricanes, giving people vital extra hours, days and even weeks to prepare for them.

We were delighted that 77 countries, 10 regions and 100 cities committed at the summit to net zero by 2050. The incoming Chilean COP 25 presidency announced a climate ambition alliance of 70 countries, each signalling it will help export clean technologies to the developing world.

We are taking action, too. More than 50 financial institutions pledged to test all their $2.9 trillion in assets for the risks of climate change. Nine multilateral development banks have committed to supporting global climate action investments by targeting $175 billion in annual financing by 2025.

However, the climate action summit was by no means an end in itself. It was a call for global action, which the UK and many others heeded. We cannot and will not be complacent. Coming out of the summit, the combined commitments of all those countries and all that good will will still do not put us on track to meet the temperature goals of the Paris agreement. People across the country and across the world are every day sending a clear message that we must all go further, and as the Secretary-General said, “time is running out”.

Globally, much more is needed. The UK, as an acknowledged world leader in tackling climate change and as the nominated host for COP 26 in 2020, has a unique opportunity to work with countries and business across the world, to build on the foundations laid at this week’s summit, to drive the action agenda forward and to turn the tide of emissions growth. There is no other planet: this is it, and we must look after it.

Several hon. Members rose—

Mr Speaker: Order. Before I call the shadow Secretary of State, it might be helpful if I indicate an intention to move on at 1.50 pm.

Barry Gardiner (Brent North) (Lab): I thank the Secretary of State for advance sight of her statement.

The climate emergency is worse than we feared. Yesterday, the Intergovernmental Panel on Climate Change published its special report on oceans and the cryosphere, which set out the danger starkly. Sea levels threaten nearly 1 billion people who live in low-lying coastal regions, and tipping points in the permafrost could release hundreds of billions of tonnes of carbon. The report makes it clear, yet again, that we must do everything to reduce emissions as fast as possible to limit global warming to 1.5°, beyond which climate breakdown will be catastrophic.

The purpose of the UN climate action summit was to spur on greater climate ambition towards that aim, but none of the world’s large polluters met the challenge. China, India and the EU were all unable to announce tougher nationally determined contributions. Brazil and the USA refused even to turn up. Our country must step forward to fill that vacuum of political leadership on the world stage.

The UK’s commitments at the summit need close scrutiny. The new Ayrton fund that the Government have announced allocates £1 billion to help British scientists and innovators create new clean technology. That is great, but the funding has come from the aid budget. We should not siphon off overseas development assistance to spend on UK universities and firms. They should be funded by non-ODA finance, so will the Secretary of State explain why the funding diverts precious resources from mitigation in climate-vulnerable nations? If she claims that the money is classified as aid because it will help export clean technologies to the developing world, perhaps she can today commit to following Labour’s lead and pledge to provide to the citizens of the global south free or cheap access to green technologies that we develop here.

The Government’s pledge to double international climate finance, while welcome, also raises questions. Will the Secretary of State confirm that that money will be disbursed predominantly through grants rather than loans, which unfairly saddle the poorest nations with debt to pay the costs of a problem they did little to cause? Climate change is already wreaking hundreds of billions of dollars worth of damage on those communities. Will she commit to devoting any of the resources to covering loss and damage caused by climate disasters? After all, the Government perpetuate the fossil fuel economy for the poorest nations abroad, completely undermining our international climate finance. From 2013 to 2018, UK Export Finance gave £2.6 billion in export support to the energy sector, of which 96% went...
to fossil fuel projects, overwhelmingly in low and middle-income countries. Will she therefore commit today to ending taxpayer support for fossil fuels abroad, as so many other countries have done?

What we do abroad matters more than ever. The UK is hosting the UN climate conference, COP 26, in Glasgow next year. It is the most important climate summit since the Paris agreement. The right hon. Member for Devizes (Claire Perry) is president of COP 26, but COP presidents are normally Ministers in their Governments, and she has indicated her intention to stand down at the next general election. I therefore ask the Government what staffing resources the office of the COP president will be provided with; how much funding the Government intend to provide for COP 26 preparations; what regular reports the COP president will be able to give to Cabinet; and what objectives the COP president has been set by the Cabinet.

Those resources must be provided because at COP 26 we will need to use our diplomatic leverage to persuade other nations to bring forward much tougher NDCs. I am deeply concerned that staffing levels are inadequate. In 2009, under the Labour Government, the Foreign Office had an army of climate staff 277-strong. Seven subsequent years of austerity halved that. When the Prime Minister was Foreign Secretary, the number of officials working full-time on climate change fell to 55. Do the Government intend to restore the workforce to levels last seen a decade ago in recognition of the diplomatic resource that is now required to support the agenda of a UK-led COP 26?

The failures of the UN climate action summit raise the stakes of COP 26 so much higher. We cannot afford for the talks, or those at COP 25 in Chile, to stumble. The issue of climate breakdown is far greater than the party-political divides that afflict this Parliament, and I urge all Members to find common ground in the pursuit of a healthy and stable climate. In that spirit, I make an offer to the Secretary of State: I and my colleagues in the Labour party are fully committed to doing everything we can in a cross-party manner to ensure that COP 26 delivers the highest possible ambition.

**Andrea Leadsom:** I thank the hon. Gentleman. He and I worked together on energy matters some years ago and I welcome his willingness to work cross party on the issue, about which I know he cares a great deal and on which he is extremely knowledgeable. I also pay tribute to the right hon. Member for Doncast North (Edward Miliband) for his excellent efforts on the Climate Change Act 2008, from which so much of the UK’s ambition in this space derives. I encourage the hon. Member for Brent North (Barry Gardiner) to work cross-party. I will be delighted to meet him and his colleagues to discuss how we can take the matter forward in a shared endeavour to tackle global climate change.

The hon. Gentleman asked some specific questions. I will try to answer them all, but if I cannot or if I miss some, I would be delighted to meet and tackle them further. He is right that the recent IPCC report provides the best available science on the wide range of impacts of climate change on the ocean and the cryosphere, and outlines potential measures for building resilience to those impacts. The Government welcome the report.

We are very concerned about the impact of climate change on the oceans. Of course, as island nations, the United Kingdom, its overseas territories, our Commonwealth partners and close friends are especially dependent on a healthy and sustainably managed ocean, so we will be looking carefully at those recommendations.

The hon. Gentleman is right to ask about the tougher NDCs not being met at the climate summit, and he will be aware that those targets are supposed to be raised by February 2020. The UK is committed to doing that and we will, of course, be urging all others to raise their NDCs by next February.

On the Ayrton fund and its use for scientific work, the Government’s recently published green finance strategy committed to aligning all UK overseas development aid with the Paris agreement so that all our development finance is consistent with climate-resilient and low greenhouse gas development pathways. Such aid is, of course, essential because so much of the problem for vulnerable communities overseas is related to climate change, so those things are inextricably linked. Again, I am happy to speak to the hon. Gentleman more about that.

On grants versus loans, they will almost all be grants. Again, we can speak further about that.

On fossil fuel export finance, as the hon. Gentleman will know, the Committee on Climate Change has made it clear that, actually, achieving net zero requires a transition through lower-carbon fossil fuels, and I point again to the fact that, in just the past six years, we have gone from a 40% reliance on coal—the dirtiest fossil fuel—to only a 5% reliance today, which is quite an achievement. There is much more to be done, but we recognise there will be an ongoing need to use fossil fuels during the transition period.

On staffing resources for COP 26, the hon. Gentleman will be aware that the president is a prime ministerial appointment. I will be working closely with my right hon. Friend the Member for Devizes (Claire Perry), the COP president, to make sure that all the parliamentary updates will be made available on time. I will also be working closely cross-party. The UK has a huge ambition to decarbonise and to retain our global leadership in tackling global climate change.

**Sarah Newton** (Truro and Falmouth) (Con): I very much welcome the Secretary of State’s determination, because this is the greatest challenge we face as a country. I am sure we can maintain the excellent radical consensus achieved by the right hon. Member for Doncast North (Edward Miliband) through the Climate Change Act 2008. This remains above party politics, and everyone in the country will expect us to do that.

On the road to COP 26, will the Secretary of State assure me that there will be roadshows and lots of opportunities for businesses and enterprises the length and breadth of the country that are coming up with solutions that will enable not only us here at home but so many developing nations around the world to meet our net zero carbon target?

**Andrea Leadsom:** My hon. Friend is exactly right. It is important that during 2020 we spend a good amount of time promoting not only the Government’s work but the brilliant ideas of UK scientists and the efforts around the world to try to tackle global climate change.
Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): I also thank the Secretary of State for advance sight of her statement and welcome her to her position.

The statement focuses on the international situation, but we are in a climate emergency. Although what we do abroad matters, what we do here is even more important. In Scotland, the landmark legislation passed its final stage in the Scottish Parliament yesterday. The Scottish Government have responded and now have the toughest statutory target of any country in the world to reduce emissions by 75% by 2030.

Scotland will soon generate 100% of its power from renewable sources. Scotland will be planting 85% of the trees in the UK, and it is pushing ahead on insulation. Scotland has committed to becoming net zero by 2045, five years before the rest of the UK and in line with the advice of the UK Committee on Climate Change, the recommendations of which are contingent on the UK becoming net zero by 2050.

To hit the same target, UK policies will therefore need to be ramped up significantly. The UK falls short on home and business energy efficiency and it is way behind on carbon capture, utilisation and storage. Decarbonisation of the gas grid must be accelerated, and it must flatten the pedal on vehicle and tax incentives to promote low-carbon choices. VAT must be reduced on energy-efficiency improvements.

The UK Government must remove their ideological opposition to renewable onshore wind and stop holding back solar power. The Secretary of State is new in post, so will she therefore commit to presenting a clear plan and target to address these issues?

Finally, buried among other news yesterday was the revelation that the cost of the Hinkley Point C nuclear power plant, already the most expensive development on this planet, will rise by nearly £3 billion. The UK Government should not be pouring money down this trajectory and at the development of different technologies, which is exactly the kind of area we are looking at. There obviously needs to be a pathway, as we cannot suddenly decarbonise in 2049, so we are now looking at the trajectory and at the development of different technologies, at how quickly we can deploy them and at the choices to get the best value for taxpayers’ money, while setting a real example that we can demonstrate for COP 26 next year.

Neil Parish (Tiverton and Honiton) (Con): Air quality is very much part of climate change, and we must increase our air quality in this country. Having more electric cars and charging them at night would use and store a lot of renewable energy, so there is a great advantage in driving those technologies. We must have better quality in this country.

Andrea Leadsom: Of course air quality is vital, and the move to electric vehicles is important. My hon. Friend will be aware that we have a £400 million investment in charging infrastructure for electric vehicles, but it is also vital that we generate electricity from low-carbon sources to provide electricity for those electric vehicles.

Sir Edward Davey (Kingston and Surbiton) (LD): Does the Secretary of State agree that the climate emergency demands that we reform the whole financial
system, to decarbonise capitalism and green the City? If so, why are the Government taking three years to implement the mandatory disclosure of climate-related financial risks, when it could be brought in within one year?

**Andrea Leadsom:** The right hon. Gentleman will be aware that just this weekend the Prime Minister doubled our international climate finance contribution, from £5.8 billion to £11.2 billion, for 2021 to 2025. That demonstrates our commitment to providing support for those in developing countries.¹

**Anne Marie Morris (Newton Abbot) (Con):** The Secretary of State might be interested to know that, as well as Greta Thunberg, young people in my constituency of Newton Abbot are absolutely determined to have a voice on climate change. They attend Torquay Grammar school and have uploaded to YouTube content that has gone viral, but they want to know how they can get involved. Could the Secretary of State tell my constituents what they need to do to engage with Government and get young people’s voices heard?

**Andrea Leadsom:** My hon. Friend raises such an important point. So many young people are taking part in demonstrations and want to know what they can do to help. We will hold Green GB Week early in the new year, which will be a great opportunity for schools to get involved and for young people to give their views.

**Caroline Lucas (Brighton, Pavilion) (Green):** I welcome the commitment to double the aid spending on international climate finance, but it has to be new money and the Government have to be consistent. It makes no sense to give with one hand but to invest in fossil fuels with the other. My hon. Friend the Member for Brent North (Barry Gardiner) on the Front Bench raised the issue of the 96% of export credit finance going to fossil fuel energy projects. That makes no sense at all. The Secretary of State says that we need a transition, but that locks developing countries into dependence on fossil fuels for decades to come. That is not a transition, so will she look into stopping doing that in the future?

**Andrea Leadsom:** I think the hon. Lady will be delighted to hear about the Ayrton fund, which provides £1 billion for that transition from fossil fuels—including, as I have said, kerosene lamps, coal-fired stoves and so on—to solar power for cooking, heating and lighting. This is a genuine opportunity for developing economies to transition early.

**Alex Chalk (Cheltenham) (Con):** British carbon emissions are down by 42% on 1990 levels, which is a fantastic achievement, but we are responsible for just 1% of global emissions, and emissions overall are rising. What can the international community do to ensure that polluters such as India and China, which are responsible for nearly 30% of global emissions, clean up their act?

**Andrea Leadsom:** It is absolutely clear that this has to be a global effort. The UK, as my hon. Friend rightly points out, is responsible for a small proportion of global emissions, and those emissions continue to rise. It is incumbent on us all to follow the instruction of the Paris climate change agreements and for the United Kingdom to provide encouragement and do everything we can to lead the way.

**Mr Barry Sheerman (Huddersfield) (Lab/Co-op):** May I urge the Secretary of State, who is a persuasive woman, to persuade every Member of Parliament—Lords and Commons—to read Professor Steve Jones’s compelling new book, “Here Comes the Sun”, which is about the fragility of our planet and what human beings are doing to it? Will she also wake up the Commonwealth Parliamentary Association and the Inter-Parliamentary Union? We as legislators should be persuading our fellow legislators around the world to move on this issue. Let us share technology with them.

**Andrea Leadsom:** I hope the hon. Gentleman is not the agent for that particular book and taking a commission on every one sold. Obviously, that would be a conflict of interest. Nevertheless, I take his point. We need to be shouting from the rooftops. There are so many brilliant young people out there doing that for us, but he is right: we all need to do all we can to tackle the issue.

**Mark Pritchard (The Wrekin) (Con):** May I welcome the Government’s commitment to net zero by 2050 while creating jobs? Given today’s paper, I hope that most of them will be green jobs. What is the Government’s rationale for not agreeing with the Opposition’s target of 2030?

**Andrea Leadsom:** I regret to say that the 2030 target announced by the Labour party is simply not credible. Paul Johnson of the Institute for Fiscal Studies has said:

“We need zero emissions. Getting there by 2050 is tough and expensive but feasible and consistent with avoiding most damaging climate change. Aiming for zero emissions by 2030 is almost certainly impossible, hugely disruptive and risks undermining consensus.”


**Andrea Leadsom:** I urge Members to work, on a cross-party basis, on zero emissions by 2050.

**Ben Lake (Ceredigion) (PC):** The Secretary of State has rightly emphasised the need urgently to decarbonise our economy. Will the Government consider looking again at the contribution that a tidal lagoon project might make to decarbonising our energy supply? Perhaps a regulated asset base model could finance the development.

**Andrea Leadsom:** The hon. Gentleman may have raised this issue four years ago—we could talk about this for a long time. A lot of consideration has been given to the potential of tidal power. It is incredibly expensive and was ruled out on those grounds. We are looking at a regulated asset base model for the financing of big energy efficient projects. We will continue to keep that under review, but of course it has to offer good value for taxpayers’ money. The path to net zero that we are setting out will enable further opportunities to consider different technologies.

**Mary Robinson (Cheadle) (Con):** I welcome the launch of the Ayrton fund and the £1 billion for the creation of new technologies. We also have a proud history of commitment to developing countries through international aid. How will the fund fit into our existing commitments?

¹[Official Report, 30 September 2019, Vol. 664, c. 10MC.]
Andrea Leadsom: The UK Government have committed to spending 0.7% of our national income on aid. Analysis shows that without urgent action on climate change, development progress is at risk. Tackling climate change and protecting the environment is bound up with development, so it is right that it has to be a priority for UK aid. It is also very important that the OECD criteria for official development assistance include addressing climate change, and that is what we are doing.

Kerry McCarthy (Bristol East) (Lab): The Secretary of State for the Department for Environment, Food and Rural Affairs has mentioned the £140 million package for protecting and restoring forests around the world. That is all well and good but if we are still bound to the trade in beef and livestock feed for the Amazon, we are contributing to the problem. When is she going to say something about that?

Andrea Leadsom: As the hon. Lady will know, that would be a matter for comment by the Secretary of State for the Department for Environment, Food and Rural Affairs. I am sure that the opportunity to raise the issue will come up at DEFRA questions soon.

Richard Graham (Gloucester) (Con): The decision to hold the UN climate change summit 2020 in Glasgow was a great success for Anglo-Italian diplomacy. It also highlights an advantage for Scotland of being a member of the United Kingdom, with some 30,000 attendees expected. I do not share the concern of the hon. Member for Brent North (Barry Gardiner) about the £1 billion coming from our international development fund. Will my right hon. Friend confirm that one of the advantages of the money is that it can be used to help to save forests in Indonesia, and does she agree that our climate change unit should continue its good work there?

Andrea Leadsom: My hon. Friend is exactly right. We are all delighted that COP 26 will be held in Glasgow. We shall all be there. It will be a great opportunity to visit Scotland as part of a stronger United Kingdom post Brexit. We all very much look forward to it. My hon. Friend is exactly right to say that the Ayrton fund offers a fantastic opportunity to contribute to low-carbon technologies for use in developing economies.

Anna McMorrin (Cardiff North) (Lab): May I begin by saying that it is good to see the Secretary of State in her place and to be able to question the Government on climate change, which we did not think we would have the opportunity to do? Data from Antarctica suggests the onset of irreversible ice sheet instability, which would result in sea levels rising by several metres. This was not the future my father envisaged for his children when he spent years working in Antarctica more than 40 years ago, and it is not what I want for my children either. Why are the Government so reluctant to show leadership in setting hard and fast targets, particularly on the tried and tested technologies of onshore wind and solar?

Andrea Leadsom: I thank the hon. Lady for her collegiate approach; I think we should attempt to continue in that vein. She will know that we have more than 10 GW of onshore wind capacity in the UK. No doubt she knows also that just a couple of weeks ago we had a successful round of contracts for difference for offshore wind, showing costs of sub-£40 per MWh, which is extraordinary; when I was an Energy Minister only a few years ago, the cost of CfDs then was about £150 per MWh. The UK is leading the world. We should be proud of that. Of course, we will continue to look at all renewable technologies.

Sir Oliver Heald (North East Hertfordshire) (Con): The Conservative Environment Network recently produced its manifesto. One of the proposals for a quick win on emissions is to increase the amount of ethanol in petrol to 10%, which would also help the British bioethanol industry, farmers and us all. Has my right hon. Friend considered that? Will she encourage the Transport Secretary to implement that measure? It would be equivalent to taking 700,000 cars off the road.

Andrea Leadsom: I am aware of the idea my right hon. and learned Friend mentions. I am to meet the Secretary of State for Transport soon to talk about how we can speed up the decarbonisation of the transport system, and I am sure we will discuss it then.

Steve McCabe (Birmingham, Selly Oak) (Lab): We have mentioned the involvement of young people. One of the demands of the Student Climate Network is to reform the curriculum to reflect the ecological crisis as an educational priority. Has she discussed, or will she discuss, the matter with the Secretary of State for Education?

Andrea Leadsom: The hon. Gentleman makes a good point. I have not yet discussed that with the Secretary of State for Education, but I certainly will make a point of doing so.

James Gray (North Wiltshire) (Con): It is an easy rose—

Luke Graham (Ochil and South Perthshire) (Con) rose—

Mr Speaker: James Gray.

Luke Graham: Thank you, Mr Speaker—

Mr Speaker: No, no. The last time I looked, the hon. Gentleman was called Luke Graham, not James Gray.

James Gray (North Wiltshire) (Con): It is an easy mistake to make, Mr Speaker.

Mr Speaker: The hon. Member for Ochil and South Perthshire is a few years younger.

James Gray: Yes, but I was brought up in Ochil and South Perthshire, so we have a great deal in common, although there is a slight age difference.

One way in which the UK can truly lead the world in this generational battle against climate change is through climate science, in particular polar science. In that respect, I pay tribute to the father of the hon. Member for Cardiff North (Anna McMorrin), after whom the McMorrin glacier in Antarctica is named. Will my right hon. Friend the Secretary of State join me in congratulating
British scientists in universities and institutions throughout Britain, who make a vast contribution to polar and climate science, and will she, today of all days, pay tribute to the launch of SS David Attenborough from Birkenhead and perhaps make passing tribute to the great man himself?

Andrea Leadsom: Yes, the RSS David Attenborough— “Boaty McBoatFace”—is launching today. I am always delighted to pay tribute to David Attenborough, whose series on Earth and our oceans have brought home to so many people the urgent need for action. I also pay tribute to my hon. Friend the Member for North Wiltshire (James Gray), himself a bit of an Arctic explorer who has done a great deal to highlight climate change, and we should be grateful to him for that.

Tim Farron (Westmorland and Lonsdale) (LD): If we are serious about tackling climate change, we need to keep fossil fuels in the ground. To that end, does the right hon. Lady agree that the proposals for the west Cumbria coal mine should be cancelled, and will she speak to her right hon. Friend the Secretary of State for Housing, Communities and Local Government, to whom I have written? Will she instead commit Government money through the northern powerhouse to create renewable industry and energy jobs in west Cumbria instead?

Andrea Leadsom: I am sure the hon. Gentleman is as delighted as I am that we have shifted from 40% reliance on coal to only 5% today. That is quite an achievement. He makes an important point about fossil fuels. He will be aware that we are looking at carbon capture, usage and storage, and an action plan with projects to improve our use of fossil fuels and to make them lower carbon. There is a lot to be done in this area, and we will continue to look at how we can make that work.


Luke Graham: Thank you very much, Mr Speaker. As part of the Cabinet Office team that pushed for Glasgow to host COP 26, I thank my right hon. Friend for coming through and ensuring that one of the greatest cities in our United Kingdom can showcase the fantastic commitments we are making and how we are developing world-leading technologies. We are making our name known internationally and locally, with UK Government investment in the international environment centre in Alloa and the world-leading recycling facility being built in South Perthsire. Great progress has been made in the past two years, but will my right hon. Friend meet me to discuss taking the next step to bring geothermal energy and smart grids to Clackmannanshire?

Andrea Leadsom: My hon. Friend tempts me to make some budgetary commitments, which I cannot do right now, but I am always delighted to talk to him about his brilliant ideas for his constituency and the surrounding area.

Deidre Brock (Edinburgh North and Leith) (SNP): Our Government in Scotland are consulting on public sector climate change responsibilities and reporting duties. What work will the Department for Business, Energy and Industrial Strategy be doing with UK public bodies based in Scotland, whose emissions will count against our world-leading targets?

Andrea Leadsom: The hon. Lady will know that there are regular and frequent discussions between officials at all levels on how to meet our carbon commitments. Those will continue and will, I dare say, be increased in the run-up to COP 26 next year, so there will be plenty of opportunities for collaboration between nations.

Dr Matthew Offord (Hendon) (Con): It has been reported that 38% of Americans believe that we face a climate crisis—slightly fewer than Americans who believe that aliens walk among us. What is the Secretary of State doing to encourage all countries to treat climate change as a priority?

Andrea Leadsom: As others have done, my hon. Friend makes the important point on the need for global action. In seeking to host COP 26 in Glasgow, we demonstrate our determination to be part of the solution and to lead other nations into showing the same level of commitment.

Thangam Debbonaire (Bristol West) (Lab): The Secretary of State told my hon. Friend the Member for Bristol East (Kerry McCarthy) that she could not answer her question because it was a matter for DEFRA, which I understand. Will she join the call from the schools and schoolchildren of Bristol to ask the Prime Minister to bring back the Department of Climate Change?

Andrea Leadsom: Obviously, I am delighted to be fulfilling the role of Secretary of State for energy as well as for business. I see the clear link between the amazing UK-led science and innovation and the need for commercialisation of many of the solutions that tackle climate change, so I feel comfortable with the way the Department is now managed. The hon. Lady makes an important point about the specifics of the DEFRA portfolio, but there will be an opportunity to put oral questions to that Department.

Dr Julian Lewis (New Forest East) (Con): Do we have a policy of using our large international aid budget as a means of incentivising other countries to improve their climate change policies?

Andrea Leadsom: My right hon. Friend will be aware that in our recently published green finance strategy, we committed to aligning all UK overseas development aid with the Paris agreement, so that our development finance is consistent with climate-resilient and low greenhouse gas development pathways. We urge all nations to do likewise.

Liam Byrne (Birmingham, Hodge Hill) (Lab): I want to follow the point made by my right hon. Friend the Member for Doncaster North (Edward Miliband), who is right to say that we will not be a leader abroad unless we are a leader at home. We in the west midlands have been the leader of industrial revolutions for three centuries, but we need a green development corporation to build homes, we need municipal energy companies to roll out solar, and we need a regional investment bank to roll out climate finance here at home. Give us the tools and we will show the leadership.
Andrea Leadsom: We have already taken a number of actions on charging infrastructure for electric vehicles, investments in hydrogen and low-carbon technology to reduce emissions from industry. We will be doing a lot more, and we will set out our plans in the next few weeks.

Maria Caulfield (Lewes) (Con): HMRC is having to change VAT rates from 5% to 20% for the installation of renewables, such as solar panels, to meet the EU VAT directive. Will the Minister commit to reversing that decision when we leave the EU?

Andrea Leadsom: My hon. Friend is right. We will be able to choose our own VAT rates.

Several hon. Members rose—

Mr Speaker: Order. I am sorry, but we must now move on.

ADJOURNMENT (CONFERENCE)

Motion made, and Question put forthwith (Standing Order No. 25).

That this House, at its rising on Thursday 26 September 2019, do adjourn until Thursday 3 October 2019. —[Tom Pursglove.]

The House divided: Ayes 289, Noes 306.

Division No. 446] [1.50 pm

AYES

Adams, Nigel
Afzali, Bim
Afriyie, Adam
Aldous, Peter
Allan, Lucy
Amess, Sir David
Argar, Edward
Atkins, Victoria
Austin, Ian
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Barclay, rh Stephen
Bellingham, Sir Henry
Beresford, Sir Paul
Berry, rh Jake
Blackman, Bob
Blunt, Crispin
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Brady, Sir Graham
Braverman, Suella (Proxy vote cast by Steve Baker)
Brereton, Jack
Bridgen, Andrew
Brine, Steve
Bruce, Fiona
Buckland, rh Robert
Burghart, Alex
Burns, Conor
Caims, rh Alun
Campbell, Mr Gregory
Cartlidge, James
Cash, Sir William
Caulfield, Maria
Elphicke, Charlie
Eustice, George
Evans, Mr Nigel
Evennett, rh Sir David
Fallon, rh Sir Michael
Field, rh Mark
Ford, Vicky
Foster, Kevin
Fox, rh Dr Liam
Francis, rh Mr Mark
Frazer, Lucy
Freeman, George
Freer, Mike
Fysh, rh Sir Marcus
Gale, rh Sir Roger
Garnier, Mark
Ghani, Ms Nusrat
Gibb, rh Nick
Gillan, rh Dame Cheryl
Girvan, Paul
Glen, John
Goldsmith, Zac
Goodwill, rh Mr Robert
Gove, rh Michael
Graham, Luke
Graham, Richard
Grant, Bill
Grant, Mr Helen
Gray, James
Graling, rh Chris
Green, Chris
Green, rh Damian
Griffiths, Andrew
Hair, Kirstene
Halton, rh Robert
Hall, Luke
Hancock, rh Matt
Hands, rh Greg
Harper, rh Mr Mark
Harris, Rebecca
Harrison, Trudy
Hart, Simon
Hayes, rh Sir John
Heald, rh Sir Oliver
Heappey, James
Heaton-Harris, Chris
Heaton-Jones, Peter
Henderson, Gordon
Herbert, rh Nick
Hinds, rh Damian
Hoare, Simon
Hollingbery, Sir George
Hollinrake, Kevin
Hollobone, Mr Philip
Holloway, Adam
Howell, John
Hudson, Derek
Hussain, Eddi
Hunt, rh Mr Jeremy
Hurd, rh Mr Nick
Jack, rh Mr Alister
Javid, rh Sajid
Jayawardena, Mr Ranil
Jenkin, Sir Bernard
Jenkyns, Andrea
Jennick, rh Robert
Johnson, rh Boris
Johnson, Dr Caroline
Johnson, Gareth
Johnson, rh Jonathan
Jones, Andrew
Jones, rh Mr David

Jones, Mr Marcus
Kawczyński, Daniel
Keegan, Gillian
Kennedy, Seema
Kerr, Stephen
Knight, rh Sir Greg
Knight, Julian
Kwarteng, rh Kwasi
Lamont, John
Lancaster, rh Mark
Latham, Mrs Pauline
Leadsom, rh Andrea
Lefroy, Jeremy
Leigh, rh Sir Edward
Lewer, Andrew
Lewis, Mr Brandon
Lewis, rh Dr Julian
Lidington, rh Sir David
Little Pengelly, Emma
Lopez, Julia
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Macknail, Craig
Maclean, Rachel
Main, Mrs Anne
Mak, Alan
Malthouse, Kit
Mann, Scott
Masterton, Paul
May, rh Mrs Theresa
Maynard, Paul
McLoughlin, rh Sir Patrick
McVey, rh Ms Esther
Menzies, Mark
Mercer, Johnny
Merriman, Huw
Metcalfe, Stephen
Miller, rh Mrs Maria
Milling, Amanda
Mills, Nigel
Mitchell, rh Mr Andrew
Moore, Damien
Mordaunt, rh Penny
Morgan, rh Nicky
Morris, Anne Marie
Morris, David
Morris, James
Morton, Wendy
Mundell, rh David
Murray, Mrs Sheryl
Murrison, rh Dr Andrew
Neill, Robert
Newton, Sarah
Nokes, rh Caroline
Norman, Jesse
O’Brian, Neil
Offord, Dr Matthew
Opperman, Guy
Paisley, Ian
Parish, Neil
Patel, rh Priti
Paternson, rh Mr Owen
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Perry, rh Claire
Philp, Chris
Pincher, rh Christopher
Poulter, Mr Dan
Pow, Rebecca
Prentis, Victoria
Swayne, rh Sir Desmond
Swire, rh Sir Hugo
Sym, Sir Robert
Thomas, Derek
Thomson, Ross
Throup, Maggie
Tilbury, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelyan, Anne-Marie
Truss, rh Elizabeth
Tugendhat, Tom
Vara, Mr Shailesh
Vickers, Martin
Villiers, rh Theresa
Walker, Sir Charles
Walker, Mr Robin
Wallace, rh Mr Ben
Warburton, David
Warman, Matt
Watling, Giles
Whately, Helen
Wheeler, Mrs Heather
Whittaker, Craig
Whittingdale, rh Mr John
Wiggin, Bill
Williamson, rh Gavin
Wilson, rh Sammy
Wood, Mike
Wragg, Mr William
Wright, rh Jeremy
Zahawi, Nadhim

**Tellers for the Ayes:**
Stuart Andrew and Iain Stewart

**NOES**

Abbott, rh Ms Diane
Abrahams, Debbie
Ali, Rushanara
Allen, Heidi
Allin-Khan, Dr Rosena
Amesbury, Mike
Antoniacci, Tonia
Ashworth, Jonathan
Bailey, Mr Adrian
Bardell, Hannah
Barron, rh Sir Kevin
Bebb, Guto
Beckett, rh Margaret
Benn, rh Hilary
Berger, Luciana
Betts, Mr Clive
Black, Mhairi
Blackford, rh Ian
Blackman, Kirsty
Blomfield, Paul
Boles, Nick
Brabin, Tracy
Bradshaw, rh Mr Ben
Brake, rh Tom
Brennan, Kevin
Brock, Deidre
Brown, Alan
Brown, Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burke, John
Byrne, Mr John
Campbell, rh Sir Alan
Carden, Jim
Carmichael, rh Mr Alistair
Chapman, Douglas
Chapman, Jenny
Charalambous, Bambos
Cherry, Joanna
Clarke, rh Mr Kenneth
Clwyd, rh Ann
Coaker, Vernon
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Cowan, Ronnie
Coyle, Neil
Crawley, Angela
Creagh, Mary
Creasy, Stella
Crudzad, Jon
Cryer, John
Cummins, Judith
Cunningham, Alex
Cunningham, Mr Jim
Daby, Janet
Dakin, Nic
Davey, rh Sir Edward
David, Wayne
Davies, Geraint
Day, Martyn
De Cordova, Marsha
De Piero, Gloria
Dent Coad, Emma
Dhesi, Mr Tammanjeet Singh
 Docherty-Hughes, Martin
Dodds, Anneliese
Dodds, Jane
Doughty, Stephen
Dowd, Peter
Drew, Dr David
Dromey, Jack
Duffield, Rosie
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elliot, Julie
Ellman, Dame Louise
Esterson, Bill
Evans, Chris
Farron, Tim
Fellows, Marion
Fitzpatrick, Jim
Fletcher, Colleen
Flint, rh Caroline
Forbes, Lisa
Foxcroft, Vicky
Frith, James
Furniss, Gill
Gaffney, Hugh
Gapes, Mike
Gardiner, Barry
Gauke, rh Mr David
George, Ruth
Gethins, Stephen
Gibson, Patricia
Gill, Preet Kaur
Glindon, Mary
Godsiff, Mr Roger
Goodman, Helen
Grady, Patrick
Grant, Peter
Gray, Neil
Green, Kate
Greening, rh Justine
Greenwood, Lilian
Greenwood, Margaret
Grieve, rh Mr Dominic
Griffith, Nia
Grogan, John
Gwynne, Andrew
Gyimah, Mr Sam
Haigh, Louise
Hamilton, Fabian
Hanson, rh David
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendrick, Sir Mark
Hendry, Drew
Hepburn, Mr Stephen
Heron, Lady
Hill, Mike
Hillier, Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hollern, Kate
Hosie, Stewart
Howarth, rh Sir George
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, Diana
Jones, Darren
Jones, Gerald
Jones, Graham P.
Jones, rh Mr Kevan
Jones, Ruth
Jones, Sarah
Jones, Susan Elan
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Killen, Ged
Kinnock, Stephen
Kyle, Peter
Laird, Lesley
Lake, Ben
Lamb, rh Norman
Lavery, Ian
Law, Chris
Lee, Karen
Lee, Dr Phillip
Leslie, Mr Chris
Lewell-Buck, Mrs Emma
Lewis, Clive
Linden, David
Lloyd, Stephen
Long Bailey, Rebecca
Lucas, Caroline
Lucas, lan C.
Lynch, Holly
MacNeil, Angus Brendan
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Marsden, Gordon
Martin, Sandy
Maskell, Rachael
Matheson, Christian
Mc Nally, John
McCabe, Steve
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
Mclnnnes, Liz
McKinnell, Catherine
McMahon, Jim
McMorrin, Anna
Means, lan
Miliband, rh Edward
Milton, rh Anne
Monaghan, Carol
Morr, Mrs Madeleine
Moran, Layla
Morden, Jessica
Mr Speaker: I am not taking a slew of points of order now. I will take the one from the hon. Member for Leeds East (Richard Burgon) of which I had advance notice. [ Interruption. ] Order. I say very gently to the hon. Member for Na h-Eileanan an Iar (Angus Brendan MacNeil), whom I am accustomed to indulging, that I think the House wishes to hear the business statement from the Leader of the House. I will take the point of order from the hon. Member for Leeds East and then we will have the business statement. [ Interruption. ] Patience, hon. Member. It will come in due course. If you have got a plane to catch, I am sorry but that is, with the very greatest respect, your problem.

Richard Burgon (Leeds East) (Lab): On a point of order, Mr Speaker. There has been much talk recently about holding a general election. My party wants an election called as soon as possible—[ Interuption. ]—once an extension to a void a no-deal Brexit has been agreed. But of course, Mr Speaker, there are rules governing the amount of time needed to arrange a general election. I have today liaised with the Library, who confirmed to me that given those rules, the soonest an election could take place is 5 November. That assumes that we dissolve Parliament early next week. Obviously any such general election would then have taken place past the 31 October Brexit deadline. Mr Speaker, to help the public understand the current debate in Parliament, could you confirm that a general election could not be held before the 31 October deadline?

Mr Speaker: I am grateful to the hon. Gentleman for his point of order and for his courtesy in giving me advance notice of his intention to raise it. I can confirm that my understanding of the electoral timetable under the existing statutory framework is the same as his. [ Interruption. ] I said: under the existing statutory framework my understanding is the same as his.
Business of the House

2.8 pm

The Leader of the House of Commons (Mr Jacob Rees-Mogg): Thank you, Mr Speaker, for allowing me to make this statement at a slightly unusual time to facilitate the Division, which makes the business I am going to read out rather more useful than had I done it earlier in the day and then had had to do it again.

The business for next week will be:

Monday 30 September—Debate to approve a motion relating to section 7 of the Northern Ireland (Executive Formation etc) Act 2019 (Historical Institutional Abuse), followed by a debate to approve a motion relating to section 6 of the Northern Ireland (Executive Formation etc) Act 2019 (Victims’ Payment), followed by a debate to approve a motion relating to section 5 of the Northern Ireland (Executive Formation etc) Act 2019 (Human Trafficking), followed by a debate to approve a motion relating to section 4 of the Northern Ireland (Executive Formation etc) Act 2019 (Gambling).

Tuesday 1 October—Motion to approve a statutory instrument relating to the draft Common Organisation of the Markets in Agricultural Products (Transitional Arrangements etc.) (Amendment) (EU Exit) Regulations 2019, followed by a motion to approve a statutory instrument relating to the draft Common Agricultural Policy and Common Organisation of the Markets in Agricultural Products (Miscellaneous Amendments) (EU Exit) Regulations 2019, followed by a motion to approve a statutory instrument relating to the draft Import and Export Licences (Amendment) (EU Exit) Regulations 2019, followed by a motion to approve a statutory instrument relating to the draft Pesticides (Amendment) (EU Exit) Regulations 2019.

Wednesday 2 October—Second Reading of the Domestic Abuse Bill. [Hon. Members: “Hooray!”] It was worth waiting for, I think.

Thursday 3 October—Debate on a motion relating to women’s mental health, followed by a general debate on the spending of the Ministry of Justice. The subjects for these debates were determined by the Backbench Business Committee.

Friday 4 October—The House will not be sitting.

2.11 pm

Valerie Vaz (Walsall South) (Lab): I thank the Leader of the House for the business statement. He will know that this could have been agreed through the usual channels—we are trying to compromise and come to a consensus—and there would then have been no need for a Division.

This is no way to run a Parliament. Earlier today, we heard how we have to start as we mean to go on and to respect each other in the way we speak to each other, so could the Leader of the House ask the Attorney General to come to the House to apologise? Calling us a “dead Parliament” and “turkeys” is not appropriate language. If the Attorney General so dislikes Parliament, perhaps he should spend more time with his cases and call a by-election.

I know that the Leader of the House has apologised to Dr David Nicholl, but to take up from where we left off prior to the motion on the Adjournment of the House, could the Leader of the House apologise here in the House to Dr David Nicholl and say that he was wrong and that what he said was untrue? He also did not answer my question about the “constitutional coup”—I thought we had eradicated foot and mouth!

If the Leader of the House wants some business, let me give him some business: the date for Report of the Financial Services (Implementation of Legislation) Bill is to be announced; the date for Report of the Immigration and Social Security Co-ordination (EU Withdrawal) Bill is to be announced; the date for Report of the Agriculture Bill is to be announced; the date for Report of the Fisheries Bill is to be announced; and the Trade Bill had its Third Reading in the House of Lords on Wednesday 20 March and is in ping-pong. Do the Government expect to get their Bills through before 31 October 2019? May I ask the Leader of the House again how long he thinks will be needed for preparations for the Queen’s Speech on 14 October? When will Parliament be prorogued?

I would be grateful if the Leader of the House could provide time for a debate on the Electoral Commission report, which estimates that between 8.3 million and 9.4 million people in Great Britain who are eligible to be on the local government registers are not correctly registered, and that there are between 4.7 million and 5.6 million inaccurate entries on those registers. That is the first study since the 2015 assessment of the registers, following the transition to individual electoral registration. This is seriously disfranchising people. My hon. Friend the Member for Lancaster and Fleetwood (Cat Smith), the shadow Minister for youth and voter engagement, has raised that continuously. Perhaps that is why the Government are so keen to have an election, while the registers are not up to date.

I note the Foreign Secretary’s statement yesterday on the cases of Nazanin Zaghari-Ratcliffe and Mr Ashoori, raised by my hon. Friends the Members for Hampstead and Kilburn (Tulip Siddiq) and for Lewisham East (Janet Daby). Has the Leader of the House had any conversations with the Foreign Secretary, and has the Foreign Secretary met Richard Ratcliffe or other family members of the British nationals who are incarcerated in Evin prison? These are lost lives. We cannot wait any longer; they are losing time with their families.

Finally, I want to thank the Leader of the House for his kind words yesterday on my nomination to the Privy Council. I congratulate the Solicitor General, sitting next to him, who has also been elevated to the Privy Council. I know that he is very excited about meeting Her Majesty. Finally, we have good news from the Whips Office: we want to welcome Evelyn Christine Rose Puddick.

Mr Rees-Mogg: The hon. Lady says, quite correctly, that this is no way to run a Parliament, which is why we should have a general election as soon as possible. If only Labour Members would vote for it and have the courage of their convictions, we would have one. She then complains that the Attorney General has called this a turkey Parliament. I think it is more of a chicken Parliament, because it is trying to flapp away from the general election that we need and that would clear the air. We get gesticulation and murmurations coming forth from the Labour Benches saying that we are going to get one, but when? The country wants one as soon as
possible. Rather than “dead”, I would use the word “addled”, like the Parliament of 1614, which was known as the addled Parliament. This, I think, may also come to be known in such a way.

The hon. Lady mentions Dr Nicholl; I am happy to repeat the apology I gave before. She referred to a question that I answered at some length yesterday on the question of a coup. I pointed out that if things are said in Cabinet, the 30-year rule means that they will come out in 30 years, but just because newspapers print gossip from Cabinet meetings does not make it fact. I fully support and stand by what the Prime Minister has said, which I will read out again for the benefit of right hon. and hon. Members, which is:

“I have the highest respect, of course, for the judiciary and the independence of our courts, but I must say I strongly disagree with the judgment, and we in the UK will not be deterred from getting on and delivering on the will of the people to come out of the EU on 31 October, because that is what we were mandated to do.”

That is my position.

The hon. Lady mentioned a number of Bills that are blocked. One of the advantages of Prorogation, had it taken place, was that we could start afresh with new Bills, better Bills, bigger Bills and brilliant Bills, and that is what will happen when eventually we get to the Queen’s Speech. She asked about the timing of the Queen’s Speech. The best thing for me to tell her is that that is being discussed with Black Rod. Very few changes need to be made in this Chamber for a Queen’s Speech, but quite a number of changes need to be made in the House of Lords, in addition to the unsightly barriers that are there for security, which of course are removed prior to a Queen’s Speech, and the road closures associated with that. We are trying to work out simply the timings, to ensure that any Prorogation meets the requirements of the Supreme Court’s judgment.

The hon. Lady asked for a debate on the Electoral Commission’s report. It is obviously key and in all our interests that electoral registers should be up to date, though some of us also feel it is important that parliamentary constituencies should be up to date, which would be beneficial. I note with great interest that some Opposition Members are keen on boundary changes.

Finally, the hon. Lady asked me about the dual nationals held illegally by Iran and whether I have had any conversations with the Foreign Secretary. Indeed, I asked him about it yesterday, and he has spoken to his Iranian counterpart about all the dual nationals—including, of course, Mrs Zaghari-Ratcliffe—as did the Prime Minister when he saw the President of Iran on the fringes of the meeting in the United Nations. I hope I can reassure the hon. Lady that the Government continue to push, and I thank her for continuing to push, because repeating things every week is powerful and keeps people on their toes, and I hope she will continue to do that.

Justine Greening (Putney) (Ind): Far from being a zombie Parliament, there are lots of Bills that we could consider passing. I am pleased to hear that the Leader of the House has scheduled the Second Reading of the Domestic Abuse Bill, but there are also private Members’ Bills that have all-party support, including one that I was seeking to bring to the House: the Creditworthiness Assessment Bill could help millions of renters to get improved credit scores. As the House is now sitting unexpectedly, the Government could look at some of those private Members’ Bills and put them into law.

Mr Rees-Mogg: I am grateful to my right hon. Friend. It has to be said that this Parliament has passed more private Members’ Bills than any since 2003; 13 have gone to Royal Assent and additional Fridays were made available. It was absolutely right that additional time was made available, but the essential point of what we are trying to do is to get through the public business that the Government were elected to get through. That is what we are aiming for. We have done well on private Members’ Bills, but I doubt that there will be additional time for them.

Patrick Grady (Glasgow North) (SNP): I echo the culls for temperate language in our exchanges in the House and I join in the congratulations to the shadow Leader of the House. I feel that my hon. Friend the Member for Perth and North Perthshire (Pete Wishart) is going to be left out in these exchanges. His Privy Councilorship really must be expedited as a matter of urgency.

As for next week’s business, such as it is, we are happy to support all the efforts to restore the operation of devolved government in Northern Ireland, but my heart bleeds for the poor Conservative Ministers and Back Benchers who will now have to come to the House during their conference. Successive Scottish National party Chief Whips have used the usual channels to communicate the dates of our conferences over the years, and at no point have we been afforded a recess, despite our status as the third party in this place. In fact, the target date—or it may not be the target date—for the Queen’s Speech now is the second day of the SNP conference, and given that none of us has yet mastered the art of bilocation, I would be interested in the recommendations of the Leader of the House for those circumstances.

Given that the House is to continue meeting, thanks in no small part due to the efforts of my hon. and learned Friend the Member for Edinburgh South West (Joanna Cherry), I want to emphasise what my hon. Friend the Member for Perth and North Perthshire said last night. The Standing Orders of this House provide for three Opposition days per Session in the name of the Leader of the third party, and in two years we have had one and a half days. So, however long this Session runs before the next legal Prorogation, the Leader of the House really needs to find time for us to fulfil our role as the third party in the House and the largest party in Scotland, as the Standing Orders of the House, which he considers to be sovereign, require. Knowing how much he cherishes the procedures and customs of this place, I am sure he is the last person who would want to be in breach of either the spirit or the letter of those Standing Orders.

Mr Rees-Mogg: I agree with the hon. Gentleman that temperate language is often to be encouraged. He mentioned bilocation. I think Padre Pio, not that long ago canonised, was famed for his ability to be in two places at once, and there is good evidence for this. I am surprised that the SNP do not consider themselves sufficiently saintly to be able to achieve the same and be both at their conference
and away from it. The most important point that the hon. Gentleman raised was about the SNP's Opposition day. I will say on behalf of Her Majesty's Government that SNP Members may have an Opposition day any day next week; should they wish to have a vote of confidence, it will be theirs.

Dame Cheryl Gillan (Chesham and Amersham) (Con): Mr Speaker, you will know of the threat that is posed to our countryside in Buckinghamshire and, despite all the rain that has fallen, the drought that has caused the problems with our chalk streams. Will the Leader of the House give us an opportunity, now that we are back in Parliament, to discuss the excellent report by Julian Glover and his team on national parks? We could debate his recommendation that the Chilterns area of outstanding natural beauty is a suitable subject to receive the protection of national park status.

Mr Rees-Mogg: Anything that my right hon. Friend says is likely to be an excellent idea, so I have a great deal of sympathy for her request for a debate, but I am afraid that I will once again throw it over to the Chairman of the Backbench Business Committee because it is entirely suitable for that Committee.

Ian Mearns (Gateshead) (Lab): I add my congratulations to my hon. Friend the shadow Leader of the House on her elevation to the Privy Council. I thank the Leader of the House for announcing the Backbench Business for next Thursday—two debates, on women's mental health and on the spending of the Ministry of Justice. I remind the House that the Backbench Business Committee is still accepting applications for debates, which can be submitted until 2.30 pm tomorrow for consideration next week. The Committee will need to meet as soon as possible next week on our return.

Mr Rees-Mogg: That is an enormously and characteristically helpful intervention from the Chairman of the Backbench Business Committee. Members will have heard that 2.30 tomorrow is the deadline for applications.

Sir John Hayes (South Holland and The Deepings) (Con): We are what we remember. Each of us comprises where we have been, whom we have known and what we have done. But when dementia robs people of all that, they are bewildered and their friends and families are fearful. In this country 850,000 people suffer from dementia, 63,000 of them under the age of 65. It will not be lost on you, Mr Speaker, that 21 September was World Alzheimer's Day. Research into Alzheimer's is still much less than for other major medical problems, so may I ask the Leader of the House for a debate on this subject, which affects so many of our constituents? Hegel said:

"Life has a value only when it has something valuable as its object."

Let it be our object never to forget those who can no longer remember.

Mr Rees-Mogg: I have so much sympathy with what my right hon. Friend says. Dementia hits families particularly hard. Sometimes it hits the carers much more than the individual who is suffering from it. All of us will have known people suffering from dementia and how hard it is for families as they are forgotten by the person they have been closest to, so it is a worthy subject for debate. I am sorry not to be able to promise a debate in Government time, but in Adjournment debate time or Backbench Business time it would certainly have my support if I was still a Back Bencher.

Mr Alistair Carmichael (Orkney and Shetland) (LD): May I take the Leader of the House back to his assertion that the 12 Bills that have been started by the Government and are still outstanding are somehow blocked by the House? I offer him one example. The Fisheries Bill is of tremendous importance to my constituents. It passed this House at Second Reading without Division, as I recall. In Committee, only one minor amendment was made to it. There is a broad measure of cross-party support for it, yet it is has sat in parliamentary limbo since the end of November. If there is a blockage, that blockage surely is within the Government and not Parliament. Will we get that Bill before the Government try to prorogue again?

Mr Rees-Mogg: I am grateful to the right hon. Gentleman for making the point. The Government are satisfied that all the Bills that are needed prior to leaving the European Union on 31 October are in place, save for a withdrawal agreement Bill should we get an agreement before that. Therefore, it is not essential that these Bills make further progress. However, I would add that one of the reasons why they have not made progress is that they have been in other cases amended in such a way as not to achieve the object of Government policy.

Mr Carmichael: Fisheries.

Mr Rees-Mogg: The right hon. Gentleman chunters from a sedentary position, “Fisheries”. That does not stop the Bill being amended when it comes back either here or in another place. There is no certainty that these Bills will get through without doing things that are contrary to Government policy, and therefore it is unlikely that they will make progress.

Tracey Crouch (Chatham and Aylesford) (Con): I was humbled to be asked in January 2018 to become the world’s first loneliness Minister to continue the work at the highest level that our late colleague Jo Cox had championed. On 15 October last year, it was my privilege to publish the Government’s loneliness strategy, the foundation for a decade of work ahead. Does the Leader of the House agree that the best way we can talk about Jo’s legacy is for there to be an oral statement from the Government on 15 October this year to update the House on progress in implementing the recommendations from the strategy and on a date as close to the anniversary as possible to have a debate in Government time on loneliness so that we can champion the work of those trying to keep society connected and celebrate those famous words from Jo that, even now, we still have more that unites than divides us.

Mr Rees-Mogg: That last point is absolutely true: we all have more that unites us than divides us. I congratulate my hon. Friend who has made a real mark in this area, particularly as the world’s first loneliness Minister. The whole House will welcome all that she has done, and continues to do, to build on the legacy of Jo Cox.
People who are lonely are more likely to be readmitted to hospital, visit a GP or go to accident and emergency; enter local authority residential care and perform poorly at work. All that comes at a cost to the individual, communities, employers, and public services, and we want to do everything we can to ease those burdens. Tackling loneliness requires society-wide change, and we have worked in partnership with businesses to capture and share the work they are doing to help to tackle loneliness in the wider community and encourage employers to tackle loneliness among their employees. It is difficult to promise to hold that particular debate in Government time, but if the House is reopened on 14 October with a Queen’s Speech, that is the time to raise any issue that right hon. and hon. Members feel is suitable and a good occasion to bring such matters to wider attention.

Nic Dakin (Scunthorpe) (Lab): My constituent Kayleigh Morgan was the victim of a serial rapist, Dimitris Aspiotis, when working in Corfu. In 2010, he was sentenced to 52 years in prison, so Kayleigh was shocked to learn in the media of his very early release. May we have a statement from the Foreign Secretary about what discussions have been held with Greece about the very early release of convicted rapists and the impact of that on the safety of British women abroad?

Mr Rees-Mogg: This issue must be treated with enormous seriousness, and a 52-year sentence indicates the brutality and horror of what must have happened to the hon. Gentleman’s constituent. For Dimitris Aspiotis to be released so soon seems to indicate that the consequences of his action are not being justly imposed on him. I will, of course, bring the matter to the attention of the Foreign Secretary and send a written answer to the hon. Gentleman, and I am glad he has brought this matter to the House’s attention.

Sir Patrick McLoughlin (Derbyshire Dales) (Con): May I join the shadow Leader of the House in asking for a debate on the Electoral Commission? Is my right hon. Friend raising a matter for referring people to the police, they ought not to do so unless there is good information that there is likely to be a prosecution. On a number of occasions the Electoral Commission has referred people to the police, but there has been no such prosecution.

Mr Rees-Mogg: My right hon. Friend raises a matter of the greatest seriousness. The Electoral Commission is publicly funded and must be held accountable for its actions. To say that somebody has been referred to the police leaves a great blot on their reputation and ability to carry out their functions if they are elected to office, because there will be a whiff of suspicion around them. Right hon. and hon. Members feel is suitable and a good occasion to bring such matters to wider attention.

Stella Creasy (Walthamstow) (Lab/Co-op): I thank the Leader of the House for illustrating so beautifully why so many of us fought the concept of Parliament being prorogued and the recess. By setting a date for Second Reading of the Domestic Abuse Bill, he proved that there is business across the House that people want to move forward and work that we could be doing in this place that our constituents would value. Last night I raised the fact that the Government have missed an important reporting deadline in their work to tackle abuse against women, in particular a report to the UN on addressing the elimination of all forms of discrimination against women. When will we see that report from the Government, and when does the Leader of the House envisage that the Committee stage of the Bill will take place? Given widespread support for the Bill in its current form, will he commit to the Committee stage being held on the Floor of the House, so that we can all contribute to making this a country where everyone is safe?

Mr Rees-Mogg: I am very pleased that the hon. Lady welcome the Government’s schedule of business for next week. As I said yesterday, the Domestic Abuse Bill would have been a major part of the Queen’s Speech had it been introduced then instead of next week, and the Government are particularly and singularly committed to it. This important Bill will be brought forward to show the Government’s intent, and I think the speed of its passage will be no faster or slower if it comes next week than were it to have been included in the Queen’s Speech.

Bob Blackman (Harrow East) (Con): A number of colleagues across the House were in Bangladesh last week, and many of them got to see the plight of the Rohingya. The Government have responded well in providing international aid, but there are 1.3 million displaced people who want to return home. May we have a debate in Government time on what we as a country can do to enable those people to return home to Myanmar in safety and security, and bring this issue to the attention of the world?

Mr Rees-Mogg: The plight of the Rohingya people is one of the great scandals of our time, and that 1.3 million people are displaced is something that the world must be concerned about. This is one area where our overseas aid budget is most properly used. I am sure Ministers will be aware that there are no immediate plans for a debate—I do not want to refer everything to the Backbench Business Committee, but once again this is something that falls into its Chairman’s lap.

Diana Johnson (Kingston upon Hull North) (Lab): I am pleased that Second Reading of the Domestic Abuse Bill will be next week, but I know that the Leader of the House is a stickler for procedure and doing things correctly. Will he therefore explain to me—a mere novice having been in the House for only 14 years—how the Government have already announced the statutory role of a domestic abuse commissioner, despite the pre-legislative Committee, which I served on with the right hon. Member for Basingstoke (Mrs Miller) who chairs the Women and Equalities Committee, having recommended that the post should be full time and not for two or three days a week? We also made recommendations about budget and staffing requirements. How was that appointment allowed to be made when the Bill has not gone through Second Reading, Committee stage, Third Reading, or the House of Lords?
Mr Rees-Mogg: The hon. Lady has longer experience in the House than I do by a full Parliament, so I bow to her superior knowledge on procedural matters. I would have thought it welcome that the Government have got on and appointed Nicole Jacobs as the first Domestic Abuse Commissioner. What goes into the Bill and is passed by Parliament will become law and that will include the standing of the post of the commissioner. This is merely an opportunity to get on with things and push ahead, and I would have thought that would be welcome.

Fiona Bruce (Con): May we have a debate on minimum unit pricing? When it was introduced in Scotland, Ministers said that for England they would await the outcome of that implementation. A report today shows that the implementation of minimum unit pricing in Scotland is benefiting those who are drinking at the risk of their health.

Mr Rees-Mogg: I take everything that my hon. Friend says with the greatest seriousness. She is the most wonderful campaigner and aims to make the lives of people in this country better by everything she does. I particularly admire her support for the family. The issue she raises is crucial, but once again it is much more a matter for the Backbench Business Committee.

Anna Soubry (Con): Will it be Monday? Will it be Monday? It will be available in the Table Office, and I assume that the Prime Minister will make his normal appearance on Wednesday. The Table Office is the right place to go for those questions.

Mr Rees-Mogg: As I understand it, the Chancellor will take questions on Tuesday, and it is normal for a three-day rota to be set. [Interruption.] Will it be on Tuesday or Wednesday? It will be available in the Table Office, and I assume that the Prime Minister will make his normal appearance on Wednesday. The Table Office is the right place to go for those questions.

Dr Matthew Offord (Con): Our parliamentary democracy has taken a battering in the last few years. Will the Leader of the House bring forward legislation in the Queen’s Speech to ensure that the recommendations of the boundary review are implemented and that we will represent constituencies of equal size and proportion?

Mr Rees-Mogg: The principle that constituencies should have the same number of electors is a very good and important one.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): I make an exception for the hon. Member for Na h-Eileanan an Iar, which, for geographical reasons, has slightly fewer constituents, but they are some of the finest people in this country. I would not quite say they count double, but they are heading in that direction. When this matter was being debated some years ago, I thought we should create a rotten borough for him, because he brings so much levity and pleasure to the House through his interjections.

Mr Speaker: Often deliberately.

Mr Rees-Mogg: I am very sympathetic to what my hon. Friend says. The statutory instrument is prepared but is being considered and will be introduced if there is a suitable opportunity.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): God bless you, Mr Speaker.

I add my voice to that of the right hon. Member for Putney (Justine Greening) and make a plea for the Refugees (Family Reunion) (No. 2) Bill, which is among those private Members’ Bills that should see some progress.
May I add, Mr Speaker, that the Chamber today has been a model of civility all afternoon compared with last night? Parliament is back to what it was. May I suggest that to get rid of the toxicity and disorder last night that Acts of Parliament be referred to by their proper names as assented to by the Queen, so that we do not get these tabloid monikers and pejorative titles? The Leader of the House is one of the sticklers and I am sure would like this to happen. Perhaps the Speaker might rule it disorderly. It was the references to an Act that stoked the fires of toxicity and disorder last night.

Mr Rees-Mogg: Stickler though I am—[Interruption.] Pardon? [Interruption.]

Mr Speaker: I cannot believe the hon. Member for Hendon (Dr Offord) has forgotten the fact of his pearls of wisdom so soon after he uttered them. Maybe he has a second set of pearls in mind—I do not know—but it may have to wait. I beg the Leader of the House's pardon.

Mr Rees-Mogg: Thank you, Mr Speaker. I think it is perfectly reasonable to refer to Bills by colloquial names. It is a traditional and perfectly reasonable thing to do. Of course, it is a political matter. People will use the names they use. The forms on language in this House are well set out. As you said earlier, Mr Speaker, nothing disorderly happened yesterday. We have to be really careful. Civility and being polite to each other are important, and when Members on either side are vilified or threats to their safety are made, we must oppose it vigorously, but that is of a very different order of magnitude from robust debate in this House. To conflate the two is a fundamental error and risks making the serious nature of what is happening to some Members appear part of the back and forth of politics. It is not—it is really serious. The term “surrender Bill” is a matter of taste, not a matter of any real importance. I am quite happy with the term “surrender Bill”.

Tim Loughton (East Worthing and Shoreham) (Con): I am sorry I am not a doctor, Mr Speaker, but I am at least a patient—and patient. The Leader of the House mentioned many SIs, but not the Civil Partnerships, Marriages and Deaths (Registration etc) Act 2019, which received Royal Assent in May and which requires an SI by the beginning of December in order for opposite-sex couples to enter into a civil partnership. The retail sector has confirmed that it is ready. The Chamber by the Minister responsible for the UK’s Brexit planning and that they appear to bear little relationship to the situation on the ground, will the Government do Parliament the courtesy of scheduling a full debate on this issue to get to the bottom of things and give the right hon. Gentleman a chance to provide much-needed clarity on just what exactly we will be facing in a few weeks?

Mr Rees-Mogg: I am sure that what the Chancellor of the Duchy of Lancaster said was entirely accurate. You will always find some remoaner to disagree.

Deidre Brock (Edinburgh North and Leith) (SNP): The Chanceller of the Duchy of Lancaster—I advised of my intention to mention him in the Chamber—said in the Chamber on Wednesday:

“The automotive sector, which I met earlier this week, confirmed that it was ready. The retail sector has confirmed that it is ready”—[Official Report, 25 September 2019; Vol. 664, c. 722.]

The representatives of the industry at that meeting, however, denied this was the case, saying, among many other things, that the claims did not “bear reality”. Similar concerns have been raised by other industries and sectors. Given that the comments were made in this Chamber by the Minister responsible for the UK’s Brexit planning and that they appear to bear little relationship to the situation on the ground, will the Government do Parliament the courtesy of scheduling a full debate on this issue to get to the bottom of things and give the right hon. Gentleman a chance to provide much-needed clarity on just what exactly we will be facing in a few weeks?

Mr Rees-Mogg: I am sure that what the Chancellor of the Duchy of Lancaster said was entirely accurate. You will always find some remoaner to disagree.

Ged Killen (Rutherglen and Hamilton West) (Lab/Co-op): Yet another ATM in Blantyre in my constituency turned off―reading that in the Official Report. May I add, Mr Speaker, that the Chamber today has been a model of civility all afternoon compared with last night? Parliament is back to what it was. May I suggest that to get rid of the toxicity and disorder last night that Acts of Parliament be referred to by their proper names as assented to by the Queen, so that we do not get these tabloid monikers and pejorative titles? The Leader of the House is one of the sticklers and I am sure would like this to happen. Perhaps the Speaker might rule it disorderly. It was the references to an Act that stoked the fires of toxicity and disorder last night.

Mr Rees-Mogg: It is being considered very carefully.

Mr Chris Leslie (Nottingham East) (IGC): The fact that the Leader of the House has announced more than a dozen pieces of business disproves the nonsense that we could have had a luxurious five-week Prorogation. There is tons of business that needs to be attended to, including the lack of progress on the Trade Bill. We have a dysfunctional arrangement for scrutinising the trade arrangements with the United States, for example. Those arrangements are continuing, and it is totally unacceptable. When will we get a chance to scrutinise these things according to law?

Mr Rees-Mogg: The Trade Bill contains a bit on a customs union, which would be an absolute disaster. It will not come back in that form.
Geraint Davies (Swansea West) (Lab/Co-op): Nine-
year-old Ella Roberta died after being admitted to
hospital 28 times in three years for acute respiratory
problems because she lived 25 metres from a road in
south London that exceeded legal pollution limits. When
will the Leader of the House find time to debate a clean
air Bill and bring forward the Environment Bill to
include those provisions, so that 62,000 people do not
die prematurely each year?

Mr Rees-Mogg: I am very grateful to the hon. Gentleman
for raising that very sad case. Obviously, it is important
that we have clean air. The Government have an ambitious
policy to improve the quality of the air in this country,
and we are pushing forward on that.

Dr Rupa Huq (Ealing Central and Acton) (Lab): I
thank you, Mr Speaker, for your words last night
acknowledging that it is ethnic minority women who
often bear the brunt of words not only by Members in
this House, but in columns denigrating them as letterboxes
and bank robbers. I want to put to the Leader of the
House this point made to me by Matt from Ealing. He
says that he was watching the debate last night with
despair—I, too, was watching the debate at home very
late, as we do not all have a nanny for our childcare—as
there was a continual refusal on the part of the Prime
Minister to answer any of the questions put to him. He
said, “Is it not within the remit for them to answer the
questions put to them?” Does the Leader of the House
agree that, if the quality of the exchanges were better,
there would be more respect outside for us, and we
would be able do our jobs better.

Mr Rees-Mogg: I do share the hon. Lady’s concern
about the quality of exchanges and the embarrassment
of those on the Opposition Benches who saw their
leader having his Neil Kinnock moment yesterday.

Tim Farron (Westmorland and Lonsdale) (LD): Will
the Leader of the House make time for my now
de-prorogued Bill on access to radiotherapy treatment?
It is wrong surely that cancer sufferers should have to
tavel day after day, week after week, for three-hour
round trips for cancer treatment. Would it not be right
to place satellite units in places such as Kendal, so that
we can have longer lives and shorter journeys?

Mr Rees-Mogg: The general point on private Members’
Bills is that, if we get to a new Session, there will be
more Fridays, a new ballot and the opportunity for
Members to bring forward their bills. That would be the
best way to go about it.

Chris Bryant (Rhondda) (Lab): Would it not improve
the atmosphere in all our debates in the House if we
returned to an older tradition and took a self-denying
ordinance refusing to clap?

Mr Rees-Mogg: Yes, yes and yes.

David Linden (Glasgow East) (SNP): By his own
admission, the Leader of the House is not very familiar
with nappies or how they work, but I am sure that he is
familiar with my Nappies (Environmental Standards)
Bill. Will he agree to meet me to look at when we can get
it a Second Reading? We might even be able to bring
him a reusable nappy from TotsBots in Queenslie.

Mr Rees-Mogg: I am very grateful to the hon. Gentleman
for his question. I have a general rule which I am happy
to tell the House: as Leader of the House, I will meet
any Member who wants to see me to discuss nappies or
any other subject that comes to mind. It is important
that hon. and right hon. Members have access to people,
and I know, Mr Speaker, that you think the same.

Kerry McCarthy (Bristol East) (Lab): If I can start by
asking the Leader of the House to pass on my
congratulations to his niece, who, I gather, was selected
for Stafford last night. I am slightly disappointed that
she is not standing against me again given the 2017
result.

On a more serious note, we both raised at Prime
Minister’s questions before the summer recess the case
of my constituent Jake Ogborne and access to the drug
Spinraza. It has been raised a number of times in
various different forums in this House. What does the
Leader of House think that we can do to try to make
sure that Jake’s case is raised again?

Mr Rees-Mogg: May I thank the hon. Lady for her
characteristically generous words? That is very much
appreciated and, as my neighbour in Somerset, it is kind
of her. I will certainly pass that on to Theodora. I am
now bound by collective responsibility, but my views on
Spinraza have not changed since I became Leader of
the House. She has quite rightly raised this issue, and I
will write to the Secretary of State for Health making
the point that she has made.

Chris Stephens (Glasgow South West) (SNP): May I
draw the attention of the Leader of the House to
early-day motion 2719 celebrating the football career
and life of Fernando Ricksen, the former captain of
Rangers Football Club, who died last week as a result of
a long battle against motor neurone disease?

[That this House notes with the deepest sadness the passing of
Fernando Ricksen, the former captain of Rangers Football Club
and Netherlands International who died on 18 September 2019 at
the age of 43 after a heroic and brave battle with the life shortening
nerve and brain illness Motor Neurone Disease; recognises his huge
contribution to football, winning titles in the Netherlands with
Feyenoord and AZ Alkmaar, seven trophies including two
league titles in Scotland with Rangers FC before going on to win
UEFA Cup and UEFA Super Cup with Zenit St Petersburg in
2008; pays tribute to the brave and inspiring way he fought against
his illness both raising awareness and funds for the Fernando
Ricksen Foundation which aims to help others suffering from the
incurable disease; and extends sincere sympathy to his wife
Veronika, his daughter Isabella and all his family, friends and in the
football family who are mourning his loss.]

Mr Rees-Mogg: I understand that a foundation has
been set up in honour of Mr Ricksen to raise funds to
help people and to have further research into these
diseases. The hon. Gentleman is absolutely right that
motor neurone disease is a particularly horrible illness
and one that the health service will need to look at with
importance. I will pass on his comments to the Secretary
of State.

Kevin Brennan (Cardiff West) (Lab): I commend the
Leader of the House for agreeing to meet all Members.
I have always found that, if any Minister refuses to meet
a Member, a diet of 10 written parliamentary questions a day until further notice soon does the trick—that is just a tip for newer Members. However, on the issue of Prorogation, I understand why the Leader of the House said he cannot give us the date because of his consultations with Black Rod about the arrangements for state opening, but can he at least confirm for the benefit of the House—I am sure he can—that the Government do not intend to prorogue next week?

Mr Rees-Mogg: First, on written questions, I think I put down more than 300 written questions on the European arrest warrant. It did not necessarily get me what I wanted, but it certainly kept somebody busy. Prorogation will meet the judgment of the Court and, therefore, will be the time necessary to move to a Queen’s Speech, and no more.

Alison Thewliss (Glasgow Central) (SNP): The Leader of the House has already dingied my request to have my supervised drug consumption Bill heard in the House, but could he instead, as an alternative strategy, ask Ministers in the Home Office whether a statutory instrument could be laid to create an exemption to the Misuse of Drugs Act 1971 to allow Glasgow to get on with the job of saving lives?

Mr Rees-Mogg: This is an opportunity for issues exactly like that to be raised, and I will always pass on Members’ comments and requests for statutory instruments to the relevant Secretary of State. Of course I will do that.

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): Today’s urgent question on the arms trade to Saudi Arabia indicates that there is a bigger issue here. Will the Government schedule a longer debate in Government time, and will the Leader of the House, in particular, consider turning the Committees on Arms Export Controls into a stand-alone Committee, which is in his gift?

Mr Rees-Mogg: Very few things are within my gift that specifically; I think that is in other people’s gift as well. The issue was raised; there was an urgent question. The hon. Gentleman knows how to ask for Standing Order No. 24 debates and how to go to the Backbench Business Committee. However, the Government have announced their schedule of business for next week.

Graham P. Jones (Hyndburn) (Lab): When can we have a debate on the strategic road network in the north-west, particularly the M65 extension through to the M1? Perhaps the Leader of the House could advise me how best to pursue this, either through his good offices, or through the office of the right hon. Member for West Dorset (Sir Oliver Letwin).

Mr Rees-Mogg: I am getting slightly repetitive at this stage, but I think the best opportunity would be during the Queen’s Speech, once we have a new Session of Parliament and when there is time—days of debate—for Members to raise, with a Minister present, really serious and important issues, and particularly ones relating to infrastructure. I hope the hon. Gentleman will do that.

Gavin Newlands (Paisley and Renfrewshire North) (SNP): The collapse of Thomas Cook has deprived around 300 people in my constituency of their livelihoods. I have been contacted by a Thomas Cook employee suggesting that some of the figures used by the Transport Secretary were incorrect and, moreover, that tens of millions of pounds were stripped from the business just hours before it became insolvent. Can we please have a debate on this important issue?

Mr Rees-Mogg: I am sorry to hear of the job losses in the hon. Gentleman’s constituency. It is always a blow to the individuals concerned when businesses fail. It seems that really serious questions have been raised about the way money was taken out of Thomas Cook and about the payments that were made, and other, more senior Ministers than I have made these points as well. I unquestionably believe in free markets, but free markets require people to behave properly and to view the companies they are running as a trust, rather than as something that can simply be stripped of its assets and run dry. There is therefore a very good argument for what the hon. Gentleman is saying, and I hope he will have his application in to the Chairman of the Backbench Business Committee by 2.30 tomorrow.

Alan Brown (Kilmarnock and Loudoun) (SNP): I have a constituent whose husband was declined a credit card because their bank classed a car lease as unsecured debt, when it is clearly secured debt. Yet she herself was able to get a credit card from the same bank, which is illogical. As the ombudsman says, banks can set rules as they see fit. My constituent would like a Government statement on how we can set more competent credit assessment rules for banks so that they can be held to account.

Mr Rees-Mogg: I think that really is a matter for the Governor of the Bank of England, but it might be worth taking it up with the about-to-be-elected Chairman of the Treasury Committee, who may be able to call him in to ask him about the important question of credit control by banks.

Mr Speaker: And that election will take place in the course of October, as I suspect the hon. Member for Kilmarnock and Loudoun (Alan Brown) will know.
**Points of Order**

2.59 pm

**Liz Saville Roberts** (Dwyfor Meirionnydd) (PC): On a point of order, Mr Speaker. The Supreme Court told us with great clarity this week that accountability lies at the heart of parliamentary democracy. I seek to know what resorts we have when the Prime Minister respects no boundaries in his tactics, language and conduct—and does that to avoid or deflect accountability. Could you advise me, therefore, on the applicability of an impeachment motion or, alternatively, censure by the House relating to the conduct of the Prime Minister?

**Mr Speaker:** I thank the right hon. Lady for her point of order and for her characteristic courtesy in giving me advance notice of her intention to raise it. There are various ways in which right hon. and hon. Members can seek to debate the conduct of Ministers and, indeed, of others on the Floor of the House. My suggestion is that she visit the Table Office, where the Clerks will be ready to advise her in more detail on the options open to her.

**Dr Matthew Offord** (Hendon) (Con): On a point of order, Mr Speaker. Back in March, I was invited to visit Sufra NW London food bank to understand the work it is taking part in on behalf of my constituents. I followed the parliamentary protocol of informing the hon. Member for Brent Central (Dawn Butler) that I would be visiting Sufra, as it is in her constituency. It therefore came as quite a surprise that the Brent Central Labour party and Brent Momentum tweeted an identical picture of six men saying that they had heard I was planning a photo op and would be going along to make their feelings known. Neither my office nor Sufra had advised anyone of the meeting.

I will not impugn the reputation of another Member, but can you advise me, Mr Speaker? If any Member or, indeed, the staff in their parliamentary office was responsible for leaking information about the whereabouts of another Member, what action would the House take against them?

**Mr Speaker:** I hope the hon. Gentleman will forgive me, but even if he does not, I cannot possibly be expected to know the circumstances that he has just described. That is the first point. Secondly, although he has kindly told the House that he informed the hon. Lady of his intention to raise the matter, I have not heard her viewpoint on it. Manifestly, it cannot be here and now, at 3.01 on Thursday afternoon, a matter for adjudication by the Chair. I should have thought that was readily apparent.

The hon. Gentleman has made his point and registered his displeasure. I am sorry if he has felt ill served by the way in which he has been treated or by the reaction to his visit, but palpably it is not a matter for me now. We do have other business that is quite heavily subscribed, which he might concede is more pressing.

**Diana Johnson** (Kingston upon Hull North) (Lab): On a point of order, Mr Speaker. You often advise Members of this House that they should persist, persist, persist, so I shall attempt to persist. I wrote to the Prime Minister seven weeks ago seeking a reply on the need for compensation to be paid to those affected by the contaminated blood scandal, on the basis that one victim was dying every four days. I asked the Leader of the House three weeks ago if he would assist me in getting at least the courtesy of a reply and sent my letters to him. Since then, I have heard nothing. I have not had the courtesy of a reply. I wonder what your view is, Mr Speaker, about a Member of Parliament writing to the Prime Minister and his not being able, with the whole range of the civil service at his disposal, to at least provide an acknowledgement of the letter.

**Mr Speaker:** Frankly, I am astonished by that. There is a long-established convention in this place that questions to Ministers are answered in a timely and, preferably, a substantive fashion. The corollary—I say this as much for the benefit of those who want our proceedings to be intelligible as to Members of the House who may know already—is that letters that are sent to Ministers should be timeously answered.

The Leader of the House at any given time has always accepted the responsibility to chase progress on these matters. I hope the right hon. Member for North East Somerset (Mr Rees-Mogg) will forgive me if I say that the role of Leader of the House could almost have been invented for the benefit of the right hon. Gentleman. I know that he will take his responsibility in this matter extremely seriously. I hope that he will chase a reply.

I also say to the hon. Lady, as I happen to be very familiar with the issue—although the principle applies whatever the issue—and to have granted several urgent questions to her over the years that she has been an indefatigable campaigner on the matter, that whether or not she gets a reply—substantive or not; satisfactory or not—if she wishes when we return to pursue the matter on the Floor of the House, she will get the chance to pursue it all right.
Principles of Democracy and the Rights of the Electorate

Mr Speaker: We come now to the general debate on principles of democracy and the rights of the electorate. We have until 5 o’clock. I have spoken to the Minister, who has undertaken to try to deliver an economical speech, although of course he does have the Floor and it is important that we hear the Government’s position.

3.4 pm

The Minister for the Cabinet Office and Paymaster General (Oliver Dowden): I beg to move,

That this House has considered the principles of democracy and the rights of the electorate.

This is a Government who believe in letting the British people exercise their democratic rights, and as Minister for the Cabinet Office my responsibilities include the smooth running and safeguarding of our elections and ensuring that every elector has the opportunity to cast their vote.

Since we came to office in 2010, we have made significant progress to give more people a say. Through the implementation of individual electoral registration, we have grown the electoral roll to nearly 47 million people—the biggest that it has ever been. People across the country are now able to go online to ensure that they have the opportunity to cast their votes. We have worked to open up the franchise for homeless people and increased accessibility for those with disabilities. We have committed to introducing voter ID, to protect the ballot and to stop those who want to steal other people’s identities and votes. Voters deserve to have confidence that their elections are secure and protected from electoral fraud.

Several hon. Members rose—

Oliver Dowden: I thank the hon. Gentleman for his intervention. I would recommend that he read the Electoral Commission’s report on that subject. I frankly find it astounding that Opposition Members should think that introducing voter ID reduces the amount of fraud more than it reduces the participation of legitimate voters?

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): Can the Minister tell me what evidence he has that introducing voter ID reduces the amount of fraud more than it reduces the participation of legitimate voters?

Oliver Dowden: I thank the hon. Gentleman for his intervention. I will give way once more, but am conscious of the need to make progress.

Several hon. Members rose—

Oliver Dowden: I will give way once more, but am conscious of the need to make progress.

Mr Baker: The hon. Member for Wycombe for his intervention. I always welcome his help and support in relation to evidence, and look forward to that discussion.

Several hon. Members rose—

Oliver Dowden: I thank my hon. Friend the Member for Wycombe for his intervention. I always welcome his help and support in relation to evidence, and look forward to that discussion.

Mr Baker: The hon. Member for Brighton, Kemptown (Lloyd Russell-Moyle) asked, “Will you take it to the police?” I am happy to tell the House today that in the 2015 election, my agent and I told our candidates—because there was a district council election at the same time as mine—that if there was any evidence of malfeasance we would be the first to take it to the police; so I found myself knocking on the door of the police station with the Liberal Democrat candidate and my agent, to report somebody who was subsequently arrested. Unfortunately he was not prosecuted, and he was one of mine. I will not have any abuse of the electoral system, and although I understand the hon. Gentleman’s concerns, I must tell him that we have got to sort this mess out.

Oliver Dowden: I thank my hon. Friend for that intervention. There is nothing further that I can add to that, but I noticed that the right hon. Member for East Antrim (Sammy Wilson) was seeking my eye.

Sammy Wilson (East Antrim) (DUP): Is the Minister aware that in Northern Ireland, as a result of the increase in proxy votes and postal votes, to which the Electoral Commission has turned a blind eye, and which is done on an industrial scale by Sinn Féin, who look at the marked register, find out who has not voted in the last election, visit them and get the forms filled in, at least two members of the SDLP probably lost their seats to electoral fraud in the last election? Will he take that matter up with the Electoral Commission, which seems to have no desire to address that issue?

Oliver Dowden: Obviously, the Electoral Commission in Northern Ireland is independent, but the right hon. Gentleman has made his point very clearly.

Sever al hon. Members rose—

Oliver Dowden: If Members will forgive me, I will make a little more progress, and then I will give way to the hon. Member for Kilmarnock and Loudoun (Alan Brown).

We are working to reduce intimidation around the ballot box, and intimidation of those in public life. I am sure the whole House will agree that the latter is a deeply worrying trend that we must reverse. Indeed, earlier this year the Government legislated to prevent candidates in local elections from having to declare their addresses on the ballot paper. We have consulted on, and committed ourselves to, a new electoral offence to prevent people from intimidating candidates and campaigners.

However—and this, really, is the essence of the debate—more important than the preparations for an election are the consequences of that election. One seismic democratic event has dominated our proceedings since I
was elected to the House in 2015, and that, of course, is our referendum on membership of the European Union. It was something that we had promised in the manifesto on which I was elected, and I well recall the deep scepticism of voters that we would ever deliver on it. Frankly, I do not blame the voters. Other parties had been promising referendums for years: Labour in 2005, the Liberal Democrats in 2008, and the Greens in 2010. In fact, one way or another, every major political party other than just the Government of Scotland?

Oliver Dowden: The hon. Gentleman has made an excellent point. As I was about to say, I supported remain during the referendum campaign, but from the early hours of the morning, when we received the result, I was completely clear about the fact that my job, as a Member of Parliament, and the job of the Government was to deliver on it, and that is exactly what we should be doing.

Joanna Cherry (Edinburgh South West) (SNP): May I return the Minister to the subject of EU citizens? When I am out campaigning in the streets of Edinburgh South West in a British general election, EU citizens often come up to me and ask why they are allowed to vote in a Scottish parliamentary election but not in a British general election. Given that EU citizens make a net contribution to the British economy, what possible justification is there for not allowing them to vote for the Government of the whole United Kingdom rather than just the Government of Scotland?

Oliver Dowden: It is generally the case that there are not reciprocal voting rights, and our position aligns with that of virtually every other European state in that regard, so I do not think we are outliers in the way that the hon. and learned Lady suggests.

People were surprised that we actually delivered on that referendum. We were not the only ones to support holding it. In the Lobby, we won by 544 votes to 53 to give people a say, which is 10:1. Indeed, seven of the eight Liberal Democrat MPs voted for it. That was quite a strong showing, really, for a party that now says that the outcome of the referendum does not count. After we voted for the referendum, we went to the public and made our case. Did any of us make the argument then, as is now being advanced by some, that the referendum was merely advisory? No, we were absolutely clear that this was in or out, remain or leave. Every vote was equal, every vote would count, and whatever the outcome, we would respect it: no caveats, no small print.

As I said to the hon. Member for Blackley and Broughton, I supported remain in the campaign but—do you know what—I accepted immediately that we had lost. The British people took a different view, and that was their right. From the moment that result was declared I accepted it, because one thing I believe passionately is that politicians do not get to choose which votes to respect. When we ask the public for an answer and they give us one, we should simply get on and deliver it, even if it was not the result that was desired. The House seemed overwhelmingly to accept this, and it invoked article 50 with very little dissent. Immediately afterwards, we had an election in which 80% of the people voted for parties whose manifestos explicitly supported the United Kingdom leaving the EU. This represented a second democratic event relating to our membership of the European Union and a second mandate from the British people to leave.
Ian Mearns (Gateshead) (Lab): The Labour party manifesto, for which many millions of people voted, explicitly said that we would respect the outcome of the referendum but that we would absolutely work against a no-deal Brexit.

Oliver Dowden: I say to the hon Gentleman that a deal was put forward by the last Prime Minister, my right hon. Friend the Member for Maidenhead (Mrs May), and I voted for that deal three times. I do not remember the hon. Gentleman being in the Lobby with me.

Since that moment of unity on the outcome of the general election campaign, parliamentarians have got stuck. We have talked endlessly about this. There have been hours of debates, motions, votes and Committees, and extraordinary parliamentary manoeuvres on all sides. Three whole years have ticked by, and while we have been double-checking the finer points of “Erskine May”, the public have been wondering what on earth we have been doing in this place.

Mr Bob Seely (Isle of Wight) (Con): The Minister has talked about the spirit of unity. Will he join me in congratulating the 11 members of Her Majesty’s major Opposition party who are attending this debate? Having forced us back after demanding that Prorogation should not happen, the rest have all gone home.

Oliver Dowden: My hon. Friend makes an important point. I remember the cries of outrage on Prorogation and the demands that Parliament should return because we had so much to discuss. Opposition Members were desperate to discuss these things, yet here we are, mid-afternoon on a Thursday, two days in, and I think I can count the number of Labour Members present on the fingers of one hand.

None of us came into Parliament to avoid making decisions, to duck the issues or to indulge ourselves in parliamentary processes, but to the outside world this appears to be exactly what the House is doing.

Mr Alistair Carmichael (Orkney and Shetland) (LD): If, as the right hon. Gentleman says, we were not elected to avoid making decisions, why did he seek to support a Prorogation when we still had 12 Bills outstanding?

Oliver Dowden: We could spend forever rehashing the political and legal arguments relating to Prorogation. The Government have accepted the outcome of the Supreme Court, although we disagree with it, and that has put an end to the matter. I do not think it will serve the House to discuss it any further. That is why we are back in this place.

To the outside world, all the House appears to do is say no: no to a second referendum; no to the single market; no to a customs union; no, no and no again to a deal. Perhaps most bizarrely of all, Her Majesty’s Opposition urge no to a no confidence motion. It is clear that we have reached an impasse. This Parliament becomes more entrenched and less effective by the day.

Justine Greening (Putney) (Ind): The Minister will know that the closest the House came to saying yes was when we held indicative votes. They took place over approximately four sitting days and we managed to get closer to an agreement than the previous Prime Minister had done in about two years, ignoring the House when it said that it did not support her withdrawal agreement. Is one option for the Government to explore again across the House what can find consensus? If that consensus was on a deal, but a deal to be put back to the people in a referendum, would the Minister accept the House’s yes to that step forward?

Oliver Dowden: The right hon. Lady is a passionate campaigner for a second referendum, but I seem to recall that the only amendment that passed was the Brady amendment, which sought to remove the backstop. That is precisely the position that the Prime Minister is pursuing in his negotiations.

Justine Greening: We are back here because Britain is in crisis. We have not prorogued or had a recess because of that. I simply ask the Minister an important question: if the House agreed to pass the Prime Minister’s deal, subject to a referendum, would the Government accept that?

Oliver Dowden: No, it is not the Government’s position to support a second referendum.

Justine Greening: You’re the one saying “no” there.

Oliver Dowden: For the simple reason that I honestly do not believe that a second referendum would solve anything. I have yet to hear people who voted leave proposing a second referendum.

Mr Carmichael: Will the Minister give way?

Oliver Dowden: I am answering the right hon. Lady’s point, if the right hon. Gentleman will allow me.

The only proponents of a second referendum are those who wish to reverse the result of the first. If we were then in a position whereby we had one vote for leave in a referendum and one vote for remain in another referendum, how would that in any way solve the situation? Surely a better solution is to agree a deal and for the House to pass that deal so that the country can move on, which it so desperately wishes to do.

Sammy Wilson: Does the Minister accept that some of those who call for a second referendum have even made it clear that if it gave a result that they did not like, they would not accept it anyway?

Oliver Dowden: The right hon. Gentleman is absolutely right.

The Government have offered yet another electoral event to try to solve the matter. We have been clear that we wish to have a general election; so we could go back to the public a third time. However, I do not suspect that, in the end, the result would be any different—people want us to get on with this. The consequences of ignoring the principle of the electorate’s right to have their decisions implemented are only too real. People are losing faith. A recent poll found that 77% of people say that their trust in MPs across the political spectrum has fallen since the Brexit vote. Another found that opinions of our governing system are at their lowest for 15 years—lower even than during the expenses scandal. I am sure that all hon. Members agree that we do not want that to continue.
[Oliver Dowden]

What are we, as MPs, here for? We are here to represent the people. We are not here for ourselves, but for the people who elected us—the people whom we serve—and to vote, decide and deliver. When we cannot do that, we must surely accept that the right and proper thing to do is submit ourselves again to the electorate. We go back to our constituents and ask the electorate for the chance to serve them again or let them choose someone else. That is how our Parliament is supposed to work when it faces gridlock—to refresh itself through a general election—and that is why my right hon. Friend the Prime Minister has twice offered the opportunity to have that general election, but now we are faced with the most extraordinary “no” of all. The Leader of the Opposition has twice said no to calling that general election.

Sir Patrick McLoughlin (Derbyshire Dales) (Con): The Prime Minister put forward the chance of an election, and that election would have taken place before the European Council. It would have been possible at that European Council for the Prime Minister, whether the current Leader of the Opposition or the present Prime Minister, to propose a change and to get the deal they want. Why does my right hon. Friend think the Opposition are so afraid of having that opportunity to move on. I am conscious that Mr Deputy Speaker also wishes me to move on, so I will wind up my remarks very shortly.

Mr Deputy Speaker (Sir Lindsay Hoyle): We are obviously up against time. The spokespeople for the other parties need to come in, and 14 Back Benchers also want to speak. I am concerned that we will run out of time very quickly.

Oliver Dowden: Thank you, Mr Deputy Speaker.

We want to get on with our job as legislators and move on to the things that people want us to focus on: their hospitals, their schools and the safety of their streets. That is what this Government are determined to do.

I commend this motion to the House.

3.28 pm

Cat Smith (Lancaster and Fleetwood) (Lab): I regret that we are having yet another general debate, rather than making progress on all the outstanding legislation. After all, is it not an important principle of democracy and the expectation of our electorate who sent us here that we make progress on passing legislation?

The principles of democracy are important, and I welcome the topic of this debate. I also welcome the Parliamentary Secretary, Cabinet Office, the hon. Member for Norwich North (Chloe Smith) back to the Front Bench following the birth of her daughter.

In the current political climate we, as elected Members of this House, must demonstrate our commitment to upholding the principles of democracy and the rights of the electorate. I remind the House that we would all do well to conduct this debate in a civil manner and to remember that words matter. I am sure all Members would agree that yesterday was not a good day for this House. Let us acknowledge now that the language coming from two sides is throwing petrol on the toxic nature of debate in our country. It is as wrong to call someone a fascist simply for having voted leave as it is to call someone a traitor simply for having voted remain.

Mrs Madeleine Moon (Bridgend) (Lab) rose—

Mr William Wragg (Hazel Grove) (Con) rose—

Cat Smith: Given Mr Deputy Speaker’s earlier remarks, I will give way only once.

Mrs Moon: It is my hon. Friend’s use of the word “fascist” that got me. I have just had a message from one of our female colleagues, whose office has been attacked and has had to be closed down by the police because a demonstrator was shouting, “Fascist”. I have also read on Twitter:

“Addressing journalists in Westminster, a senior government source has warned that abuse of MPs will get worse if they pursue a second referendum: ‘What do they think is going to happen?’”

Does my hon. Friend agree that such language causes risk and danger to us all on a daily basis?

Cat Smith: I am chilled and shocked by what my hon. Friend has just said, which reflects the language that I think we all know is being used out there in communities.
Mr Wragg: Will the hon. Lady give way?

Cat Smith: I will not give way again, because I am conscious that the time remaining is very tight and that a number of Back Benchers wish to speak.

Words matter because they have consequences. I am genuinely concerned that the disgraceful, demeaning and defamatory language that is being used in this House will only whip up more division in our country and communities.

I am drawn to something that the right hon. Member for Maidenhead (Mrs May) said in her final speech as Prime Minister, namely that “ill words that go unchallenged are the first step on a continuum towards ill deeds—towards a much darker place where hatred and prejudice drive not only what people say but also what they do.”

It seems fitting that those words, which I completely agree with, were said by a Prime Minister whom I opposed, because it is so important that we do not lose the ability to disagree with each other without demeaning each other.

In the context of this week’s historic Supreme Court ruling, this debate is a timely reminder of why we must respect these crucial principles and rights. It cannot be right that the Prime Minister was found by the highest court in our land to have unlawfully shut down our Parliament, suspending democratic accountability and attempting to gag opposition to his reckless plan to crash out of the European Union without a deal. All 11 judges concluded that there was no reason for the Prime Minister to have shut down Parliament and ruled that his actions were unlawful. This attempt to undermine our democracy shows that the Prime Minister is unfit for office and he really should resign immediately. Anything less than resignation would damage the authority of the office of Prime Minister and further undermine public confidence in our political system.

What kind of lesson does this teach our young people? How can we, as elected representatives, expect our constituents to comply with the law when the most senior person in public office acts unlawfully and appears to show no remorse on such an important issue? As the shadow Minister for youth affairs, I speak with young people up and down the country. Many share a sense of anger over the criminalisation of their music and the narrative coming from certain parts of the media that drill music is behind the tragic surge in violence. How are we as politicians in any position to accuse drill artists of glorifying violence when politicians themselves are not held responsible for the violent language they use and the impact it has on the culture and climate of debate?

During this debate, the Government have said that they want a general election. We can all agree on that. The Opposition would like an election at the earliest possible opportunity. However, we cannot trust this Government and this Prime Minister not to use this crisis of their own making to drive our country over a no-deal cliff edge in five weeks’ time. If the Government want an election, they should get an extension and then we will have an election.

The only way to respect the electorate when the election comes is to offer the public a vote on Brexit, putting control back into the hands of people in a confirmatory referendum, with a real choice between a credible leave option or remain, but I do not believe for one moment that resolving Brexit or “getting it done” will bring our country back together. Until we acknowledge that the result of the EU referendum in 2016 was not just about the EU, we cannot heal our country. In our heart of hearts, we must surely know that that vote was not solely about trading relationships, single markets or courts of justice.

We need to start talking about why people feel so left behind or have no sense of hope, and why people do not feel security in their jobs or in their homes. We need to start talking about poverty. We need to start talking about the way in which the Government systems treat people as numbers and not as people. We need to start talking about the personal independence payment and universal credit, and why people are being judged fit for work just days before they die. Unless we heal this country by addressing those huge inequalities—regional inequalities and class inequalities—it will not matter if it is a hard Brexit or a soft Brexit, and it will not matter if Brexit does not happen at all, because the real divisions in our communities will still be there.

Let me be controversial: Brexit is not the biggest issue facing our country. We would be a lot closer to the real biggest issue if we looked at the reasons why Brexit happened. What this country needs is a Government who are serious about ending austerity and about providing hope and a decent future for people. Were we having this debate in normal political times, I would have criticised the Government for their track record—their oppressive and mandatory voter ID, unfair constituency boundary changes and the individual electoral registration that has resulted in up to 9.4 million people not being registered correctly on the electoral roll. Those are just a few examples of key policy areas where over the past decade this Government have tried to manipulate our democracy and limit the rights of the electorate. However, I will focus instead on the practical solutions that this House could implement not only to uphold but to enhance our democracy. I believe that one way to achieve that would be to reform the franchise.

For years, Opposition parties and, to their credit, some Government Members have called on the Government to extend the right to vote to 16 and 17-year-olds. This would open up our democracy to a generation of young people, giving them a say on the future of their country and demonstrating that we take their views seriously. Ahead of the most important general election for a generation, I urge the Government to consider their position on that.

Yesterday, at the Labour party conference, a motion was passed furthering our policy to grant voting rights to all UK residents, because people who live here and contribute in our communities deserve a say on the future of this country. Will the Government adopt Labour’s new policy and massively expand the rights of the electorate?
We need to increase voter registration radically. The study published today by the Electoral Commission shows that up to 9.4 million people are not registered correctly to vote—an increase of 1 million voters since the commission’s previous estimate. It is an unprecedented democratic crisis, which the Government have done nothing to address. In fact, the Prime Minister even tried to fix the election date to make it harder for students to take part. What kind of message does this send to our young people, who already think that politics is failing them? Instead, all political parties should be using their social media platforms and encouraging their activists on doorsteps to encourage voters to register to ahead of the general election.

We also need policy reform. The current system of individual electoral registration actively punishes mobile, marginalised and vulnerable voter groups and makes it harder for them to take part in our democratic process. To unlock millions of potential voters, the Government should examine the use of Government data to place people the electoral roll automatically. That would help to ensure that every eligible voter can have their say.

We also need to stop big money running our politics and corrupting our democracy, which is why Labour will ban donations to political parties from anyone who is not registered to pay tax in the UK. If people do not want to contribute to our public services, they should not be able to influence our democracy. This is what democratic principles look like. So whatever the motives behind today’s debate—and the topic is welcome—our country is at a turning point, and it is the duty of us all to respect the principles of democracy and the rights of the electorate.

Several hon. Members rose—

Mr Steve Baker (Wycombe) (Con): I was very pleased earlier today that the hon. Member for Birmingham, Yardley (Jess Phillips) acknowledged that there is a common sense of good motive among Members of Parliament from all parts of the House. I confess that that has not always been reflected in the tone of many of the debates that I have attended, which has been a cause of some sorrow to me, because I believe that there is a huge amount of common ground in this debate on the principles of democracy and the rights of the electorate. Indeed, we were elected to Parliament to uphold those very rights.

I think most of us have a common dream—a dream of a society that is ever more prosperous and free; virtuous or, if not, at least seeking to become more virtuous; and happy, with people pursuing their goals and flourishing to their fullest extent, not trapped in poverty. The shadow Minister talked about the inhumanity and bureaucracy under this Government. I ask her please to read the Centre for Social Justice reports at the time leading up to the 2010 election, because they show that the state is never an instrument of kindness and compassion under any Government. It is always rule-bound and it is always inhuman. One of the things we all must do, which is not the topic of this debate, is to work out how to enable all the wonderful public servants in all our public services to be freer to express the compassion that they personally feel for other human beings. Members will find on the record a speech I made some time ago on just this subject in relation to the personal independence payment.

Now, I believe that democracy is the foundation of this common dream, and that foundation of democracy is something that I feel very deeply about: the moral, legal and political equality of every person. Every single person, irrespective of their actual merits, should be treated by our systems as morally, legally and politically equal. Somebody mentioned boundary changes earlier. My constituency happens to represent about the right number of people, but some constituencies are way too large and some are way too small. That does not reflect political equality.

Democracy ought not to be idolised. Goodness knows that things have gone wrong in the midst of this political crisis. I have referred to the economic crisis many times; I believe that we are in a profound crisis of political economy that goes way beyond the topic of any one particular debate. The fundamental issue at stake, though, is that we need to be able to restrain the coercive power of the state peacefully, at the ballot box.

I want to quote Karl Popper, a very important philosopher who started off on the left. I believe he was a Marxist who fled from Marxism when one of his friends was killed in a riot and the people organising it had no sympathy, saying that you had to break some eggs to make an omelette. At that point, he started thinking about whether communism was in fact scientific. Popper said—I paraphrase his remarks slightly to reflect the spirit of the day—that “You can choose whatever name you like for the two types of government, and I personally call the type of government which can be removed peacefully at the ballot box ‘democracy’, and the other ‘tyranny’.” And that is the fundamental point. The public must be able to withdraw their consent from a system of government, and have it removed and replaced with a system that they prefer. We need a general election now, because this House has clearly withdrawn its consent from today’s Government. The Government should therefore fall, and we should have a general election. It is unconstitutional—[Interruption.]
The right hon. Member for Orkney and Shetland (Mr Carmichael) grumbles from a sedentary position. I cannot hear him, but I will take an intervention if he wishes to make one.

Mr Alistair Carmichael (Orkney and Shetland) (LD): Surely the point is that what we get with a general election is a change of Government. The hon. Gentleman is talking about a system of government, which is a quite different thing.

Mr Baker: I am talking about both. I am talking about the principles of democracy, which is the stability that comes from both the Government and the system enjoying democratic legitimacy expressed through the ballot box.
My second point is about the European Union. I am here today, although I care about many things, because of the way that the European Union constitution was handled. It was put to referendums in Lithuania, Hungary, Slovenia, Italy, Spain, Austria, Greece, Malta, Cyprus, Latvia, Luxembourg, Belgium, Estonia, Bulgaria, Romania, Slovakia, Germany, and Finland, all of which said yes. I had read the constitution and I knew that when the referendum came I should vote against it because it was too bureaucratic and therefore, I thought, likely to be inhumane. When it went to France and the Netherlands, they said no, and so referendums were cancelled in the Czech Republic, Denmark, Ireland, Poland, Portugal, Sweden, and, yes, the United Kingdom.

But what did the European Union and those who govern it do? They did not change course and say, “It turns out we can’t get this system through the democratic consent of the peoples of Europe, so we must take another course.” As someone who has read Open Europe’s side-by-side comparison of the Lisbon treaty, which replaced the European constitution, next to that constitution will know, they are functionally equivalent. What they did was an absolute democratic outrage. They changed the constitution of France to avoid a referendum and they made Ireland vote twice. That is why I am in politics.

The fundamental issue at stake today—

Dr Julian Lewis (New Forest East) (Con): I get the impression that my hon. Friend is on his peroration, so I cannot resist adding a historical footnote on the Lisbon treaty. When a number of us argued that we ought to have a referendum on the Lisbon treaty in the United Kingdom, one party said that we should not have a referendum on that—we should have an in/out referendum on our membership of the European Union. That party was the Liberal Democrats. Where are they on that position today?

Mr Baker: Of course, as my right hon. Friend knows, they are now committed to always ignoring a leave result. That, too, is an outrage, but at least they are clear about it, and I feel confident that we could rely on them to abide by it.

The fundamental point is that the people must get the Government they vote for, and they must not get the Government they did not vote for but cannot get rid of. This is a fundamental point related to the dreams we all have of a better society. It is about the dignity of the individual and the right of every person to determine their future peacefully at the ballot box.

3.46 pm

Joanna Cherry (Edinburgh South West) (SNP): If the worst thing the Irish could say of the European Union is that it made them vote twice, I can imagine they have a lot worse things to say about their relationship and their union with England.

This week, we had a sterling reminder from the United Kingdom Supreme Court that in the UK we live in a constitutional democracy with checks and balances. As Lord Drummond Young said in Scotland’s highest court:

“The courts cannot subject the actions of the executive to political scrutiny, but they can and should ensure that the body charged with performing that task, Parliament, is able to do so.”

I do not think that anyone on these Benches will take any lectures from members of the Conservative and Unionist party about the importance of democracy when it was their leader who tried to shut down parliamentary democracy for five weeks at a time of constitutional crisis in the UK.

Lady Hale stressed that there are two—[Interruption.] I am happy to take an intervention if the right hon. Member for North Shropshire (Mr Paterson) wants to make one.

Mr Owen Paterson (North Shropshire) (Con): I am grateful to the hon. and learned Lady for offering me the chance to intervene. The point I would make is that we have had this huge national drama over the past couple of weeks as to whether the Prorogation will be ended, because so many Members of Parliament were so extremely zealous to attend and to address the issue of Brexit. But if we look at the Opposition Benches, there are almost as many SNP Members here as Labour Members—that is it—and there are only four of them.

Joanna Cherry: Perhaps if the Government brought some proper business forward, there would be more people here.

I want to return to what Lady Hale said. The judgment of the Supreme Court this week was not very complicated. Many Government Members suggested yesterday that it made new law—it did not. Lady Hale was simply expressing a principle that goes far back in the Scottish constitutional tradition and also in the English tradition that the Government are not above the law. She stressed two principles of our democracy: parliamentary sovereignty and parliamentary accountability. The Executive must be accountable to Parliament. It puzzles me that so many parliamentarians thought this was a novel statement of the British constitution, but that is perhaps because of the lack of a written constitution in the United Kingdom.

Many Members in this House—particularly those on the Opposition Benches—will be familiar with the writings of Justice Albie Sachs of the South African Supreme Court, a great jurist and freedom fighter. When he sat down to write the constitution of the new South Africa, he was shocked to find that Britain, which he was followed the unanimous decision of the three judges in Scotland’s highest court, the Inner House of the Court of Session. In Scotland, our democratic and constitutional tradition goes back to the Declaration of Arbroath in 1320, which we will be celebrating 700 years of next year, and the Claim of Right in 1689. The principle of those documents is that neither the sovereign nor the Government is above the law. It was very refreshing to hear Lady Hale remind us that the same has been the position in England since at least 1611 when she said in her statement on Tuesday:

“As long ago as 1611, the court held that ‘the King (who was then the government) hath no prerogative but that which the law of the land allows him’.”

So constitutional democracy means not a tyranny by the Executive but parliamentary democracy with checks and balances. As Lord Drummond Young said in Scotland’s highest court:

“The courts cannot subject the actions of the executive to political scrutiny, but they can and should ensure that the body charged with performing that task, Parliament, is able to do so.”
looking to for guidance, did not have a written constitution. One of the things that the Brexit crisis and the horror with which the UK Supreme Court judgment has been greeted by some illustrates is the need for the United Kingdom to have a written constitution. But I am afraid to say that I will not be holding my breath for constitutional reform in the United Kingdom. The Scots are very familiar with the oft mentioned promise of federalism whenever Scotland looks close to voting for independence. Gordon Brown is normally wheeled out to promise federalism, but there is never any appetite in this House to make that a reality.

There are many things that could be done to improve British democracy, but the horrified reaction to the checks and balances imposed by the United Kingdom Supreme Court last week shows me that Government Members do not actually understand their own constitution and would probably find it very hard to write it down. Brexit has thrown the constitution of the United Kingdom into crisis. In 2014, during the Scottish independence referendum, which was a great deal more civilised affair than the EU referendum—[Interjection]—Well, nobody lost their life during the Scottish independence referendum.

Luke Graham (Ochil and South Perthshire) (Con): Will the hon. and learned Lady give way?

Joanna Cherry: No. I will not give way. The Scottish Conservatives—and sometimes, I am afraid to say, the Scottish Labour party, but in fairness, not the English Labour party—often like to peddle the myth that the Scottish independence referendum was a violent affair. It was not. I was there. It was a celebration of democracy, and I am pleased to say that nobody lost their life.

I return to the Brexit process. It has thrown the UK constitution into crisis because although there are four constituent parts of this Union, two out of the four of them voted remain, and that has been wholly ignored. That could never happen in the European Union. If the European Union was taking a decision as momentous as Brexit, even a small country the size of Ireland, Scotland or Malta would have a veto.

The reason why this is important is that while the Unionist parties were participating in the festival of democracy that was the 2014 independence referendum, they promised people in Scotland that we were an equal partner in the Union and that the way to retain our EU citizenship was to vote to remain part of the UK. Both those promises have been broken. The Scottish Parliament has come under attack, and constitutional conventions such as the Sewel convention that were put on a statutory footing have had a carriage and horses driven through them.

The result of all that is that a YouGov poll published earlier this month showed that the majority of Scots want a second vote on independence. Of course, the last time Scotland voted for Members of the Scottish Parliament, it elected a majority of MSPs who want a second independence referendum, and the last time Scotland voted for MPs in this House, it elected a majority of MPs who want a second independence referendum. What is sauce for the goose is sauce for the gander. Many Conservative Members—in particular the right hon. Members for Haltemprice and Howden (Mr Davis) and for Maidenhead (Mrs May) and the Attorney General have said in public, “You cannot keep a country in a union against its will.” Of course, they were talking about England and the European Union. It is going to prove impossible in the long term to keep Scotland in this Union against its will, and if democracy means anything it means recognising the mandate that exists in Scotland for a second independence referendum and granting the Scots a second independence referendum, because that is what the majority want.

3.55 pm

Mrs Maria Miller (Basingstoke) (Con): We in this place are all custodians of this country’s democracy, and I think it is right that we should feel that as a heavy weight on our shoulders. In many ways, the reason why yesterday was such a difficult day in this Parliament is that we faced a perfect storm. We faced questions at the very heart of our principles of democracy. We faced questions about freedom of speech and the rule of law; fundamental questions about the very functioning of this Parliament, all of which are at the core of our democracy.

I will deal with each of those so that Members might reflect as we move forward on how we can strengthen our democracy and not undermine it, albeit unintentionally. Members are right that language matters in politics; behaviour matters in politics. I am afraid that the inflammatory language used by Members accusing others of being inflammatory was as damaging as damaging can be. We have to tread carefully in what yesterday became high politics, which risked people feeling as if they could not speak out in the way that they wanted in this Chamber.

Mr Wragg: It is important that we all accept that we are all entirely responsible for our language and the speeches that we make, from the Prime Minister to the most humble Back Bencher. Does my right hon. Friend agree that one of the things that was absent from the urgent question earlier today was a sense of personal responsibility? Is it not incumbent on us all to think of a time when we have impugned the motives of another Member and seek them out this afternoon and simply apologise? Is that not a way we can move on and make this a better place?

Mrs Miller: My hon. Friend makes a strong point. We do need to work together. That is what we do most of the time. Hon. Members have said that calling the European Union (Withdrawal) (No. 2) Bill a surrender Bill is in some way inflammatory. It is not. It is simply a way of explaining to people who did not, as we all did, read it word for word. I could say that calling something a bedroom tax is inflammatory, but this is part of the cut and thrust of politics. For hon. Members to intimidate other hon. Members using that language is wrong, and people should examine their motives for doing so.

The rule of law matters—the second principle and core of our democracy. It is right that the Government—I heard it from both the Attorney General and the Prime Minister—respect and accept the Court’s ruling. But that does not mean to say that they cannot disagree with it. Anyone in this Chamber who has been a Minister will know that Minister’s judgments are often taken to judicial review. While Ministers accept the findings,
they may not particularly agree with them. Why on earth would judicial review be brought in the first place if things were so clear?

Finally, a functioning Parliament matters above all else. It matters that we do nothing to undermine the very core of our democracy, which is a functioning Parliament. If we do that and make Parliament a weaker place while we are here, we are doing a disservice to our constituents. At the moment, at best we have a weak Parliament; some may call it a dysfunctional Parliament or, worse, an illegitimate Parliament.

We are perceived by many of the public to have ignored the referendum result, and we also run the risk of being perceived as a weak Parliament because we are blocking a general election. We are perceived as a weak Parliament because we have a Speaker who is about to retire, and because we have many disenfranchised Members of Parliament on all sides of the House. Those Members may have been elected under one party banner, but they now do not have that banner, and that is what our constituents see day in, day out.

The Minister was right when he said that politicians do not get to choose which votes to respect, and until those who are attempting to block the referendum result change their ways, we risk fundamentally undermining people’s faith not just in politics, but in Parliament itself. In doing so, we risk undermining their faith in democracy in Britain.

4 pm

Ian C. Lucas (Wrexham) (Lab): I was last elected in 2017 on a Labour manifesto to leave the European Union. Just before that general election, I voted for article 50, and subsequently I voted for two different versions of leaving the EU, neither of which were passed by this House. I voted against the previous Prime Minister’s deal because I thought that it undermined the integrity of the UK. Despite the fact that I voted remain in the referendum, on a number of occasions I have voted to leave the European Union, as we all know what the result in the country showed.

Given the time limit, I wish to direct my remarks at the integrity of the Vote Leave campaign and those who ran it, including the Prime Minister, the Secretary of State for the Cabinet Office—I have notified them both that I will refer to them in this speech—as well as Dominic Cummings who advises them, because I think that their conduct and the Vote Leave campaign undermines people’s faith not just in politics, but in Parliament itself. In doing so, we risk undermining their faith in democracy in Britain.

The Vote Leave campaign broke electoral law by conspiring to break campaign spending limits. It did so in a document produced by the Electoral Commission that refers to emails and information from Dominic Cummings. He was working as the campaign director for the Vote Leave campaign, and he conspired with another organisation, suggesting the following:

“However, there is another organisation that could spend your money. Would you be willing to send the 100k to some social media ninjas who could usefully spend it on behalf of this organisation? I am very confident it would be well spent in the final crucial 5 days. Obviously it would be entirely legal.”

In fact, it was entirely illegal and the Vote Leave campaign was found to have committed an electoral offence. The illegality of the Vote Leave campaign meant that it was fined, and those fines were accepted by the campaign itself. Unlike in general elections, breaking the law in a referendum campaign does not overturn the result; it simply imposes a financial penalty.

The DCMS Committee wanted to speak to Mr Cummings, because his evidence is directly relevant to the inquiry and work that we have been carrying out. We wished to speak to him about the relationship with a Canadian company called AggregateIQ, and we asked him to speak to us and give us information. He was found to be in contempt of Parliament because he refused to come and give evidence. He disrespected Parliament. When he was appointed as the Prime Minister’s adviser, after he had been found in contempt of Parliament, the Committee wrote again, asking the Prime Minister to instruct Mr Cummings to give evidence. The Prime Minister has refused and is thereby obstructing a parliamentary inquiry. That is the conduct of the Prime Minister and it shows real disrespect to Parliament.

We also know that the Secretary of State for the Cabinet Office, who was a co-convener of the campaign, is now in charge of electoral reform and data protection in the Cabinet Office—at least I thought that was the case. Yesterday, I asked him whether he had overall control of all the matters in his Department, and he said he was not in control of data protection or electoral matters, which is very odd, because they are situated in his Department.

Even more extraordinary was that when I checked the Cabinet Office website today I saw that it had changed since yesterday. The Secretary of State for the Cabinet Office has deliberately taken steps to avoid responsibility for the role that he played in the Vote Leave campaign. That is mendacious, to quote David Cameron, and the Secretary of State needs to come to the Chamber urgently to explain his role in the Vote Leave campaign and what was involved.

4.5 pm

Mr Owen Paterson (North Shropshire) (Con): It is a great pleasure to follow my near neighbour from Wrexham, though sadly in the time available I will not pick up his points.

I would like to pick up on the early intervention by the hon. Member for Bridgend (Mrs Moon), who mentioned an horrific attack this afternoon using the word “fascist”. I must sadly remind her that there is balance on both sides. I am a member of the European Research Group.

Mrs Moon: The word “fascist” was not my word. It was the word shouted by the demonstrator attempting to break the windows of an hon. Member’s constituency office with her staff behind the windows.

Mr Paterson: Totally understood. The hon. Lady reported this horrendous and completely unacceptable incident. I was making the point that we should all watch our language, but sadly one of her colleagues compared the ERG to Nazis. If you google “ERG fascists”, you get 227,000 results, and if you google “ERG extremists”, you get 176,000. We in the ERG...
Mr Paterson: would like a system of government where Members are elected to this House, from which a Government is formed. If that Government perform satisfactorily, tax sensibly and spend money sensibly, they are re-elected. If they do not perform well, they are removed by voting. That is a pretty basic summary of representative democracy.

The problem now in this country is the huge collision with the juggernaut of direct democracy. I think we have had 11 referendums in recent decades, and they have all pretty well gone along with what the establishment wanted. The political and commercial establishment were happy with the results—on Scotland, Northern Ireland, Wales, and probably the alternative vote referendum, too.

Then we have this current problem. In 2015, David Cameron promised, “If you vote Conservative, we will give you a one-off in/out referendum. We the MPs will give you the people the right to decide whether we stay in or leave the EU.” Possibly to his surprise, he won the election, and then promised to deliver. The right hon. Member for Runnymede and Weybridge (Mr Hammond) took the referendum Bill through the House in 2015. In his winding-up speech, he gave a pretty good summary. He said:

“But whether we favour Britain being in or out, we surely should all be able to agree on the simple principle that the decision about our membership should be taken by the British people, not by Whitehall bureaucrats, certainly not by Brussels Eurocrats; not even by Government Ministers or parliamentarians in this Chamber.”—[Official Report, 9 June 2015; Vol. 596, c. 1056.]

The Bill got 544 votes on Second Reading.

We then had the referendum itself. People were bombarded with a Government document costing £9 million. It was made very clear that this was a one-off and that the people would decide—that it was not an advisory referendum, but was giving a clear steer to Parliament and that parliamentarians would have to honour it. That was the understanding: whatever the decision, parliamentarians would deliver.

We then had the biggest vote in British history—17.4 million on a single issue against 16.1 million to remain. The conundrum is this. In the ensuing general election, in which, in fairness to my right hon. Friend the Member for Maidenhead (Mrs May) who is not in her seat at the moment, she got the second largest number of votes ever—13.6 million—in a general election, her manifesto was very simple. The Conservative party was elected on a manifesto that we would honour the referendum, leave the single market, leave the customs union and leave the remit of the European Court of Justice. Although woollier, there was pretty clear language in the Labour party manifesto that it would honour the referendum result. According to one assessment, what we have against that in this Parliament, which is a remain Parliament, is 485 Members supporting remain and only 162 supporting leave. We may never ever have a referendum again, but I put it to you, Madam Deputy Speaker, that this has to be delivered. The people were told very clearly, “You vote Conservative in that original general election, we will give you the chance.” They were told during the referendum campaign, “You vote to leave, it will be delivered.” They were told by the two main parties that they would honour the result, but here we are, three years on, and this has not been delivered.

There are Members chuntering about no deal, but this is all a bit of a shibboleth. We are talking about leaving a customs union to which 8% of our businesses send goods. Our sales of goods to this organisation represent 8.2% of GDP and our sales of services 5.5%. This will not bring the roof down.

Jack Lopresti (Filton and Bradley Stoke) (Con): I thank my right hon. Friend for giving way. Does he share with me the frustration and anger that I hear every day in my constituency? People say to me, “You asked for our opinion. We gave you our opinion. Why have you not left yet and what are you still talking about?”

Mr Paterson: I entirely endorse what my hon. Friend says. People come up to me the whole time. The words that I get so frequently are, “Just get on with it.” Let us take up an earlier intervention. We are talking about normalisation. Our sales of goods and services are a bit over 13%. It is inconceivable that, even if we did have no deal—do not forget that on page 36 of our manifesto, we said that, “No deal is better than a bad deal”—we have agreements on aviation, we have heard from Calais and we have heard from Dover. All this stuff about no deal is a shield, and it is a shield for Members who do not want us to leave. My proposition is that if we do not deliver on the referendum, that will be far more damaging to this country. The damage to the integrity of all our institutions will be absolutely shattering, compared with just a little bit of interruption, which can be sorted out at our borders and which all those bodies who run the borders say do not represent a problem.

We may never ever have another referendum. We may go back to what my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke) describes—he dismisses this as an opinion poll. He is a strong believer in parliamentary democracy. I am as well, but we gave people the choice. We cannot put that back in the bottle. I appeal to all Members, particularly those on the Opposition Benches, to recognise that we have only a few short weeks in which to deliver what the people voted for, and they really must consider the extraordinary anger that could result. British people are very patient, but as my hon. Friend has just said, they are getting really angry. They have been thwarted and they know perfectly well that the establishment has thwarted them. The establishment was very happy with the results of those previous 11 referendums. For the first time, the vote went against them. What we have to do now is to deliver so that we can remove that anger and leave the European Union on 31 October.

MRS Madeleine Moon (Bridgend) (Lab): That felt very much like a very personal discussion between the right hon. Member for North Shropshire (Mr Paterson) and me, as his eyes seemed to be on me all the time.

I want to look at the wider nature of this debate. I received an email this morning from someone who says that they are a Bridgend constituent. They say that there is a debate warming up on Facebook in a closed Bridgend debate group regarding my participation in Parliament. Indeed, many constituents currently believe that I am not present and committed to Parliament as much as I may need to be in these difficult times in UK
politics. Many feel that I have additional responsibilities that take precedence, so they want me to confirm my calendar leading up to Brexit and how much time I will be dedicating to London and spending in the Chamber.

Apparently, there is a lack of information online about my whereabouts in general as an elected representative and about my availability, so I need to log in and tell people more often where I am. There is concern about my surgeries and my availability, and I am asked whether I can confirm whether, and in what capacity, I am conducting surgeries in the coming months, as constituents have concerns about Brexit and require my availability on many issues. There have also been rumours that my surgeries have been put on hold for reasons relating to security issues. I am asked whether I can confirm that those issues are being resolved immediately, because many MPs are having security issues—one had been attacked that day—but can still conduct their surgeries safely by putting processes in place, so those issues may not be a viable excuse for cancelling surgeries.

I have two additional responsibilities in this House: I am a member of the Speaker’s Panel and I am president of the NATO Parliamentary Assembly. Many Members are elected to institutions outside this House, such as the Organisation for Security and Co-operation in Europe, the Parliamentary Assembly of the Council of Europe, the Commonwealth Parliamentary Association and the Inter-Parliamentary Union. Those are critical democratic institutions, and we take an active role in them in spreading democracy, spreading information and, in my case in particular, dealing with the defence and security of the United Kingdom.

TheyWorkForYou says that I have above-average commitments in terms of debates, I ask above-average numbers of questions and I have an above-average response to my electorate when I have letters, although I admit that it also indicates that my voting record is lower than some. Therefore, as the president of the NATO Parliament—I have to say I had total endorsement and written communication from the right hon. Member for Maidenhead (Mrs May) when I put my name forward—I am deeply concerned that I am being challenged on my commitment to democracy, and to Brexit in particular, and that that is how we define a Member of Parliament’s commitment to this democratic institution and to defence and security.

I have been advised by the police not to give advance notice of where I am going. It is fine to tweet and to report it to the police; and we crack on. I take it as part of the job, but I do not become a diva about it. At various points in my life—as a foreign correspondent, as a soldier, as a Member of Parliament—I have had people try to kill or harm me, or tell me they are going to kill me or harm me. I am delighted to say that so far they have been unsuccessful, and I am content for that to continue.

As to rules of public debate, I think that public debate should be conducted in good faith. A critical element of that is that those who lose elections and referendums need to respect the results. This Parliament is trying to worm its way out of that fundamental issue of respecting the 2016 mandate. I congratulate the hon. Member for Lancaster and Fleetwood (Cat Smith) on her speech, but for me it was simply more of the same: “The European Union vote was not about the European Union.” I think that it was. There is one thing that is worse than that vote for remainers—I am a Brexiteer and am happy to leave—and that is not respecting that vote, because the contempt of the British people for the political classes will simply grow.

I believe that the language of this place needs to be temperate. We have seen, I am afraid to say, months of poisonous and hysterical language—often from the left, but not always—about coups and dictatorships, and a poisonous and hysterical language—often from the left, but not always—about coups and dictatorships, and a level of personal abuse aimed at this Prime Minister and on behalf of institutions that we respect and see as critical to democracy. I hope we never lose a sense of the right of democracy to be wider than one issue.

4.18 pm

Mr Bob Seely (Isle of Wight) (Con): I have to say that it has been a pretty bad-natured 24 hours and, as far as I can see, a fairly bad-natured two years, so I will try to make some fairly blunt points, but I will do so in moderated and moderate language.

I do not think I am above anybody, and I am happy to be criticised; actually, I try to judge my own party more harshly and to have higher standards than others, because I think that is a good way to conduct oneself.

I am a big fan of democracy, because my parents’ lives were shaped by tyranny. My British granddad was burned alive in his tank in 1942, killed at the hands of the Nazis, and my German grandmum was killed by the Soviets, so the Nazis killed one of my grandparents and the Soviets killed another. I am lucky that I live in a democracy, and I hope I always respect and appreciate that.

The hon. Member for Bridgend (Mrs Moon) talked about threats. I say just for the record—this is not a competition with anybody—that the last threat to my health and safety that had to be reported to the police was last week. I do not make a song and dance about it. I do not make out that I am a victim. I do not use it for political capital. I make sure my staff are okay; we report it to the police; and we crack on. I take it as part of the job, but I do not become a diva about it. I try to judge my own party moderated and moderate language.

I do not think I am above anybody, and I am happy to give way to the hon. Member for Brighton, Kemptown (Lloyd Russell-Moyle) if he would like. I have found that language to be entirely corrosive to the public debate.

The hon. Member for Birmingham, Yardley (Jess Phillips), whom I admire and think is a decent representative, has talked about knitting her own leader in the front. That is violent imagery. Today, the hon. Member for Bermondsey and Old Southwark (Neil Coyle) tweeted to Piers Morgan:

“It’s early doors Piers but I say this hand on heart: go”—

eff—

“yourself. You’re a waste of space, air and skin. Trying to use Jo against us whilst encouraging the fascists is shocking even for a scrote like you. You make me sick.”

That is an MP engaging in political debate now. I have seen a lot of the literature that came out of the Labour party conference. There was, “How to get rid of Tom Watson”, who is a “treacherous incumbent”. I will not even begin to talk about the debate on antisemitism.
[Mr Bob Seely]

There is a problem with the left in this country. There is a problem with the hard-Brexit right—not in Parliament, but on the fringes UKIP for sure—but there is a problem with the left about moral purity. Some Opposition Members are seeing that in the deselection campaigns that are being fought against them. We make no such claim of moral purity. For us, politics is not about moral purity; it is about doing the best job we can. Personally, I think people on the other side of the House are generally wrong, but I do not subscribe to them a moral motive; I do not believe they are immoral.

Fundamentally, too much politics in the modern day is about moral purity and finding moral benefit over other people, which I think is profoundly wrong. Respecting each other but thinking that we can do a better job than those on the other side of the House is the way to make progress in a democracy. There is a corrosive debate in the Labour party, which is affecting not only the futures of Opposition Members but politics in general, and it needs to end.

4.23 pm

Helen Hayes (Dulwich and West Norwood) (Lab): In Dulwich and West Norwood, 77% of people voted to remain in the EU—the seventh highest pro-remain vote in the country. My constituents are not remoaners; they are not anti-democratic. They are citizens with deeply held and sincere convictions. Yet since June 2016, 77% of my constituents and 48% of voters across the country have been told that we must be quiet and that our views no longer count. We have been told to be silent in the face of the Government’s own evidence that Brexit will harm the UK economy. We have been told to be silent as we raise important questions about the future of scientific research, the supply of medicines, the regulation of chemicals and the future of trade. We have been told to be silent as we raise grave concerns—not discussed at all during the referendum campaign—about the impact of Brexit on the Good Friday agreement and peace in Northern Ireland. We have been told to be silent as we have raised concerns about the increase in hate crime and the anxiety of EU nationals living in our communities.

The continual dismissal and denigration of the views of 48% of UK voters—77% of my constituents—has been extraordinary. It is not how Governments should, or usually do, behave in a democracy.

In 2016, faced with a very narrow result, the right hon. Member for Maidenhead (Mrs May) had the opportunity to define Brexit in a way that reached across the divide—in a way that took seriously both the result of the advisory referendum and the concerns of almost half of those who voted about the impact of Brexit on our economy, security, rights and access to medicines. Instead she spent six months saying nothing but “Brexit means Brexit”, while the right of the Tory party, and Nigel Farage, moved into the vacuum and defined Brexit as the hardest, most extreme Brexit possible.

It is a principle of democracy that we all seek to win the argument—that we seek to provide evidence to justify a position, to reassure and persuade those who disagree with us, and ultimately to achieve a mandate to proceed. The right hon. Member for Maidenhead put her Tory-party-facing version of Brexit to the people in 2017, and they took away her majority and her mandate.

In this context, it is no surprise that my constituents’ pro-remain views and their deep fears about what Brexit will mean for them, and for our country as a whole, have only grown and strengthened, these past three years. The Government have done nothing to reassure them; nothing to provide evidence that their concerns are unfounded; nothing to prove that they respect and take seriously their values and their views. Instead we have a Prime Minister who is facing down his opponents with the language of hate, a Government who have failed to provide any assurance that our communities—

Mr Seely: I do not quite understand how the hon. Lady can keep talking about the language of hate when I have just given her examples of the abuse that Labour MPs are putting out there about their opponents, and also material from the Labour party conference, which I presume that she may have been at, where she sees the abuse from extremists aimed at moderate Labour party MPs. The abuse is coming from the left.

Helen Hayes: To be absolutely clear, the reference to a surrender Bill—the language of “traitors”, the language of “surrender”—is the language of war, and that is being used by our Prime Minister, in an utterly irresponsible and reckless way.

As I was saying, the Government have done nothing to prove that they respect and take seriously the values and views of my constituents. We have a Government who have failed to provide assurance that communities will not face job losses, shortages of food and medicine, and lower environmental standards; and a Government who are prepared to put at risk peace in Northern Ireland, casting aside the Good Friday agreement.

Democracy is a process of governance, not a moment in time. In a context where the Government have failed to reach out, failed to engage and reassure and failed to provide evidence and win the argument, the only option is to allow that process to continue—to hold another vote, not on the same proposition as the first, but on what we now know, to allow people to vote again on whether they have confidence that the Government have been able to negotiate a deal that can secure their future, protecting their jobs and security.

I say this again: my constituents are not remoaners; they are engaged citizens—internationalist and outward-looking in their views and values, worried about their families, their communities and their future, and this Government have ignored, denigrated and failed to reassure and convince them. They deserve better than this failing Government and our reckless, irresponsible Prime Minister. They deserve more democracy, not less. They deserve a people’s vote.

4.28 pm

Luke Graham (Ochil and South Perthshire) (Con): It is a pleasure to speak in this debate. I would like to start by rebutting some of the points made by the hon. and learned Member for Edinburgh South West (Joanna Cherry), although she is not in her place just now. She made some pretty clear points. She said that a horse and cart had been driven through the Sewel convention. That was not true; Lord Sewel himself said that the convention was respected. There was also a bizarre revisionist history moment when she talked about a Union between England and Ireland that never happened;
it was a Union between Ireland and Great Britain, which of course included Scotland. Finally, the hon. and learned Lady said that the vast majority of people in Scotland wanted separation. Unfortunately, according to the polls since 2015, 78% versus 8%, would vote to maintain the United Kingdom.

I have returned to those points because facts matter. The picking and choosing of results—and history, as was evidenced in the House earlier today—makes for terrible politics. I have a lot of respect for some Scottish National party Members, not least because of some of the legal actions that have been taken in the last week or so. They champion the rule of law, which I always respect. However, we get into a very difficult situation when politicians take results, especially results of referendums, and try to cut them one way or the other. In 2014, for example, it was clear that the Union had won. People wanted Scotland to remain part of the United Kingdom. The result was 55:45. That was a 10-point margin, which is a huge margin. If it happened in a general election, it would be described as a landslide. Yet SNP Members continue to champion the 45%—which is fair enough; they are elected, and I respect that.

**Ross Thomson** (Aberdeen South) (Con): I agree with what my hon. Friend is saying. As he says, following the referendum, the division—particularly in terms of language—is still there. It is unhelpful when people who serve in government, such as Mike Russell, describe the 13 Scottish Conservative MPs as traitors by referring to the Ragman Rolls. This is the nationalist perspective in Scotland now. It is yet another example of how people are seeking to demonise those who hold different opinions, or treating them as “other”. That is what comes of nationalism.

**Luke Graham:** My hon. Friend is right. SNP MPs and MSPs are on record as calling Scottish Conservatives traitors because they do not back SNP lines, and as saying that if we do not vote with the SNP we are somehow betraying Scotland. I do not think that that is true, and it is certainly not the rhetoric that we would choose to use on this side of the House. As I look across the Chamber, I see several SNP Members for whom I have the utmost respect, and I know that they do not use that language; but some others do. Indeed, there are Members in all parts of the House who probably need to review their use of language, both in this place and online.

I was making a point about proportions and how they are represented. Why should that 45% figure be presented to us, while the 42% who voted in the European Union are completely disregarded? Why is the 45 threshold so much higher than 42? It is completely arbitrary. It is the choice of a political party, the whim of a politician, to choose one percentage over another, and I do not think that that is good enough in a modern democracy. We need to respect the individual vote as much as we respect an individual life and an individual himself or herself. Their vote is worth just as much in Clackmannanshire as it is in Bristol, Cheltenham, Cardiff, or anywhere else in the United Kingdom, and we need to respect that.

Let me finally deal with my greatest concern and what is, I think, the greatest challenge to liberal democracies: nationalism. It can be of any hue, whether it is Scottish nationalism, English nationalism, Irish nationalism or American nationalism. Whatever guise it decides to take, nationalism is one of the most regressive political forces in modern politics and in the 21st century. The First Minister of Scotland experienced that when she went to Germany to receive an award. Elif Shafak said to her that, despite the different connotations, nationalism could never really be benign.

I was lucky enough to attend a meeting of European young leaders. Among them was the inspirational leader of the Liberal party, which had just won the elections in Catalonia on a unionist ticket, conveying a message of trying to unite Catalonia and unite Spain and take people forward. I think that that is an incredibly positive message. Something very clear came out of that meeting, and it stands for Donald Trump as it stands for any other politician. Nationalism is simply a manifestation of a set of ideas that are intended to divide people into “us” and “them”. It is a presentation of simple answers to incredibly complicated questions. It is not good enough for our constituents, and it certainly not good enough for the United Kingdom in the 21st century.

This issue is also important because what is said in the House, what is said online on Twitter and Facebook and what is said in print overlaps and spills over into everyday life. I had to raise a point of order in the House once because a member of my staff who was alone in my constituency office was threatened by two people claiming to be nationalist supporters, saying that if Scotland became separate, she would be hanged. Furthermore, that same staff member, when she was in her local Co-Op buying her almond milk, was told to go back to England. The person in question who challenged my staff member was very surprised when my staff member was able to inform him that she had been born in Namibia but raised in Stirling.

**Deidre Brock** (Edinburgh North and Leith) (SNP): On the hon. Gentleman’s point about nationalism, is he seriously trying to suggest that the Scottish National party can in any way be equated with the other types of nationalism that he is referring to? I am an Australian with an English father, but I have never felt anything other than welcome in the Scottish National party, of which I have been a member for 20 years. Will he explain that to us?

**Luke Graham:** The point I am making is about nationalism as a whole. Nationalism of any kind, regardless of the connotations, can rarely be benign because it divides people, and yes, the SNP—in its rhetoric and what it does—seeks to divide the United Kingdom. That is the raison d’être of the SNP; it wants to break up the country—

**Deidre Brock:** Will the hon. Gentleman give way?

**Luke Graham:** No. The hon. Lady says independence; I say separation. That is the purpose of this debate. I am quite happy to debate this robustly and to use facts and figures, but it is clear that nationalism and the SNP want to divide our nation on the lines of geographical boundaries. This is not about dividing the country on principles or ideas; if it were, we would be asking for a federal union with London, Bristol, Manchester and, I believe, Cardiff, who all voted remain in the European Union referendum.
Deidre Brock: Will the hon. Gentleman acknowledge that it is a Union of two countries? He is suggesting that Scotland is the same as Birmingham or any city—well respected as they are—within England, but that is not the same thing. We are talking about a Union supposedly respected as they are—within England, but that is not the same thing. We are talking about a Union supposedly of equals, that is anything but. I would suggest that the people of Scotland have every right to make a decision against—

Madam Deputy Speaker (Dame Eleanor Laing): Order.

Luke Graham: The hon. Lady wants to look at Hansard and actually listen to what I said. I said that the SNP was about dividing our country along geographical lines and that if we want to talk about principles, we can find alliances, challenges and opportunities right across these isles, as we have done for over three centuries in the most successful political union the Earth has ever seen. I fear that I am not going to agree with SNP colleagues today.

The bottom line is that people are angry and concerned, as they should be the 21st century, as we face challenges from climate change, from technological innovation and from abroad. When people are angry, MPs need to step up and listen to that anger. They need to channel the anger and use it to make constructive, progressive suggestions to bring this country forward together.

4.37 pm

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): I am pleased to follow the hon. Member for Ochil and South Perthshire (Luke Graham). I agree that nationalism is a real problem. That is why it is such a shame that some Members in his party—maybe not him—seem to be pursing an English nationalist policy that is likely to lead to the break-up of our Union. If it is done badly, that policy could lead to a hard border in Northern Ireland, to the departure of Northern Ireland and to further fragmentation. It is based on the view that the English nation should rule over other nations and that those nations’ views of the Union should be disregarded because English nationalism is the most important. I believe that is what some of the hon. Gentleman’s colleagues are pursuing in their hard Brexit view. That is very worrying, and we should reflect on it across the House.

I also agree with the views of my hon. Friend the Member for Dulwich and West Norwood (Helen Hayes). She described the importance of hearing all the voices in a debate. For me, the principle of democracy is that the losing side should be able to keep making its argument. As soon as that principle is removed, democracy has vanished into the history books over the next three or four years should hold and bind all peoples and that alternatives should not be pursued, that will have a chilling effect on our wider democracy. Why not say that we will cancel all future elections? Why not say that the Opposition should not be allowed into the Chamber this week because the Government won the last election and only the Government should rule? I respect the result of the last general election, and not only because I was elected in it and defeated a Conservative. However, the first thing I did was vote against the Queen’s Speech. The first vote I cast was to defeat the manifesto that had just won and to attempt to bring down the Government and force a new election. That is the Opposition’s right in a democracy—to keep opposing. It is not the duty of Oppositions to implement the winning side’s programme; that is the duty of the winning side. That is true in a general election and in a referendum.

We talk about respecting different sides. I come from a remain area, but there are some leave areas that are sceptical about how things are playing out. Those views must be respected. I fear that the way in which some of the Conservative hardcore Brexiteers disrespect Opposition views is a symbol of how they treat democracy more broadly.

Let us consider electoral registration and the boundary changes. Rather than choosing a high moment to draw boundary lines—for example, at the time of the referendum or a general election—it was deliberately done at a time when the number of people on the electoral register was at its lowest. It happened just after we had changed to individual registration, but before any public vote had taken place. We know many people who choose or remember—it is not a choice; everyone should do it—to register when an election comes round. Why on earth do we not draw the boundaries according to the census? Why not include everyone in the debate? What happened with registration is a sign that the Government are disingenuous about including all voices.

Rather than trying to set up citizens’ assemblies, open up a national discussion about how our country goes forward or open up the register, perhaps allowing, for example, schools to register people to vote, the Government close down the debate. They say that we surrender if we question a way forward, that people cannot register to vote unless they fit into small parameters and that they will redraw boundaries to exclude people disproportionately. That is the nature of our democracy: fragile. I hope that we regain it.

4.42 pm

David Linden (Glasgow East) (SNP): It turns out that a week is indeed a long time in politics. Let us remember that this time last week, Parliament had been shut down by the Prime Minister, who had forced through an unlawful Prorogation. Then, following a resounding defeat in the Supreme Court, Parliament was ordered to return this week, and the British Government have the brass neck today to table a motion on the principles of democracy and the rights of the electorate—just days after they shut down the electorate’s ability to be represented in this place by their elected representatives.

We should not really be surprised by that hypocrisy because the British Parliament is a place of limited and diminishing democracy. If the Government want a debate on the principles of democracy and the rights of the electorate, let us start with the House of Lords, which is second in size only to the People’s Congress of China, and is bloated with more than 800 Members who are eligible to vote on legislation. Let us not forget that the majority of those along the corridor are life peers and have never been voted in by our electorate. Others include 26 archbishops and bishops and 92 hereditary peers. Other than Iran and the Isle of Man, we are the only country in the world in which clerics have the right to legislate. Other than Lesotho, we are the only country in which 92 hereditary chieftains have the birthright to make law.
The stymieing of British democracy is not confined to our neighbours in ermine. Even in this Chamber, democracy is suppressed and stymied at every turn. We have a Government who refuse to respect Opposition day votes. In my party’s case, the Government have even failed to allocate the requisite number of Opposition days for a two-year Session in accordance with the House’s Standing Orders.

We have a British Government who are trying to cut the number of MPs in this House. Not content with that, and despite the House’s voting for it on Second Reading, the Government are withholding a money resolution for the Parliamentary Constituencies (Amendment) Bill, which was passed by democratic majority on the Floor of this Chamber almost two years ago, but is still stuck in purgatory on the Committee corridor. We have a Prime Minister who plays Russian roulette with the constitution and judiciary and openly casts doubt on his willingness to comply with the European Union (Withdrawal) (No. 2) Act 2019. In short, we have a Government who have, at best, a questionable record of upholding the rights of the electorate and our duties to them as representatives.

Let me be clear to the Attorney General and this House: this Parliament was elected in 2017 because the Conservative party tried to cut and run by calling a snap general election. This Parliament accurately reflects the divisions in the country on Brexit, and it is doing the job it was returned to do—my hon. Friend the Member for Dulwich and West Norwood referenced that point.

Although the Minister referred in his opening speech to the Labour and Conservative manifestos, which both mentioned respecting the result of the referendum, I remind him that neither said we would leave without a deal. That is what the Brexit fundamentalists controlling the Conservative party are now pushing for.

Democracy is about respecting the rules of the game, and we know, as my hon. Friend the Member for Wrexham said, that the leave campaign broke the rules during the referendum on such things as data transfer and spending, as well as being untruthful to the electorate. We still do not know where the money channelled to the leave campaign via the Democratic Unionist party came from.

Why is that important? As my hon. Friend reminded the House, it is because the same people who broke the rules when running the leave campaign are now in charge of this Government, whether it is Dominic Cummings, whose commitment to democracy is such that he has been found in contempt of Parliament, or the Chancellor of the Duchy of Lancaster, who continues to dodge my hon. Friend’s questions about what he knew and when about the Vote Leave funding misdemeanours. This does not appear to be a Government who are committed democracy. More, it is a Government who are committed to power by any means—a Government who believe that the rules of democracy do not apply to them.

My hon. Friends on the Government Benches—decent Conservatives whom I do consider to be friends—must be aghast at what has happened over the last couple of days in the name of their party. They must reel their leader back in.

The Supreme Court found that the Prorogation was unlawful because it had the effect of frustrating or preventing the ability of Parliament to carry out its constitutional functions without reasonable justification. Although the Supreme Court’s judgment was utterly devastating, it provides a legal opinion on a truth with which we and the rest of the country are now already familiar. The truth is that the Prime Minister has no respect for the law, no respect for democracy and no respect for the electorate. His whole career as a journalist and as a politician has been defined by an arrogance that leads him to think he can disregard everything and get away with anything.

Like the previous Government, the current one is defied by their total lack of respect for this House and for the public. The hon. Member for Glasgow East (David Linden), speaking on behalf of the SNP, mentioned not getting enough Opposition days and how Opposition day votes are ignored. This morning, we heard the
Father of the House and others raise concerns that the Government are operating a deliberate strategy of division and inflaming tensions, which my hon. Friend the Member for Bridgend referred to in an earlier intervention, quoting a Government spokesman.

The Government operate with a secrecy and evasion that betray utter contempt for the electorate and for democracy. They have tried to keep this House in the dark. If it were not for this House demanding that the Chancellor of the Duchy of Lancaster publish the now notorious Yellowhammer papers, we would still be relying on leaked excerpts in the press and rumours around Whitehall. At least now we know, in the Government’s own words, just how disastrous a no-deal Brexit would be for this country. Due to the lack of time, we will not be able to go into the detail of the Yellowhammer papers, but it is enough to say that there are few more disgraceful episodes in our country’s recent history than a Tory Government willing to countenance food, fuel and medicine shortages just to appease a few no-deal obsessives in their own party and the Brexit party.

I suspect that the details of the Yellowhammer papers will not be mentioned in the Government’s Get Ready for Brexit scheme, which appears to me and many others to be the most expensive party political advertising scheme this country has ever seen. I have written to the Cabinet Secretary to see if he shares my opinion and to seek clarification whether the campaign has breached the rules that prohibit the Government from using public funds for party political purposes.

We will not allow a no-deal Brexit to go through, but let me be clear: once no deal is off the table, we will use every power at our disposal to secure a general election, and when it comes we will be ready for it. The public will be ready for it, too: after a decade of Tory austerity, the electorate is crying out for real change and we are ready to deliver it. We will not, however, fall into the trap that the Conservatives are setting us of giving them the opportunity to force through a no-deal Brexit against the wishes of this House and in the face of the democracy that this House has decided.

4.51 pm

The Parliamentary Secretary, Cabinet Office (Kevin Foster): It is always a pleasure to see you in the Chair, Madam Deputy Speaker. This has been a fascinating debate and we have heard a range of contributions. In the spirit of civility, I say that I always enjoy my conversations with my two shadows, the hon. Members for City of Chester (Christian Matheson) and for Lancaster and Fleetwood (Cat Smith). I hope they agree that we treat each other with respect and that although we may disagree at times, we are still able to find common ground in the mutual interest of those we represent.

I will start by responding to some of the issues raised. Contrary to some of the comments we have heard, the individual electoral registration reforms produced the biggest electoral roll ever at the last general election, with more people registering to vote than ever before. Online registration is one of the easiest methods for younger voters in particular to get themselves on the electoral roll. That is a sign of commitment. It is now literally possible to register online. People can do it in a few minutes. They no longer have to get a form and send it to their local council. Obviously, the arrangements in Northern Ireland are slightly different. Many of us know the reasons for that, and it has a more devolved structure.

Lloyd Russell-Moyle: Will the Minister give way?

Kevin Foster: I will not take interventions, given that I have given up time to allow more Members to contribute to the debate.

We are also looking at reforming the annual canvass and are working constructively with the Scottish and Welsh Governments. The system is great at identifying people who have lived in one location for a long time, but we want to reform it, through the use of databases and other information, so that it targets other communities that we also want on the electoral register. We want a modern system. Fundamentally, the system originated in the 19th century, when heads of household would register to vote on behalf of the whole household, but that does not reflect modern lifestyles. It also means that resources are not targeted to getting the most vulnerable on the roll.

It has been good to hear some of the other speeches. I cannot go through them in detail, but I certainly enjoyed the contributions from my hon. Friends the Members for Ochil and South Perthshire (Luke Graham) and for Isle of Wight (Mr Seely), especially when they talked about picking and choosing results. It is interesting to see how referendums described as once in a generation or once in a lifetime, with people told, “You have the power in your hands to make a sovereign choice,” suddenly, a couple of years later, become a matter of, “Actually, we’d like to have a rethink, please, and it was only an opinion poll.” In fact, referendums are different: people are told that they will make the decision and it will be binding.

People know my views on the separation of the Union; I think it would be a hugely retrograde step. However, had that been the decision of the Scottish people in 2014, we would have had to vote through the legislation. We cannot pick and choose which result we respect.

David Linden: Is it not true that the Cabinet Office has done polling on Scottish independence? If it has, will it release it?

Kevin Foster: The Cabinet Office conducts polling on a range of issues. There is no shortage of opinion polls on Scottish independence. I enjoyed seeing the separatists’ response to a recent poll: they complained that the poll was unfair because the question was about whether people wanted to remain in the United Kingdom. They thought that people being asked to remain in something was unfair, which is interesting, given their views on other topics. It was the Scottish National party itself that described the Scottish independence referendum as a once-in-a-generation event; now, only a few years later, the duration of a generation appears to have become extremely brief.

The key principle of our democracy is to give voters a choice. Just over three years ago, this Parliament gave voters a choice on whether this country would remain a member of the European Union. We had a strong debate and campaigns up and down the country. Not one person said, “Well, if you feel like voting, it’s next week, but it won’t make much of a difference.” No one said that; everyone said that whatever the decision, it
would be implemented. Here we are, a few years later, having had a general election in which, as my right hon. Friend the Minister for the Cabinet Office pointed out, more than 80% of voters voted for a party that said it would respect the referendum result, and it still has not been implemented. That is where we see the principle: we cannot pick and choose which votes we respect. That is especially true of those who voted for the legislation to hold a referendum, took part in the campaign, argued their case and then, almost from the day after, decided that respecting the result was an optional extra.

This Government will remain focused on our programme not just to deliver Brexit, but to defend our democracy overall. In part, that involves making sure that we protect the ballot by bringing in the long-recommended system of voter identification, replacing an identity check that dates from the 19th century, when only a very small percentage of men could vote, with a modern system similar to ones used in many other democracies, and remarkably similar to the system used in Northern Ireland introduced by the Labour party. We will also seek to improve accessibility and make sure that more people can get to the polling station and cast their vote.

It is welcome that the Government tabled the motion. I expected that those who have spent most of the past two days attacking the Government and running down the Prime Minister, saying they had no great confidence in the Government, would try to test that confidence, but sadly they decided they did not want to do that. Normally in our democracy, the Opposition are itching to replace the Government. This must be one of the first times in history that the main Opposition have not tabled a motion of no confidence in the Government because they think they might win. It has been remarkable to see.

When a general election does come—an election we have already offered, which makes it interesting to hear about constituents being gagged when it is the other side who are blocking the election and we are the ones offering it—people had better consider who reflects their principles and their choices. When they do that, they will inevitably conclude that my right hon. Friend the Member for Uxbridge and South Ruislip (Boris Johnson) is far more likely to deliver what they want than the right hon. Member for Islington North (Jeremy Corbyn).

**Question put and agreed to.**

**Resolved.**

That this House has considered the principles of democracy and the rights of the electorate.

**PETITIONS**

**Morrisons Supermarket Shirley**

5 pm

**Julian Knight** (Solihull) (Con): After two days of verbal perambulations in this place, we have finally come to the main event. I rise to register my constituents’ deep concerns about the proposals to close the Morrisons store in Shirley. The Shirley store has served our community for over 14 years. It employs almost 100 people and is relied upon by many in the surrounding area. I thank our local Shirley councillors, Mark Parker, Annette Mackenzie and Karen Grinsell, for organising an online petition urging Morrisons to keep open this store, which has been such a focal point for our community for so many years. It has collected 1,299 signatures, which clearly shows the extent of public concern about these proposals. It is not right that Shirley should face the closure of a business that plays such a vital role in the community, and it is a privilege to put the concerns of my constituents directly to the House today.

The petition states:

*The petition of residents of Solihull, Declares that local residents have great concern over the proposals to close Morrison’s Store, in Shirley. The petitioners therefore request that the House of Commons urges the Government to encourage WM Morrisons PLC to reconsider proposals to close Morrisons in Shirley.*

And the petitioners remain, etc.

**[P002523]**

**Kashmir**

5.2 pm

**Alison Thewliss** (Glasgow Central) (SNP): I rise to present my constituents’ second petition on the issue of Kashmir. Not only did they provide a huge number of signatures for the first petition, but they have gone on and collected more, such is the depth of feeling in the people of Glasgow about the ongoing dispute in Kashmir. There was a demonstration on Sunday through the streets of Glasgow in the pouring rain. I particularly thank Dr Javed Gill and all who organised that demonstration, showing the strength of feeling and taking that message out to the people of Glasgow.

The petition states:

*The petition of residents of the City of Glasgow, Declares that the dispute in Kashmir should be resolved peacefully. The petitioners therefore request that the House of Commons urge the UK Government to use its international standing to encourage India to engage in a comprehensive and sustained dialogue with its nearest Pakistan to resolve the Kashmir dispute, and urge the international community to play its role in securing a just and peaceful resolution of the Kashmir dispute in accordance with the aspirations of the people of Jammu and Kashmir.*

And the petitioners remain, etc.

**[P002524]**

**ADJOURNMENT**

*Resolved, That this House do now adjourn.—(David Rutley.)*

5.3 pm

House adjourned.
House of Commons

Monday 30 September 2019

The House met at half-past Eleven o’clock

PRAYERS

[MR SPEAKER in the Chair]

No-deal Brexit: Short Positions against the Pound

John McDonnell (Hayes and Harlington) (Lab): (Urgent Question): To ask the Chancellor of the Exchequer if he will make a statement on short positions being taken against the pound in the lead-up to a possible no-deal Brexit.

The Exchequer Secretary to the Treasury (Mr Simon Clarke): It is not appropriate for the Government to comment on specific currency market movements, or on market positioning—

David Linden (Glasgow East) (SNP): On a point of order, Mr Speaker. We cannot hear what is being said.

Mr Speaker: I am grateful to the hon. Gentleman. My advice to the Minister is simply to project. I know he will do so unfailingly.

Mr Clarke: I will do my best, Mr Speaker. One would not want to be accused of being unduly meek in the circumstances.

We accept the market-based price of sterling and do not have a view on what level this should be. Were the Government to speculate on the value of sterling, it could hurt confidence in our macroeconomic framework. However, as the price of sterling fluctuates in the normal way, Her Majesty’s Treasury believes that investors should be entitled to hedge, including by short selling. The foreign exchange market is a global market, and it is essential that we work with other jurisdictions to ensure a consistent international approach to the oversight of these markets. That is why the UK has supported the work of the Bank for International Settlements to create a single global foreign exchange code, and work is ongoing to ensure that it embeds common standards of good practice in this area.

The United Kingdom will be leaving the European Union on 31 October, whatever the circumstances. We must respect the referendum result. We would prefer to leave with a deal, and we will work in an energetic and determined way to get that better deal done.

John McDonnell: I welcome the hon. Gentleman to his post and congratulate him on his promotion.

The threats by the Prime Minister of taking our country over a no-deal cliff edge have created inevitable uncertainty in the markets, reflected in the varying position of the pound. Uncertainty, as we know, is the breeding ground for speculation. Evidence has mounted of sizeable sums being mobilised to short the pound, betting on sterling falling in the case of a no-deal Brexit. We have heard nothing from the Government until this morning. On the other hand, the former Chancellor has expressed his concern, saying that the Prime Minister “is backed by speculators who have bet billions on a hard Brexit—and there is only one outcome that works for them: a crash-out no-deal Brexit that sends the currency tumbling and inflation soaring.”

The former permanent secretary to the Treasury, Nick Macpherson, said yesterday, “Mr Hammond is right to question the political connections of some of the hedge funds with a financial interest in no deal. They are shorting the £ and the country, with the British people the main loser.”

Others will consider that what makes the situation so much worse is not just that we have speculators gambling on our country’s failure and at our country’s expense, but that the Conservative party has been willing to accept donations from those speculators. We are not talking about trivial sums: in this year alone, the Prime Minister and the Conservative party have received £726,000 from individuals who back a no-deal Brexit, many of them involved in hedge funds.

There are questions to be answered. Can the Minister confirm the Government’s estimate of the scale of speculation on the economic outcome of Brexit—placing bets on risks to our economy? Is there not a danger that the promotion of a no-deal scare by the Prime Minister, resulting in profiteering by his friends and donors, could be seen as a conflict of interest by any standard, and contrary to the ministerial code, which says that Members “must avoid real or apparent conflicts of interest”?

Should not the Minister who is responsible for overseeing the risks to our economy stand up to the Minister and tell him how inappropriate it is for any candidate for prime ministerial office, or any party, to accept funds from individuals who are speculating on the potentially enormous risks to our economy from no-deal Brexit? Will the Government now support Labour’s proposals for an inquiry into the finance sector, including the regulation of hedge funds and short selling?

Mr Clarke: The right hon. Gentleman talks about uncertainty, but the only people generating uncertainty in this place are the Opposition. It is they who are selling this country short. They will not vote for a deal, they will not vote for no deal, and they will not vote for a general election. As anyone who talks to British business knows, the main threat to our economy would come from the economic policies we heard set out in Brighton last week.

As I set out in my remarks, the Government’s central position is that we are working to secure a good deal, and the focus of that will be at the summit on 17 and 18 October. That remains our overwhelming focus and our best hope. Clearly, it does not help when the Opposition come together to remove our negotiating leverage in those vital talks.

The right hon. Gentleman referenced the former Chancellor of the Exchequer. I am grateful to the right hon. Member for Runnymede and Weybridge (Mr Hammond) for all the work he did as Chancellor to help prepare for no deal. We have been able to build on that over the last few weeks. I would note, however,
when it comes to some of the more outlandish speculation in this area, that Frances Coppola in the Financial Times, in an article entitled, “The Mythical Bets On No-Deal Brexit”, wrote yesterday that this was yet another “tin foil hat conspiracy theory”. That is about the sum of the merit of this debate.

The Government will not comment on individual positions—no one would expect us to—or the actions of individuals. We do not accept that there is any prospect of a conflict of interest. Insofar as anyone needs standing up to, it is not my right hon. Friend. The Prime Minister; it is the right hon. Gentleman, who is making a political and, dare I say it, speculative attempt to throw mud around the House. I did not hear anything in his statement or questions that amounted to a substantive point; they amounted to trying to propagate myths and to smear. In a week when we are trying to lower the temperature in the House, the Opposition seem intent on stoking it. I have nothing further to add.

Amber Rudd (Hastings and Rye) (Ind): I congratulate my hon. Friend on his elevation to this important role. While many of us on the Government Benches, and in fact across the House, are concerned about the impact on currency markets of the obvious contradiction between the Benn Act and the Government’s consistent position that we are leaving on 31 October, everybody on the Government Benches is united in the knowledge that the real damage to this country would be done by the Labour party getting any place in government. Every time it makes an announcement, it affects the markets, and that is what gives further uncertainty to this country and that is what would truly damage our economy.

Mr Clarke: Of course, I entirely agree with my right hon. Friend. We heard the danger set out last week. I thought that the prospect of a three-day week was bad; well, the Opposition have decided to split the difference and have a four-day week. Much of what we heard in Brighton was a recipe for business disaster and the very damage that we need to avoid and which we have spent the last nine years trying to put right.

Alison Thewliss (Glasgow Central) (SNP): The pound was shorting at a two-year high in August. The Prime Minister’s sister, Rachel Johnson, has said that people “have invested billions in shorting the pound or shorting the country in the expectation of a no-deal Brexit.”

The former Chancellor has said that “there is only one outcome that works for them: a crash-out no-deal Brexit that sends the currency tumbling and inflation soaring.”

Frances Coppola, who the Minister was keen to quote earlier, said that at the very least there was a conflict of interest. The Prime Minister received at least £375,000 from donors associated with hedge funds during his leadership campaign, and we already know from the Jennifer Arcuri case that he is no stranger to conflicts of interest. Will the Minister launch an investigation into this whole affair, because the public need to know what is going on behind the scenes? Will he also accept that those who are already wealthy seem to have everything to gain from a no-deal Brexit but that my constituents and thousands and thousands of others across these islands are still struggling to make ends meet after a decade of austerity and is it they who have everything to lose?

Mr Clarke: I thank the hon. Lady for her question. We served together on the Treasury Select Committee. She speaks about her constituents. My constituents in Middlesbrough South and East Cleveland could not by any metric be described as wealthy and they enthusiastically support the idea of our delivering on our manifesto commitment—and indeed on the referendum result—to leave the European Union. The Government’s position on no deal is very clear: we want a good deal, a fair deal, that does not leave this country as a rule taker in perpetuity. If we secure a deal, my point, very simply, to the Scottish National party would be: if they want to avoid no deal, they should vote for the deal we bring back.

Tim Loughton (East Worthing and Shoreham) (Con): I congratulate my hon. Friend on his appearance at the Dispatch Box. Does not that limp excuse for an urgent question reveal the contempt the Opposition have for financial markets, which contribute 11% of tax revenue to the Exchequer? Does he agree that the fact that, of the $6.6 trillion of currency dealing done globally, 43% is now done in the City of London—a record high—is a vote of confidence in the City and the way the Government are handling it, and how far does he think the pound would fall if that lot on the Opposition Benches ever got into power?

Mr Clarke: The pound would need a good head for heights in that scenario. My hon. Friend is absolutely right. The City of London is, of course, one of the great assets of this country and something we should celebrate rather than castigate. It is a source of enormous tax revenue, which underpins our vital public services, and there is no doubt that it is one of the key cards in our hand when it comes to the Brexit negotiations and securing a good deal. So I absolutely agree with him. We sometimes need to do more to talk it up, rather than talking it down.

Sir Vince Cable (Twickenham) (LD): Is not the implication of the Minister’s first answer that the authorities would allow the currency to fall indefinitely, without intervention, if that is where the market leads?

Mr Clarke: The Government’s position is that we do not adopt a fixed target for sterling, as clearly we believe that it is sensible for the currency to find its own level in various circumstances. Obviously that freedom for the currency to float is important. Look, all of us in this House believe that the country will succeed in a whole variety of different scenarios. I believe that sterling will find an appropriate level in any scenario, and clearly there are aspects of a fall in sterling that would make it easier to export, so it is not a zero-sum game. We have to trust the market to find its own level.

Sir Mike Penning (Hemel Hempstead) (Con): There is one obvious point, even for people, like me, who are not economists: if we talk down the country and the economy, that is where the economy will go. Thank goodness the Labour party is not in power, because it would destroy the economy.
Mr Clarke: That is exactly the point I was making, because we need a bit of self-belief in our country. Here we are in the world’s fifth largest economy, and in a country that is widely regarded around the world as a bastion of strength, and we will absolutely succeed in all scenarios. When it comes to Brexit, the Government’s strong preference is to get a deal, but the overwhelming point that people need to hear from this Dispatch Box is that we are leaving the European Union on 31 October, delivering what the people asked us to do, and indeed what most of us in this House were elected specifically on manifestos to deliver.

Helen Goodman (Bishop Auckland) (Lab): The Guardian is today reporting that Crispin Odey is shorting house builders and shopping centres, which means that in the event of a no-deal Brexit, when they cannot build homes and more shops close, he will make a packet. Surely the Minister can see that there is a massive conflict of interest, particularly for the Leader of the House, who has been financed by that man for years.

Mr Clarke: The passion that the hon. Lady shows is certainly a match for what I heard when I was in Bishop Auckland recently to address some of her constituents, because they were very clear that we should be leaving the European Union. I have already said that I do not propose to comment on the actions of individuals, because clearly it is for them to account for their actions. The Government do not take a position on the actions of individuals. We do not take a position on the issue of short selling.

Maria Caulfield (Lewes) (Con): May I welcome the Minister to his post? Does he agree that a sure-fire way of stopping speculators benefiting from a no-deal Brexit would be for the shadow Chancellor and his comrades to vote for the Prime Minister’s deal when he brings it back and to stop no deal in the first place?

Mr Clarke: I agree with my hon. Friend. Clearly, if we can secure a good deal that is fair to this country, which is our central aim, that is what everyone in the House should get behind, because that will take our country out of the European Union on the smoothest basis—[Interruption.] The hon. Member for West Ham (Lyn Brown) says “Fantasy” from a sedentary position, but what I think is fantasy is the idea that our chances of securing a good deal are improved by continuing to propagate a surrender Act. That is the problem, I am afraid to say, that lies at the heart of this debate. The Opposition are, in essence, trying to take power without responsibility, and it is highly unfortunate and detrimental to this country’s interests if we do not all work together as a nation to deliver on what we, as a country, decided was our future course of action.

Hilary Benn (Leeds Central) (Lab): Can the Minister confirm that the Government’s own economic assessment shows that a no-deal Brexit would have the most damaging consequences for the British economy, investment, jobs and businesses? As that is the case—[Interruption.] Well, we have all read the assessment produced by the Government. As that is the case, can he explain to the House why he is prepared to contemplate that outcome, given the impact it would have on British business?

Mr Clarke: The right hon. Gentleman makes a point that we have often debated in the House. We believe on the Government Benches in delivering on the referendum mandate, which was to trigger article 50 and leave the European Union. The operation of article 50 is clear—we leave with a deal if we can secure it, but without a deal if we cannot. The Government have invested billions of pounds in no-deal preparation. Much of that money has been invested subsequent to the November 2018 report, which did not touch on dynamic policy options open to the Government after we leave the European Union. I think in my own region, for example, of free ports. The modelling is not perfect, and does not encompass all the options that are open to us. None the less, as I say, the base case—the Government’s working assumption—is that we will leave the European Union with a deal.

That is what we are working towards. The crucial summit is only three weeks away, and it would help if the House got behind the Government’s efforts to try to secure a sensible deal, take us out and move the country forward. This is the umpteenth debate that we have had in the House on this issue. We go round in circles and do not make progress, because one side of the House refuses to contemplate any sensible way out of this impasse.

Several hon. Members rose—

Mr Speaker: I gently remind the House that the thrust of the urgent question relates to short positions being taken against the pound. This is not a general, Second Reading-style debate on the merits or demerits of a no-deal Brexit, of which the House has treated before and doubtless will do so again. It is on the specific matter to which I have just referred, and I feel sure that our hon. Friend from the west country is a noted authority on this matter, on which he is about to expatiate.

Michael Tomlinson (Mid Dorset and North Poole) (Con): Thank you Mr Speaker, you are very kind. It is wonderful to see the Minister in his place, oozing calm and authority, in sharp contrast to the stoking of fears and division on the Opposition Benches. We have just heard about the risk to the economy, but the real risk to the economy is not Brexit nor yet a no-deal Brexit. The real risk is letting the shadow Chancellor anywhere near No. 11 or the Treasury.

Mr Clarke: I thank my hon. Friend for those kind remarks. It is clear that that would be the ultimate vote of no confidence in the British economy.

Sammy Wilson (East Antrim) (DUP): Does the Minister not find it ironic that the shadow Chancellor should be concerned about the future value of the pound and the impact on speculation, given that he and his party have spread economic gloom and doom, have talked the economy down, and have proposed lunatic economic policies if ever he should get his hands on the levers of power in this country? Does the Minister agree that the real honeypot for speculators is not our leaving the EU but the prospect of a Labour Government?
Mr Clarke: I could not agree more strongly with the right hon. Gentleman. Yes, the danger is less our leaving the European Union—it is more the Opposition entering Downing Street.

Andrew Jones (Harrogate and Knaresborough) (Con): I congratulate my hon. Friend on his appointment. He is doing brilliantly in his first appearance at the Dispatch Box. He discussed bringing certainty to the markets by delivering Brexit. The main message that I hear from constituents in Harrogate and Knaresborough is that after three and a half years of talking there has been enough talking—why do we not just get on with it? Does he agree with them?

Mr Clarke: I thank my hon. Friend, who has been a distinguished holder of this office. He is absolutely right. There is in all walks of life a demerit to uncertainty. There is a real problem whereby we marched the country up to the top of the hill in the run-up to 29 March, then had to march down again. We are close to our projected exit date of 31 October. It would be really, really problematic for all those businesses that are making preparations, and in some cases stockpiling provisions as well, to keep going backwards and forwards on this question. The country voted to leave in 2016. It reaffirmed that by voting by over 80% for the two main parties that were committed to delivering on that result in 2017. We need to get on with the job. There would not be anything for people to speculate on if we could achieve certainty in the House.

Tracy Brabin (Batley and Spen) (Lab/Co-op): Over the weekend, I watched “The Big Short”, and I would encourage everyone to watch that film about sub-prime mortgages. In it, there were several hedge funders who made billions from the collapse of the market. They did not care that honest, ordinary Americans lost their homes and jobs. When that happens, when we have a no-deal Brexit and hedge-fund managers make billions, how will the Minister support my constituents, who will be impoverished, and will perhaps lose their jobs and homes? What is he going to do to level the playing field? Actually, it is a question of morality.

Mr Clarke: I am an historian rather than an economist, but I certainly do not take my lessons on hedge fund activity from Hollywood. We need to be very clear about the fact that there is a real need to provide certainty, and that certainty is hugely important.

Let me say gently—and it is gently—that I did not vote for the deal on the first two occasions when it came forward, for the very reasons that my right hon. Friend the Prime Minister did not do so, namely the concerns about the backstop provisions. Those provisions need to be addressed, and we are working to address them. Fundamentally, we did vote to leave, on a deal or no-deal basis. The hon. Lady’s constituents voted to leave the European Union. [Interruption.] The hon. Member for Stalybridge and Hyde (Jonathan Reynolds) says, from a sedentary position, “Not on a no-deal basis.” I find that my constituents are very clear about the fact that they voted to leave, deal or no deal, and that was very clear at the time.

Craig Mackinlay (South Thanet) (Con): I congratulate my hon. Friend on his new position. He is truly doing sterling work this afternoon. It will come as no surprise to him to learn that I am fully in favour of well-run and smooth capital markets, from which London is reaping an international reward. Would he care to speculate on what sort of short-selling and sterling depreciation would be done under the Labour party—given their unfunded tax proposals and their potential sequestration of public assets—and what the market would think of them if they were anywhere close to power, which I pray that they will not be?

Mr Clarke: My hon. Friend is absolutely right. I am afraid we cannot get around the fact that we are now dealing with something very dangerous in terms of the division between the two parties: the division between economic rationality and a programme that would well-nigh destroy the free-market economy in this country. [Interruption.] Labour Members scoff and sneer, but the reality is that anyone looking at the prognosis from the Labour party conference last week—let alone the trillions of pounds of commitments that Labour is now adding up—will see that it would not only destroy our public finances, but would do massive damage to the competitiveness of British business, on which jobs and homes and mortgages depend.

Mr Chris Leslie (Nottingham East) (IGC): Does the Minister accept the specific conclusions in the Office for Budget Responsibility’s fiscal risks report? In July, the OBR ran a stress test on a no-deal scenario, on the model of the International Monetary Fund. It predicted that sterling could depreciate by 10% immediately, because “market participants judge that a fall in the pound is needed to compensate for the reduced competitiveness with the EU... inflation is initially higher, due to the weaker pound”; which contributes to the UK’s entering “a year-long recession”. Does the Minister accept the OBR’s analysis, or does he believe that this is “a price worth paying”?

Mr Clarke: What I will say is that I believe we can avoid that scenario entirely if we get a good deal and leave the European Union according to plan, on 31 October. We are very clear about the fact that, in a scenario whereby we cannot get a deal through the House, we will deliver on the referendum mandate and leave the European Union. That is uncontested Government policy. We will ensure that we make the dynamic policy choices that will enable our economy to remain strong, robust and full of opportunity.

Mr William Wragg (Hazel Grove) (Con): Would my hon. Friend care to comment on this splendid irony? Mr George Soros, who in 1992 made a fortune in short positions against the pound, is now one of the bankrollers of the Continuity Remain campaign.

Mr Clarke: Tempting as it is to follow the trail laid down by my hon. Friend, I will content myself with saying that, just as I would not comment on the actions of individuals in my reply to an Opposition Member, I will not comment on the actions of individuals now. However, the idea that there are vested interests on only one side of the debate could clearly be contested.

Catherine West (Hornsey and Wood Green) (Lab): One of the areas of the economy that the casino-style hedge funds will be betting against is the housing market. What assessment has the Treasury made of how many...
fewer homes will be built, and which section of the house building economy will be worst affected: renters, first-time buyers or pensioners?

**Mr Clarke:** To the best of my knowledge, we have not commissioned specialist advice on the housing market. If I am incorrect, I will ensure that that is set out in writing to the hon. Lady. It is very clear that the UK housing market is in its most robust condition for many years. Indeed, we are now building many multiples of the situation we inherited in 2009, when house building had well nigh stagnated. Of course, many of the problems faced in our housing market stem from the disastrous failure of the last Labour Government to build enough homes in the first place.

**Luke Graham** (Ochil and South Perthshire) (Con): Uncertainty hits not only the London markets but the markets in Edinburgh and elsewhere across the United Kingdom. Does my hon. Friend agree that the best way to end this uncertainty is to vote for a deal, as he did back in March?

**Mr Clarke:** I thank my hon. Friend for his question. Yes, I did vote for a deal on 29 March, and I did so because I feared losing Brexit altogether. I think that was a real risk at that point, and it remains a real risk now, thanks to the antics of the Opposition. If only all of Scotland was as well represented as those areas represented by the Scottish Conservatives, who of course have adopted a totally sensible and unifying position, which is that we should get on and deliver, as one country, what our one country voted for.

**Hannah Bardell** (Livingston) (SNP): The economies of the UK were damaged almost irreparably by spivs and speculators in 2008. Have the Government and the Prime Minister acknowledged the seriousness of the matter? This is not about whose policy position is best or worst; this is about transparency, honesty and the Prime Minister’s relationships with these short-changers to society. Will the Minister acknowledge the seriousness of the matter and call an independent investigation into the Prime Minister’s conduct?

**Mr Clarke:** Actually, this is about democracy and whether we implement the result of a national referendum in which more than 34 million of our fellow citizens expressed their view. For my part, I intend to honour what they voted for. That is the position of this Government, and I think that view is shared by anybody who understands the damage that preventing our leaving the European Union would do to faith in democracy.

**Adam Afriyie** (Windsor) (Con): My hon. Friend is doing a great job on the Front Bench, to which we welcome him. This urgent question is deeply partisan and political—we all know that—but it strikes me that our economic growth looks pretty good this year. PwC also predicts pretty good economic growth. Just to negate the nonsense coming from the Opposition, can my hon. Friend tell me how well preparations are going for a no-deal exit?

**Mr Clarke:** My hon. Friend is absolutely right: the third quarter figures for the UK economy look very robust. Clearly, there is a lot to be said about the ongoing work to make sure that we are ready for a deal or no-deal scenario. My right hon. Friend the Chancellor delivered the spending review earlier this month and today he will give an excellent speech in Manchester, no thanks to the Opposition, setting out our plans for how we move forward. Clearly, we are deploying billions of pounds and the most robust plans available to make sure that we are ready to thrive in all scenarios.

**Sir Edward Davey** (Kingston and Surbiton) (LD): When the last Conservative Chancellor, a former permanent secretary to the Treasury and the Prime Minister’s own sister blow the whistle, the Minister simply cannot brush aside these most serious claims of a conflict of interest. Some of the Prime Minister’s biggest donors are clearly betting against Britain, and, intentionally or not, the Prime Minister is aiding and abetting them by pursuing a no-deal Brexit. I therefore ask again: will the Government set up an urgent independent investigation?

**Mr Clarke:** No.

**Andrew Bridgen** (North West Leicestershire) (Con): Does my hon. Friend agree that speculation in the future movements of markets or currencies—some people think they will go up, others that they will go down—is a sign of a healthy free market economy, and that there is no speculation in the direction of travel of the shadow Chancellor’s favoured economic model in Venezuela, where the bolivar continues to crash, which is hardly surprising because inflation there is running at about 1 million per cent. this year?

**Mr Clarke:** My hon. Friend puts it with his customary robustness, but he is absolutely right that the real threat to the economy, to the strength of sterling, to our competitiveness and to jobs and living standards across the country would be a series of bad decisions made by a reckless, hard-left Labour Government.

**Jenny Chapman** (Darlington) (Lab): My constituents and the Minister’s constituents are working multiple jobs and long hours to keep themselves afloat. Does he understand at all just how distasteful it is for them to see people making millions betting against our country?

**Mr Clarke:** I yield to nobody in my appreciation of how hard people work in the Tees valley and, indeed, how passionate they are about our area, but there is absolutely no doubt in my mind that democracy needs to be honoured. We need to deliver on the referendum result and to get this done. There will no actions for the City to take if we get a good deal across the line and the hon. Lady votes for it.

**Huw Merriman** (Bexhill and Battle) (Con): In June, the Bank of England reported that, thanks to the mitigation and preparation put in place by the Government, any hit to GDP in the event of a no-deal Brexit would be reduced by two and a half percentage points. Will the Minister, whom I welcome to his position, confirm that we have had more preparation since then? That means we should be further protected, meaning these individuals will not make their money.

**Mr Clarke:** My hon. Friend is, of course, absolutely right that we are stepping up our preparations to cover all eventualities. That is why we made provision in the spending review, which was designed to ensure that we
go into this autumn with the options open to us kept as wide as possible. Of course, it is also why the provisions of the surrender Act, which the Opposition brought forward against the will of this Government, are so unwise.

Thangam Debbonaire (Bristol West) (Lab): Does the Minister not understand that my constituents in Bristol West are smart enough to spot the hypocrisy of Members on the Treasury Bench telling us that we should vote for a deal when, first, none exists and, secondly, they did not vote for it last time? Does he not understand that my constituents can also spot the other hypocrisy of criticising people for making uncosted spending assessments mere hours after the Secretary of State for Health and Social Care said he does not know how he will pay for all these hospitals he has promised us? Does the Minister not understand that my constituents can spot all of this?

Mr Clarke: I struggle to see what all that necessarily has to do with the question before the House, but what is very clear is that most people in Bristol are also smart enough to spot that it would be thoroughly unwise to ignore the result of a democratic referendum.

Patrick Grady (Glasgow North) (SNP): The best way to stop the speculation and the uncertainty is for the Government to accept there is a majority in this House that will not let a no deal happen and, therefore, if the House does not agree a deal, we will not, in fact, be leaving on 31 October.

Mr Clarke: What I would say to the hon. Gentleman is, “Watch this space.”

Cat Smith (Lancaster and Fleetwood) (Lab): In response to an earlier question the Minister said he is more of a historian than an economist, so he might remember that hedge funds were also reported to have taken short positions against the pound during the 2016 referendum. Is he satisfied that the regulation of short selling and hedge funds is adequate?

Mr Clarke: As I said in my opening statement, the Treasury keeps these issues under review and is always working to ensure that we regulate this area in a way that is appropriate and proportionate.

David Linden (Glasgow East) (SNP): In the interest of transparency, will the Minister agree to publish details of all call logs and meetings between every Minister and Crispin Odey?

Mr Clarke: The Government do not comment on meetings with individuals, and the hon. Gentleman would not expect me to do so now.

Ian Austin (Dudley North) (Ind): Is not the shadow Chancellor peddling conspiracy theories about shadowy figures working with the Government to manipulate the economy for personal gain because he is a self-proclaimed Marxist who wants to undermine trust and confidence in how our economy and our country work? [Interruption.] It is no laughing matter, as that is what he is trying to do. There have, in fact, already been two investigations into these wild claims. One, as we heard earlier, by the Financial Times that said this is “firmly in the realm of conspiracy theories.” The second investigation was by the independent fact-checking organisation Full Fact, which demolished this crazed nonsense in an article headlined, “We think there’s a big error in that viral article about hedge funds and Brexit”.

Mr Clarke: Would that all parts of our country were as well served as Dudley is by the hon. Gentleman, who is absolutely right: it is genuinely dispiriting that in the mother of Parliaments we find ourselves debating material that is more fit for the tinfoil hat brigade than for Parliament at a crucial time in our country’s history.

Jack Dromey (Birmingham, Erdington) (Lab): As deputy general secretary of the old Transport and General Workers Union and then Unite, I led the battle against the Kraft takeover of Cadbury. A successful and profitable British icon was taken over by a debt-laden American multinational because the hedge funds bought 31% of the shares and sold Cadbury short. Does the Minister not recognise that there is a potential conflict of interest when we have a Prime Minister prepared to sell Britain short by way of a no-deal Brexit, backed by those who make billions daily out of selling our nation short?

Mr Clarke: The short selling regulations cover the sale of shares, so that falls within the remit of the existing legislation. Clearly, we all want to see our country thrive and move forward towards a better future. That will be best done by voting for a deal, as of course many of the members of the hon. Gentleman’s former trade union will have done.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): I hope the Minister recognises that we are talking not about companies protecting themselves in good faith from the devastating impact of a no-deal Brexit, but about large-scale—industrial—shorting of the pound, that can drive extreme behaviours, as well as market crashes, and that, at the very least, this needs to be investigated by the Electoral Commission, in order to see what the influence is. But my question to the Minister is simple: does he know the level of exposure to the shorting of the pound?

Mr Clarke: The Government do not take a view on this issue. [Interruption.] But what is clear is that the hon. Lady can avoid the outcome that she so wants to avoid, by voting for a deal when one is brought forward—that is, and always remains, the case. So we now need to move forward with some purpose, rather than with wild speculation, trying to smear the Government as somehow being in hock to these interests—it is not working. Any rational observer will see that this is not an argument that sustains itself.

Alan Brown (Kilmarnock and Loudoun) (SNP): The Minister keeps trying to make this about leaving the EU on 31 October or not, but it is all about transparency and conflict of interest. We are talking about hedge fund managers who previously backed the leave campaign and in 2016, after the referendum, made some £350 million...
overnight. Therefore, £375,000 of backing to the Prime Minister is nothing compared with the billions of pounds these people might make if there is a no-deal crash out. Surely the Minister understands that this is about a conflict of interest and transparency. If he is so confident about the Government’s behaviour, why does he not authorise an investigation?

Mr Clarke: The hon. Gentleman needs to recognise that our country is absolutely determined to leave the European Union on 31 October. Rather than trying to prevent that, and, in so doing, making no deal more likely, he should get behind the Government’s efforts to secure a good deal.

Matt Western (Warwick and Leamington) (Lab): Let me give the figures some context. Correct me if I am wrong, but I believe that back in 2016 Odey fund management made £300 million on shorting sterling. By contrast, the UK automotive industry has spent £350 million ensuring that it is protected against a no-deal Brexit. Does the Minister not recognise that we are vulnerable in our manufacturing sector—in our heartland communities—to losing jobs and businesses because of the practices of these short sellers? Lord Macpherson, the former permanent secretary to the Treasury, has tweeted:

“Mr Hammond is right to question the political connections of some of the hedge funds with a financial interest in no deal. They are shorting the £ and the country, with the British people the main loser”.

What does the Minister say?

Mr Clarke: I point to the wise words of the Opposition Deputy Chief Whip in the House of Lords last November, who said that short selling “is not necessarily the evil practice that the popular press held it to be...It had a role.”—[Official Report, House of Lords 28 November 2018; Vol. 794, c. 706.]

Christian Matheson (City of Chester) (Lab): Short selling may have a role, but not when Government policy deliberately manipulates the currency to provide a big pay-out to individuals who have paid huge amounts of money either to the Conservative party or to individual right hon. Members. That is the problem. Does the Minister not understand that this is not about the Government’s taking a position on currencies? It is about the stink of something that does not seem quite right.

Mr Clarke: That is such an unworthy question that I do not intend to dignify it with an answer.

Liz McInnes (Heywood and Middleton) (Lab): The Minister quotes Frances Coppola, but she also said:

“Many hedge-fund managers see Brexit...as an opportunity from which they obviously hope to profit, and they are positioning their portfolios accordingly”.

She fears that that creates “psychological pressure” on the Prime Minister “to deliver what his backers want rather than what is in the best interests of the country”.

How can the Minister convince the people of the UK that the Prime Minister has the moral courage to resist that psychological pressure?

Mr Clarke: The Prime Minister has the moral courage to deliver on the referendum result, take our country forward, deliver what millions of people voted for and make our country a better place to live. If we are going to exchange quotes, let me quote a bit more from the article:

“In short, there is no evidence that the hedge funds that have backed Johnson’s election campaign have ‘millions of pounds’ of speculative bets on no-deal Brexit. They have millions of pounds of speculative bets on UK companies, yes, but that is simply business as usual.”

Kerry McCarthy (Bristol East) (Lab): The reason why this is not business as usual is that we are faced with Government Ministers who have close connections with and financial interest in some of the speculative funds and who are making a decision that would have catastrophic consequences for my constituents and for businesses in my constituency, and there is no transparency as to the closeness of that relationship. It cannot be divorced from what is going on in this place, which is why the Minister needs to agree to the requests for an inquiry. We need to get to the bottom of this.

Mr Clarke: The Government are doing what they are doing because we believe it is right to leave the European Union on 31 October, as we all promised that we would. That is absolutely what animates our actions; any suggestion to the contrary is not just wrong but offensive.

Peter Grant (Glenrothes) (SNP): How does the Minister defend a situation in which anyone who is caught insider gambling deliberately to fix the result of a game of cricket goes to jail, but anyone who is insider gambling deliberately to crash the economy is likely to end up in the House of Lords?

Mr Clarke: That is a very serious suggestion. I would not recommend that the hon. Gentleman repeat it outside the Chamber.

Mike Amesbury (Weaver Vale) (Lab): I welcome the new Minister to his place. Will he clarify the statement he made earlier that the former Chancellor, the right hon. Member for Runnymede and Weybridge (Mr Hammond), is part of the tinfoil hat brigade perpetuating a conspiracy theory in regard to this serious matter?

Mr Clarke: I have a great deal of admiration for the former Chancellor, but I am clear that in this case he is wrong.

Bill Esterson (Sefton Central) (Lab): A number of hedge funds expect to benefit as a result of their short positions on a number of sectors in the economy, including construction and shopping centres. It cannot be right that as a deliberate result of Government policy those hedge funds are going to cash in at the expense not only of those sectors but of the constituents of every single Member of this House.

Mr Clarke: Government policy is to leave the European Union with a deal, if at all possible, and that remains our central case. The hon. Gentleman’s question in many ways summarises the past few minutes, in so far as it does not get to the substantive point, which is that the
only reason we are at risk of a no-deal exit is that we have not managed to persuade the Opposition that they should get behind our attempts to secure a better deal rather than seek constantly to undermine them.

Sir Mike Penning: On a point of order, Mr Speaker.

Mr Speaker: Points of order come later. We look forward to them with eager anticipation from the lips of the right hon. Gentleman.

Ian Paisley: To ask the Secretary of State for Northern Ireland if he will make a statement on the situation at Wrightbus in Ballymena in County Antrim.

The Secretary of State for Northern Ireland (Julian Smith): I am deeply disappointed by the news that Wrightbus has had to enter administration. This is a real blow for the people of Ballymena. A number of redundancies have been announced. This clearly creates an extremely difficult situation for all those who have lost their jobs and for their families. Support will be provided to those affected via the Northern Ireland civil service, and I—and along with my hon. Friends—will continue to do everything that I can, as I have been doing over the weekend and in previous weeks, to work with Invest Northern Ireland and Government colleagues to support any potential purchaser of the business or assets who may be identified during the process of administration.

Ian Paisley: I thank the Secretary of State for what he has said. To put this matter in perspective, the loss of those jobs is the equivalent of about 30,000 to 40,000 jobs being lost on mainland UK, so it is devastating to the Northern Ireland economy—it is a huge blow to our economy.

I thank the Government, first of all, for what they have done, and what they have indicated behind the scenes that they intend to do, for any purchaser. The Secretary of State, the Prime Minister and the Business Secretary have all made that very, very clear. However, let me ask the Secretary of State the following questions. Will he spell out to any investor what Government support would actually look like in terms of research and development, soft loans or grants? Can he assure me that the party currently at the table is fully aware of the extent of the promised support and what it would actually look like to assist it in this process? Will he ensure that public transport, by way of hydro and other electric power, will receive special support to make sure that Northern Ireland and the UK’s public transport sector provides the greenest technology possible, and present itself as a huge selling point around the world? Will he recognise that arm’s-length bodies such as Translink and FirstGroup and other bus buyers need to be encouraged directly with economic assistance to buy more British-made buses? Will he ensure that all bus orders go through British companies, therefore supporting British jobs and British investment?

On a practical level, will the right hon. Gentleman ensure, and spell this out to the workers—our heart has to go out to the 1,200 or so workers who have lost so much and who are devastated at the present time—that practical support will be given to them. I know that about £14 million of redundancy has been paid out, but practical support is also needed, such as issuing the P45s quickly, and making sure that workers in Malaysia and here on mainland GB are brought home to Northern Ireland as quickly and expeditiously as possible.

Julian Smith: My hon. Friend shares my desire to ensure that we get into a better place on this issue. Let me answer his questions in turn. On R&D and Government support more generally, the Government are making
any potential bidders aware of what could be available, but, as he knows, this is a commercial process. It is being managed by an administrator, and many of the actions need to take place at a devolved level. None the less, we will continue—and I do continue—to speak actively to all stakeholders involved, and I am conducting meetings during the course of this week.

On buses more generally, my right hon. Friend the Chancellor of Exchequer has made an announcement today to commit £220 million to buses in Great Britain, and there will be additional money for Northern Ireland coming out of that pot. We are also developing the national bus strategy, and I hope that both of those initiatives will mean that the market for buses and the opportunity for the excellent product produced in Ballymena by Wrightbus will be strong and will encourage investors to take the risk to develop the business further.

On the matter of the P45s, my understanding is that the administrator has now written to all employees to communicate the process going forward on redundancies and on the P45s. For the six workers who are currently in Malaysia, the administrator has now taken steps to get those workers home, and I stand ready to address and to help in any way any problems or issues on either of those matters.

Simon Hoare (North Dorset) (Con): Is my right hon. Friend able to make any comment on what seems to be an absurdly large religious donation made by the owners of Wrightbus in recent years? Although the donation was made when the company was profitable, reports cite a figure in the region of £15 million, which seems grossly excessive. Given that these are jobs that Northern Ireland can ill afford to lose, will my right hon. Friend also give some thought to how we can ensure that this matter does not fall between the two stools of its being a devolved matter and there being no devolved Assembly to pick up the reins and run with it?

Julian Smith: I do not think it would be appropriate for me to comment on the loan. On the question of how the absence of Stormont affects these jobs, yes, not having a devolved Executive is making a big difference, but between Invest NI, the Government, the Northern Ireland civil service and a campaigning and dedicated local MP, we are showing that we can get things done. I hope that we can get some positive news out of what is currently a very difficult situation.

Tony Lloyd (Rochdale) (Lab): May I join the hon. Member for North Antrim (Ian Paisley) in underlining the importance of this issue? For Ballymena, the loss of 1,200 high-paid, high-skilled jobs is enormous; these jobs matter enormously.

There are a number of questions that arise. First, we need to examine the role of the administrator. In the context of British Steel, the then Secretary of State for Business, Energy and Industrial Strategy and the then Chancellor arranged that the official receiver would take responsibility. This had the effect of keeping British Steel as a going concern. Could we take the same kind of approach to Wrightbus to ensure that there is a possibility that it can be moved on as a going concern, with the existing skilled workforce?

My second question relates to the land. As I understand it, when Japan Tobacco International Gallaher vacated the site, the land was gifted across. I also understand that one of the current drawbacks to a sale of Wrightbus is the possibility that the land will be seen as an asset by those who would make profit from it. It would therefore seem reasonable for the land to be transferred into the public domain so that there is no question of people profiteering from what was a gift from Japan Tobacco International.

Thirdly, I emphasise the question of the hon. Member for North Antrim regarding investment in the technologies of the future—battery technologies and green technologies—so that Wrightbus can join the other bus manufacturers in the UK that can tour the world selling world-class products.

Julian Smith: My experience in Northern Ireland from the two major issues I have been working on recently with regard to the economy—Harland and Wolff, and Wrightbus—is that the administration companies have been working very well with all stakeholders.

As with the Church loan, I do not think it is appropriate for me to comment on the matter of the land, other than to say that I urge anyone who can do anything to unlock the process of making a successful sale to a successful bidder and preserving jobs to do everything they can to be as flexible as possible.

On the matter of low emission buses and bus technology, Wrightbus is second to none in leading-edge bus technology, which is why I remain confident that we can get to a better position than we are currently in and we can protect jobs.

On the interrelationship between Brexit, Wrightbus, Harland and Wolff and Bombardier, I have made it clear since taking this role that it is in the best interests of Northern Ireland that we get a deal. That is what I am doing, and that is what the Prime Minister is doing.

Greg Clark (Tunbridge Wells) (Ind): We know that Wrightbus plays a crucial role in manufacturing in Northern Ireland. Once major industrial facilities are lost, they are very difficult to restore. In my experience, a combination of ministerial activism and the strong support of local constituency Members can make a difference, so I commend my right hon. Friend and the hon. Member for North Antrim (Ian Paisley) for the efforts they have been making. I invite them to continue, with all the other things on their plates, to be absolutely tenacious in finding a buyer, and to know that they can count on my support and that of Members across the House in finding the best solution for what can be, in future, a very successful company.

Julian Smith: I thank my right hon. Friend for that contribution and take this opportunity to pay tribute to his activist approach. It was not always of benefit to me as Government Chief Whip, but many, many companies benefited from it across the United Kingdom.
Julian Smith: The important thing now is to protect jobs and to ensure that we get a successful buyer. There will be time enough to look back on what could have been done differently and what things need to improve.

Sir Mike Penning (Hemel Hempstead) (Con): As I drove through London to the House today lots of Wrightbus buses were to be seen, bought by the excellent previous Conservative Mayor. One intervention that could go ahead and make the company viable to be sold is the London Mayor buying the right bus for London, which is Wrightbus.

Julian Smith: I do not think it would be appropriate for me to make bus-buying recommendations, but I say again that the technology of Wrightbus and the energy at Wrightbus mean that there is a good future for it if we can get a successful buyer.

Mr Speaker: Whether that is because the right hon. Gentleman does not judge himself to be a particular authority on bus-buying or because he regards reference to the matter as beneath the dignity of his undoubtedly high office—whichever it is—he has made his choice.

Christian Matheson (City of Chester) (Lab): My friend the Member for North Antrim (Ian Paisley) and I were in discussions over the summer about how we could promote the manufacturing sector in buses and low-emission buses. That is his commitment to his constituency. What specific conversations has the Secretary of State had with the company, or perhaps with the family, about removing the block on the sale of the land and possibly even taking it into a trust so that manufacturing can continue there?

Julian Smith: As I said in my statement, it is really important that everybody who thinks they could help to unlock this process does what is in the best interests of the people of Ballymena and the employees of the company.

Karen Bradley (Staffordshire Moorlands) (Con): It seems ironic on the day that announcements are made about money for new buses—I hope a significant amount of that money goes to my constituents in Staffordshire Moorlands—that we are here debating a bus manufacturer in Northern Ireland going into administration. Will my right hon. Friend join me in paying tribute to Sue Gray, the permanent secretary at the Department of Finance in Northern Ireland, who has worked tirelessly and I know will continue to do so to do all she can for the employees?

Julian Smith: I am very happy to pay tribute to Sue. As colleagues from across the House know, she played a very important role in the civil service here and continues to do so in Northern Ireland.

Jim Shannon (Strangford) (DUP): One of the best things that the Secretary of State and the Government could do would be to encourage and fund Translink to the tune of £40 million, to enable it to buy the new buses it needs, which would enable Wrightbus to survive, thrive and retain jobs. Will the Secretary of State consider that?

Julian Smith: The £220 million announced by the Chancellor of the Exchequer a few hours ago will be of benefit to all bus companies and will ensure that the market for buses in both GB and NI will continue to thrive.

Mark Menzies (Fylde) (Con): May I urge the Secretary of State to ensure that the Department for Business, Energy and Industrial Strategy is working with not only Wrightbus but the Department for International Trade? As a trade envoy, I can testify to the fact that there is considerable interest in this bus in some of the high-density markets, particularly in Latin America, and with support from Government we might be able to get some of those deals over the line.

Julian Smith: Through this process, I have become aware of the huge market for buses in South America. My hon. Friend is an exceptionally dynamic trade envoy, and I look forward to meeting him to discuss opportunities for Wrightbus buses if we can get a new buyer for them in the coming weeks.

Dr Rupa Huq (Ealing Central and Acton) (Lab): It might be mismanagement or coincidence, but it looks like the collapse of the PM’s favourite bus builder—apart from himself, with the wine crates—is part of the pattern of the reverse Midas touch in London, with the ticket offices, the water cannon, the tube and the garden bridge. Will the Secretary of State confirm that, as I heard today, the overheating, three-door design of the Boris bus is unusable anywhere else in the world? How much public money was committed to the debacle that contributed to its decline, which, along with Harland and Wolff, spells grave consequences for Northern Ireland’s economy post Brexit, when a majority of people there wanted to remain?

Julian Smith: The important message is to ensure that we get the best buyers for Wrightbus and Harland and Wolff. I do not have details on the technical aspects of the bus the hon. Lady mentions, but I think we should focus now on protecting jobs and supporting the local economy.

Andrew Jones (Harrogate and Knaresborough) (Con): Like the hon. Member for North Antrim (Ian Paisley), I was very disappointed at this news from Wrightbus, as it is a manufacturer of quality products that I have driven and use daily—upon which you regularly comment, Mr Speaker. Can my right hon. Friend assure me that he will do everything he can to work with the Northern Irish civil service in the coming days to find a successful bidder, to ensure that the company can continue to manufacture quality products?
Julian Smith: I thank my hon. Friend for his question and for all his work as a Transport Minister. The civil service in Northern Ireland is working very hard, Invest NI is working very hard and the Department for Business, Energy and Industrial Strategy is working very hard, as is the local MP, and they will continue to do that over the coming days and weeks.

Mr Speaker: We daily learn more and more about the daring and distinguished exploits of the hon. Member for Harrogate and Knaresborough (Andrew Jones). I have regularly informed the House and those observing our proceedings that, when serving as Under-Secretary of State for buses, he was given to travelling to work by bus, to the obvious delight of his fellow passengers. What I did not know was that he was also in the business of driving buses. Is there any limit to the talents of the hon. Gentleman?

Rachael Maskell (York Central) (Lab/Co-op): In addition to the tragic loss of 1,200 jobs, this announcement puts at risk more than 1,700 jobs in the supply chain. It has come to our attention that £2 million was paid out to stakeholders, and only £1.7 million could save this company. What steps is the Secretary of State taking to recover that money and save these jobs?

Julian Smith: The administrator is responsible for the sales process. As I mentioned earlier, there may be a number of things that the administrator and others will want to look at in the coming months, but the immediate task in hand is to find a buyer and to ensure that the Government, Invest NI and all other interested parties support that process.

Maria Caulfield (Lewes) (Con): Given the extent of the job losses in Ballymena and the fact that this company had orders in May for 20 hydrogen-powered buses for TTL, each worth £500,000, does the Secretary of State agree that this is a viable business, if the issue of the donations is set to one side, and that the cash-flow issue around donations to Church charities needs investigating?

Julian Smith: The technology and the opportunity for Wrightbus, with a successful buyer and with a vision for the future, are very strong. I think we have addressed the issue of loans and other matters that are for the future.

Sammy Wilson (East Antrim) (DUP): May I first say to the Secretary of State that this is a terrible blow for workers across North Antrim, South Antrim, East Antrim and a number of other constituencies? Will he join me in congratulating Mid and East Antrim Borough Council on quickly holding a jobs fair that has identified many job opportunities for those who have been made redundant? May I also thank the Government for the announcement that has been made on spending money for public transport?

This company has a skilled workforce, it is a good product—despite the remarks of the hon. Member for Ealing Central and Acton (Dr Huq)—and if there is demand created through public finance, I believe there is a market for these buses. Does the Secretary of State agree that the opportunities presented when we leave the EU on 31 October and no longer have to abide by EU directives on public procurement give the Government an opportunity to make sure that that money is spent on buying British products?

Julian Smith: I agree with my right hon. Friend about the opportunity for Wrightbus and the technology it has. I think we are both agreed that the best resolution for Brexit is a deal at the end of October.

Catherine West (Hornsey and Wood Green) (Lab): Is it not the case that this company, with the 1,700-job loss, is a victim twice over: first, because of Brexit, the general uncertainty and the lack of infrastructure investment; and, secondly, because of the dreadful decisions taken since 2010 about the bus industry, with this Government failing to invest in regional buses? Those are the real reasons why 1,700 people have lost their jobs in Northern Ireland today.

Julian Smith: It would be wrong to attribute this matter to Brexit, bus strategy or other issues. Very often, one of the issues in a capitalist economy is that companies do run into trouble. It is our job now to do everything we can to get this company out of that trouble.

Gavin Robinson (Belfast East) (DUP): May I thank the Secretary of State for the personal commitment he has shown to the workers of Wrightbus and, indeed, to Harland and Wolff in my constituency, which he has referred to? The last number of weeks have been a baptism of fire for him, and he will recognise the strong community support for Harland and Wolff in my constituency and for Wrightbus in Ballymena. Having engaged with Invest Northern Ireland and the Departments for the Economy and of Finance, as he has, will he confirm that the exercise of functions and the restoration of the Executive legislation permits civil servants, in the public interest, to take action that is necessary to secure these vibrant jobs and industries in Belfast?

Julian Smith: My hon. Friend is right that there are certain powers that can be executed by the Department for the Economy, but the main powers reside with the Executive, which is why we want to get Stormont up and running. I pay tribute to the work he has done, working with the unions, potential investors and the administrator at Harland and Wolff, and I hope we will have some positive news during the course of this week.

Helen Goodman (Bishop Auckland) (Lab): On a point of order, Mr Speaker.

Mr Speaker: Points of order would ordinarily arise at the end of the statement. [Interruption.] Yes, there is a statement to come. The hon. Lady is ahead of herself, which is not a novel phenomenon in the House of Commons. If she can contain her impatience for a matter of minutes, we will hear the product of her lucubrations before very long.
Health Infrastructure Plan

3.43 pm

The Minister for Health (Edward Argar): With your permission, Mr Speaker, I wish to make a statement on the health infrastructure plan announcement.

Our health is the nation's biggest asset, and the NHS is the Government's top domestic priority. We are backing our commitment to our NHS with record levels of funding. As part of this, today I am pleased to update the House on the biggest, boldest hospital-building programme in a generation. Through our new health infrastructure plan we are supporting more than 40 hospital-building projects across the country, with six getting the go-ahead immediately—HIP 1. That includes £2.7 billion of investment that gives those six hospitals the funding to press ahead with their plans now, alongside last Friday's investment in technology to ensure that no CT scanner is more than 10 years old.

The six hospital trusts are Barts Health NHS Trust, Epsom and St Helier University Hospitals NHS Trust, West Hertfordshire Hospitals NHS Trust, Princess Alexandra Hospital NHS Trust, University Hospitals of Leicester NHS Trust and Leeds Teaching Hospitals NHS Trust. Under HIP 2, a further 21 schemes have been given the go-ahead with £100 million seed funding to go to the next stage of developing their plans, subject to business case development. This £2.8 billion capital investment follows on from August's £850 million for new upgrades, which included, for example, a £72.3 million investment in the Greater Manchester Mental Health NHS Foundation Trust. All of this, of course, comes on top of the £33.9 billion cash increase in funding for the day-to-day running of our NHS.

This announcement represents another part of our long-term, strategic investment in the future of the NHS, properly funded and properly planned, to ensure our world-class healthcare staff have world-class facilities to deliver cutting-edge care and to meet the changing needs and rising demand that the NHS will face in the 2020s and beyond. Capital spend on NHS infrastructure is fundamental to high-quality patient care, from well-designed facilities that promote quicker recovery to staff being better able to care for patients using the equipment and technology that they need. It is also essential to the long-term sustainability of the NHS's ability to meet healthcare need, unlocking efficiencies and helping to manage demand. The investment we are making in our buildings, our technology and our equipment is vitally important in itself, but it is most important because it gives our fantastic NHS staff the tools they need to do the job.

Our staff are at the heart of the NHS, which is why we have invested in the NHS's workforce. Our interim NHS people plan has set out immediate actions that we will take to reduce vacancies and secure the staff we need for the future—including addressing pensions tax concerns, increasing university clinical placements by over 5,000 more and bolstering the workforce. But it is only right that we invest in the buildings they work in, and in which they provide first-class care for patients. For too long, Governments of all parties have taken a piecemeal and unco-ordinated approach to NHS buildings and infrastructure.

The health infrastructure plan will change that. In the future, every new hospital built or upgraded must deliver our priorities for the NHS, and happen on time and in a planned way, not the current stop-start that we see.

But NHS infrastructure is more than just large hospitals. Pivotal to the delivery of more personalised, preventive healthcare in the NHS long-term plan is more community and primary care away from hospitals. That requires investment in the right buildings and facilities across the board, where staff can utilise technology such as genomics and artificial intelligence to deliver better care and empower people better to manage their own health.

This is only the beginning. The full shape of the investment programme, including wider NHS infrastructure, digital infrastructure, and wider capital investments that support the economy and health system will be confirmed when the Department receives a multi-year capital settlement at the next capital review.

This is a long-term, strategic investment in the future of our NHS, properly funded and properly planned, to ensure that our world-class healthcare staff have world-class facilities to deliver care and meet changing needs and rising demand, so that the NHS can face the 2020s and beyond with confidence.

3.49 pm

Jonathan Ashworth (Leicester South) (Lab/Co-op): I welcome the Minister to his place and thank him for advance sight of his statement. I know him to be a decent man, we have worked together on many joint Leicester and Leicestershire campaigns—and I consider him a friend, but I am afraid that we have to hold him to account. What was announced yesterday was not in fact 40 guaranteed new hospitals but six hospital reconfigurations. It was also not the biggest hospital rebuilding programme in history, because that happened under the last Labour Government.

Of course, I welcome investment in Leicester Royal Infirmary—it is a big investment and to have won it shows what an effective Member of Parliament I am—but will the Minister be clear that that also means a downgrade of Leicester General Hospital, with services closing, including maternity services, and a loss of beds? Will he also tell us what happened with the Epsom and St Helier reconfiguration? Will he confirm that that means moving from two acute services to one in a part of London where accident and emergency pressures are increasing? Will he tell us today whether, across these reconfigurations, the end result will be more beds or fewer?

We know that the NHS is facing a repair bill of £6 billion after years of capital cuts under this Conservative Government, but the Government have so far refused to publish the capital allowances for between next year and 2025. Will the Minister guarantee that the £2.7 billion allocated will be additional to the capital baseline, and will he undertake to publish the NHS departmental expenditure limits on capital spending so that we can be reassured, rather than our assuming that this is all smoke and mirrors?

The Minister has also invited 21 other trusts to make use of a £100 million fund to prepare plans for future upgrades, yet he has just admitted that that will be subject to “business case review”. Is not the truth that the Minister and the Secretary of State cannot give any
cast-iron guarantee that each and every one of these hospitals will be upgraded between 2025 and 2030, because not a penny piece of extra investment has been allocated to the programme for 2025 to 2030?

Finally, how were the 21 trusts chosen? In our mental health hospitals, 1,000 patients are forced to stay in quite dire old-style dormitory wards—the Minister might have seen the ones at the Leicestershire Partnership NHS Trust, for example—yet not a single mental health trust is on the list of 21 produced yesterday. Does that not show yet again that this Government neglect mental health services and some of the most vulnerable patients in the land?

What is on this list, Mr Speaker? I will tell you. We have: Hastings and Eastbourne—marginal constituencies; Winchester—a marginal constituency; Plymouth—a marginal constituency; Reading—a marginal constituency; Barrow—a marginal constituency; Torbay—a marginal constituency; Truro—a marginal constituency; and Uxbridge—a marginal constituency. What a spooky coincidence it is that all these marginal constituencies are on the list. This is not a serious plan. It is a wing and a prayer ahead of a general election. The Prime Minister over-spins, under-delivers and is not straight with people—

Sir Paul Beresford (Mole Valley) (Con): As my hon. Friend might guess, I am delighted by the announcement about Epsom and St Helier University Hospitals NHS

Edward Argar: I know that my hon. Friend’s local hospital trust and her constituents have no greater champion in this place than her. She is right to highlight the allocation to Royal Cornwall Hospitals NHS Trust. The seed funding was announced yesterday and is there now, so we hope that the trust will get to work using that money to develop plans to improve services at local hospitals.

Edward Argar: I will at least start by expressing gratitude to the hon. Gentleman for his kind words at the beginning of his remarks. As he says, we work closely together in our city and county, although I suspect that that spirit of co-operation might not extend across these Dispatch Boxes. None the less, it is a pleasure to stand opposite him. Although I would not agree with his characterisation of where the money has gone, is he, on the basis of that characterisation, suggesting that his own seat is a marginal constituency?

On mental health, I have to say that I find it very difficult to take lessons from the hon. Gentleman when this Government have invested huge additional sums in mental health care. As I mentioned in my opening remarks, we have allocated capital for Greater Manchester Mental Health NHS Foundation Trust—the announcement was made earlier this summer—and for Mersey Care NHS Foundation Trust, so I think the hon. Gentleman is perhaps being a little unfair in suggesting there is no investment in mental health from this Government.

This is an ambitious programme, but unlike the last Labour Government, we will not leave hospitals saddled with masses of private finance initiative debt. That programme was massively expanded under the Labour Government he served as a special adviser. Perhaps he should welcome this Government’s approach, which is to give hospitals the funding they need to deliver without saddling them with debt.

We have made it clear that the hospitals named in HIP 1 have the funding to go ahead, including the hospitals that serve his constituency and mine. I am a little surprised to hear the hon. Gentleman challenge the notion that anyone bidding for huge sums of public money should have to go through a business case. Surely when we are spending public money, it is reasonable of us to make sure it delivers value for money and better outcomes for patients. I know the Labour party does not pay much attention to value for money, but my party and this Government do. We are focused on patient outcomes and delivering investment in our NHS. We can say proudly that, with this raft of announcements, the extra £33 billion and the announcements made already, we truly are the party of the NHS.

Sarah Newton (Truro and Falmouth) (Con): I very much welcome the allocation of £450 million to Royal Cornwall Hospitals NHS Trust. We are keen to work with the Department. Local NHS leaders are eager to work on producing a good business plan that meets the needs of patients and staff in Cornwall. When will the seed funding enabling them to develop those plans be available? If all goes as well, as I am sure it will, we will be able to start building those new facilities in 2025.

Edward Argar: I know that my hon. Friend’s local hospital trust and her constituents have no greater champion in this place than her. She is right to highlight the allocation to Royal Cornwall Hospitals NHS Trust. The seed funding was announced yesterday and is there now, so we hope that the trust will get to work using that money to develop plans to improve services at local hospitals.

Martyn Day (Linlithgow and East Falkirk) (SNP): I am grateful to the Minister for advance sight of his statement.

UK Government decisions on pension costs and funding already result in a shortfall of £48.4 million for the NHS in Scotland, which comes on top of the UK Government making wider budget reductions in health funding for Scotland of £42 million compared with their previously claimed level of consequentials. Scotland now faces a shortfall of £90 million for its health services as a result of UK Government decisions. Now that the UK Government have apparently opened the spending taps, will they pay back the moneys due to Scotland, or will we continue to be short-changed? When will the full Barnett consequentials of this new investment be published?

In total, the Tories’ decade of austerity has cumulatively cut the Scottish block grant by more than £12 billion in real terms. With the economy already faltering, the Chancellor’s predecessor warned that a destructive no-deal Brexit could inflict a £90 billion hit on the Exchequer and suggested that no new money would be available. How then can the Minister guarantee that this money will come to the NHS?

Edward Argar: I will not stray into the politics of the NHS in Scotland. The hon. Gentleman asks specifically about Barnett consequentials. I can confirm that they will apply, and if it would be helpful I will write to him with details.

Sarah Newton (Truro and Falmouth) (Con): I very much welcome the allocation of £450 million to Royal Cornwall Hospitals NHS Trust. We are keen to work with the Department. Local NHS leaders are eager to work on producing a good business plan that meets the needs of patients and staff in Cornwall. When will the seed funding enabling them to develop those plans be available? If all goes as well, as I am sure it will, we will be able to start building those new facilities in 2025.

Edward Argar: I know that my hon. Friend’s local hospital trust and her constituents have no greater champion in this place than her. She is right to highlight the allocation to Royal Cornwall Hospitals NHS Trust. The seed funding was announced yesterday and is there now, so we hope that the trust will get to work using that money to develop plans to improve services at local hospitals.
Trust, which will find favour with hon. Members on both sides of the House. We have been talking about it for a long time, and this is the first genuine movement.

I have a tiny, slightly off-the-wall additional request. As my hon. Friend is aware, I have a declared interest in dentistry, which means that every time the word “health” comes up, I get prodded in the back by my colleagues. In most western nations, 60%, 70% or 80% of the public water supply is fluoridated. It is a proven caries prevention. Would he include in his plans the infrastructure to greatly expand the fluoridation of our water supply? It would bring benefits in terms of prevention and, in due course, cost.

Edward Argar: As he said, my hon. Friend showed some dexterity in asking that question, but I am happy to reassure him. The Under-Secretary of State for Health and Social Care, my hon. Friend the Member for Bury St Edmunds (Jo Churchill), is looking at this matter, and I am sure that she will be happy to discuss it with him further.

Siobhain McDonagh (Mitcham and Morden) (Lab): I would always welcome more money for our NHS, but as always the devil is in the detail. The “Shaping a healthier future” programme proposed the closure of four A&Es in north-west London, at a cost of £76 million, but just six months ago the Health Secretary stood at that Dispatch Box to declare the scheme scrapped. The author of that scheme, Daniel Elkeles, is now the chief executive at St Helier, where he is plotting to use these latest funds to reduce two A&Es to one—away from those most in need—which would place intolerable pressure on nearby St George’s. Does the Minister not see a pattern here?

Edward Argar: I always think it a little unfair in this House to name or attack individuals where they do not have the ability to answer back. The Government have made it clear that the announcement today and yesterday is about putting more money into our NHS, which will improve services for the hon. Lady’s constituents and for those across the capital and indeed the country.

Andrew Percy (Brigg and Goole) (Con): Northern Lincolnshire and Goole NHS Foundation Trust faces some particular challenges in delivering across two district hospitals and the community hospital to a relatively small population but one that has a big and complicated geography. Goole Hospital, for example, is still operating on a coal-fired boiler. I will write to the Minister following this, of course, but can he look at the particular requests we have with regard to the backlog of works at the trust?

Edward Argar: My hon. Friend is quite right to highlight that in certain parts of the country, including his constituency, geography can present a challenge for the delivery of services. I look forward to his letter and will be very happy to respond and to look into the matter with him.

Ms Karen Buck (Westminster North) (Lab): With a £1.3 billion maintenance backlog, Imperial College Healthcare NHS Trust, which includes St Mary’s, which serves my constituency, faces the largest challenges in the country and has been waiting for years for the approval to go ahead with the St Mary’s development. In recent years, we have seen the Grafton ward closed because of significant structural concerns, with the loss of 32 beds; a ceiling collapse in Thistlewayte ward; the Paterson centre flooded; and floods, electrical issues and drainage issues commonplace across the whole estate. Can the Minister guarantee me that today’s announcement will mean no repeat of these sorts of problems in St Mary’s in the coming months, and how does he feel it will be better served by the £200 million deficit the trust has and the £120 million deficit in our local clinical commissioning groups?

Edward Argar: As the hon. Lady will recall, many years ago, when I had more hair and it was not so grey, I sat on Westminster City Council, and St Mary’s was an issue back then that we discussed on various occasions. She is right to highlight it, but I would have expected her to very much welcome the inclusion of Imperial and St Mary’s in the announcement of seed funding to develop their proposals and get the investment they need.

Steve Brine (Winchester) (Ind): We are rather pleased in Winchester at today’s announcement and with our place within it. My constituents do not care about the political knockabout in this House. They love their hospital and are really pleased that it is going to be invested in. Will the Minister confirm how the seed funding process will work in the immediate term—we are in wave 2, but we are keen to get cracking so that we are ready—and will he also confirm that this is a huge vote of confidence in the Royal Hampshire County Hospital in Winchester, not just from the Government, but from the NHS as well?

Edward Argar: I know that, since my hon. Friend was first elected to this House, he has made health and the NHS his No. 1 priority. He served with distinction as a Minister in the Department and continues to champion his constituents’ interests in this respect. On the seed funding, we have made the announcement and are keen to get the money to those trusts as swiftly as possible so they can work with us to develop their plans. I agree entirely that its inclusion in this list is a vote of confidence from us and the NHS in the work his local hospital is doing.

Grahame Morris (Easington) (Lab): I thank the Minister for his statement. He said that the Government would focus on outcomes, and he mentioned £200 million for new CT scanners for diagnosis, but The Times recently published the details of answers to freedom of information requests indicating that half of NHS trusts are treating cancer patients with out-of-date radiotherapy machines. The UK will remain at the bottom of the cancer survival league until we dramatically improve our radiotherapy services, so what steps is he taking to implement the “Manifesto For Radiotherapy”, invest in modern radiotherapy equipment and train personnel in IT networks, to provide modern radiotherapy services to cancer patients in every region of the UK, not just those in London and the south-east?
**Edward Argar:** I am grateful to the hon. Gentleman for that question and for the tone in which he asks it; it is an extremely important point and he makes it well. The investment in CT scanners and X-ray machines is an important start. It means that none of them will be over 10 years old, which is hugely important. He is absolutely right to talk about treatment, the workforce and the many parts of the system that provide effective cancer care. Although it is a specialist hospital, I recently visited the Royal Marsden Hospital in London to see the amazing research and work being done there. He is absolutely right that we must continue to promote that specialism and expertise right across the country to ensure that everyone gets the diagnosis, treatment and cancer care that they deserve. I would be happy to meet him subsequently to discuss the manifesto he highlighted.

**Derek Thomas (St Ives) (Con):** I welcome this fantastic announcement. Our fantastic NHS staff are expected to deliver modern NHS services in buildings that were designed for a completely different era. Therefore, when considering the proposals that will come forward from Cornwall, will he pay particular attention to those that involve modern technology, so that people do not have to travel to the centre to receive diagnosis and treatment?

**Edward Argar:** My hon. Friend makes a good point. Local NHS trusts will be developing their plans and proposals on how they wish to see services modernised, but he is absolutely right and I am sure that they will have heard him, just as I have.

**Emma Hardy (Kingston upon Hull West and Hessle) (Lab):** In 2003, the Labour Government opened Hull's women and children's hospital, which is where I had the “pleasure” of giving birth to my two children. However, the main Hull Royal Infirmary site is a 50-year-old tower block that is in need of serious investment, so it is a shame that the Government have not even attempted to match the previous Labour Government's NHS investment in Hull. Can the Minister at least explain how he will fund the existing maintenance backlog?

**Edward Argar:** The hon. Lady makes a good point. This Government will invest in our NHS without leaving it saddled with private finance initiative debt for many decades to come. However, she is absolutely right to highlight the need to manage a backlog of works, because many of the buildings are old and not entirely fit for purpose. This announcement represents a huge step forward in that, alongside the work that has already been set in train through the Naylor review of the management of NHS capital and property maintenance. I believe that we are making significant strides forward in that. If she wished to write to me about the specific issues with her hospital trust, I would be happy to respond to her on those as well.

**Robert Halfon (Harlow) (Con):** I, alongside my wonderful right hon. Friend the Member for Epping Forest (Dame Eleanor Laing) and my hon. Friend the Member for Hertford and Stortford (Mr Prisk), have been campaigning hard for a new hospital in Harlow, and we are delighted by the Minister's announcement that we will now be getting it. Will he send us the full details about the process? We are delighted that we are in the first wave of six. I ask him not only to visit the hospital, but to pay special tribute to the incredible domestic and support staff, the nurses, doctors and consultants, and the management team, led by the chief executive Lance McCarthy, because for years they have done an incredible job, against the odds, in a building that was not fit for purpose. Will he pay tribute to those wonderful NHS staff?

**Edward Argar:** I am grateful to my right hon. Friend, who is right to highlight the work for his local hospital by our hon. Friend the Member for Hertford and Stortford (Mr Prisk) and by the right hon. Member for Epping Forest (Dame Eleanor Laing) who, given the nature of her office, may not speak but works incredibly hard for her constituents on this. My right hon. Friend the Member for Harlow (Robert Halfon) has a strong track record of campaigning successfully on a range of issues, so I suppose he will be pleased that yet again he has secured a victory for his constituents and his area. I join him in paying tribute to Lance McCarthy and the entire team at the hospital and the trust.

Every day, our NHS staff go above and beyond everyone's expectations in whatever buildings, to make sure that they deliver first-class care for all our constituents and, indeed, for us all. I will happily write to my right hon. Friend setting out the process in more detail. I believe that my predecessor in this role was due to visit on the day on which he was reshuffled, so I very much look forward to taking up that invitation if it is extended and coming to see my right hon. Friend.

**Stephen Pound (Ealing North) (Lab):** It is said in the House that the vote follows the voice. On NHS infrastructure, it seems that the cash follows the camera. On that basis, may I ask the hon. Gentleman to pop round to Ealing Hospital, where he will be welcome? In his statement, he referred to staffing as well as infrastructure, so is he prepared to be asked about the current situation on nursing bursaries? Would he care to share his thoughts with the House?

**Edward Argar:** I am grateful to the hon. Gentleman for his question, asked in his inimitable style.

**Stephen Pound:** It wasn't that bad, was it?

**Edward Argar:** It was one of his better ones. I will happily take up the hon. Gentleman's invitation to visit his local hospital, which, as I recall, he told me was opened by Lord Patrick Jenkin. I am always happy to visit hospitals with colleagues, and when I do so I am always happy to talk to any staff members who want to talk to me about anything that is of concern to them. The hon. Gentleman is absolutely right to highlight the importance of adequate supplies of nurses for our NHS, both in the recruitment and training of new nurses. We also need to focus on returnees, whatever the reason they left the profession, and tempt them back. I am always happy to talk to any staff members who want to talk to me about anything that is of concern to them. The hon. Gentleman is absolutely right to highlight the importance of adequate supplies of nurses for our NHS, both in the recruitment and training of new nurses. We also need to focus on returnees, whatever the reason they left the profession, and tempt them back. He is absolutely right, and I look forward to seeing him in his hospital.

**Peter Heaton-Jones (North Devon) (Con):** I thank the Minister and the Health Secretary for the announcement that North Devon is one of the areas that will benefit from investment. I thank the Minister and his predecessors for listening to all the lobbying and campaigning, which proves the truth, Mr Speaker, of your oft-repeated
mantra that persistence pays. Will he accept an invitation to come and visit North Devon with me, to work with the trust to get these plans going, particularly in a place such as North Devon, to ensure that we can deliver these services sustainably, including to areas that are more rural and isolated?

Edward Argar: My hon. Friend is right that persistence does pay off, and it certainly has done so in his case on behalf of his constituents. He is right to highlight the importance of the sustainability of services, which is what we are seeking to do with the investment, and also ensuring that services are designed to reflect the geography and needs of the local population, to ensure that they have access to the healthcare that they need when they need it. He kindly invited me to visit. I suspect that it is a little easier to visit Ealing than Devon, but I shall endeavour to do so.

Stephen Pound: I asked first.

Edward Argar: If it is any reassurance to the hon. Gentleman, I can say that I was enjoying Manchester yesterday and this morning, and then came down here to enjoy being at the Dispatch Box. Let me also say that if he wanted to see fewer of us here and rather more in Manchester, perhaps he should have voted in favour of a small recess to allow us to go and support the economy of his city. As for his question about the hospital trust, of course I should be very happy to do so.

Mike Kane (Wythenshawe and Sale East) (Lab): As a Mancunian MP, I am absolutely sickened to see Members on the Government Benches today. If you will forgive the personal pronoun, you should be in Manchester spending your hard-earned wages on our economy. [Interruption.] I was just trying to take the toxicity out of the place.

The NHS is a devolved matter in Greater Manchester, but NHS financial technicalities are holding back the redevelopment of the wonderful Wythenshawe Hospital in my constituency. Will the Minister meet me to discuss those technicalities?

Edward Argar: I am grateful to the hon. Gentleman, and I am sure that that is something in which he takes great pride, among many other things.

Mike Kane: The hon. Gentleman is absolutely right. We have some bad news in Banbury last week about our obstetric unit, but partly as a consequence, two positive steps have been taken. I have met the Secretary of State twice in the past week, and I have managed to get the clinical commissioning group and the head of the trust on the same page, and we were able to apply for some seed funding. Can the Minister assure me that he will look on that application favourably and that we will make Horton General Hospital fit for the future?

Edward Argar: I know the Horton well from my time as the parliamentary candidate for Oxford East, which I fought in 2010 and which, sadly, fought back. I also know of the work that my hon. Friend has done since before her time in the House in campaigning in the hospital’s interests. I will certainly look carefully at any application that is made, and I will judge it swiftly and fairly, as will the Secretary of State.

Wes Streeting (Ilford North) (Lab): I warmly welcome the investment in Whipps Cross University Hospital, which is one of the six projects that have actually been committed to, as opposed to the 40-odd that have been promised. However, as the Prime Minister found during his recent visit to the hospital, when he met my constituent Omar Salem, all is not well in respect of the consistency of the care provided there—not because of a lack of dedication on the part of the staff, but because the hospital and, indeed, the wider Barts Health NHS Trust do not receive the funding that they need to cater for such a large population across the whole of east London. I welcome the investment in the fabric of the hospital, but what will the Minister do to ensure that my constituents receive a consistently excellent quality of care when they visit the hospital?

Edward Argar: I am grateful to the hon. Gentleman both for his question and for the reasonable tone in which he pitched it. [Interruption.] Indeed, he is always reasonable. As he knows, the capital investment will allow for investment in a new hospital, providing a range of services across emergency, maternity and specific out-patient and other diagnostic services. As for consistency of care and the experience of patients, the hon. Gentleman is absolutely right to pay tribute to the fantastic work done day in, day out by the NHS workforce, and that is why we have seen that workforce grow under this Government. Equally, however, when I visit hospitals, as I have done since I was appointed, I observe that the infrastructure and the buildings in which they operate can play a huge part in delivering not only consistency of care, but speed of care and speed of access. That capital investment in the hon. Gentleman’s local hospital will play a huge part in giving its excellent staff the tools with which to do their job and the environment in which to do it, and he will see that delivering better and more consistent care to patients.

Mr William Wragg (Hazel Grove) (Con): During the summer, we welcomed the £30.6 million investment in a new urgent care centre at Stepping Hill Hospital. Does the Minister agree, however, that support will be needed for infrastructure, particularly for adequate car parking? That is a big issue for local residents, who regularly experience problems parking.

Edward Argar: My hon. Friend is absolutely right. Capital improvements in hospitals are hugely important, but it is also important for them to be set within the broader context of car parking and other facilities to ensure that those hospitals can run smoothly.

Sir Vince Cable (Twickenham) (LD): Now that the Government are no longer using the private finance initiative, what are the terms and conditions for Treasury funding of capital investment in hospitals? Is this all grant, or is it a new kind of loan?

Edward Argar: The right hon. Gentleman will know from his time in government that the approvals process conducted by the Treasury and, indeed, the NHS is not always the simplest. We are looking into what we can do
to ensure that it is better streamlined, while also delivering value for money for taxpayers and the assurance that is required. However, it is important that this money—while not tied to the same conditions as the ruinous PFI deals entered into by the previous Labour Government—does deliver value, and we know that it is delivering on outcomes for patients.

Mr Mark Prisk (Hertford and Stortford) (Con): I thank the Minister for the decision, principally in listening to the outstanding campaign led by my right hon. Friend the Member for Harlow (Robert Halfon), which will benefit east Herts, Harlow and, indeed, the Epping Forest area. May I also say that the Minister need not be defensive, because we have not forgotten that when Labour was in government, it chose not to build a new hospital in our area but to scrap those proposals? We need take no lessons from the Opposition.

Edward Argar: I am pleased that two of the trio who have fought so hard for my hon. Friend’s local hospitals and services have had the opportunity to contribute. He is absolutely right to say that while the Labour party talks the talk, when we look at its track record in government, we see that all too often it absolutely failed to deliver by scrapping services or saddling trusts with debt.

Helen Hayes (Dulwich and West Norwood) (Lab): The finances at King’s College Hospital were destabilised in 2011, when the Lib Dem-Tory coalition forced King’s to take on two additional hospitals following the failure of another hospital trust. King’s is now struggling with the greatest financial challenge of any hospital trust in the UK. It is desperately in need of capital investment to enable it to meet local needs. Will the Minister explain to this House and, more importantly, to the hard-working staff at King’s—whose life-saving and life-enhancing work every single day is so important in our area and across London, where their work was critical in responding to the Grenfell Tower tragedy and to the Westminster bridge and London bridge terror attacks—why there is not a single penny for King’s College Hospital in today’s announcement?

Edward Argar: While I recognise and pay tribute to my hon. Friend’s championing, as one would expect, of her constituents and local hospital, I am sure she will none the less welcome this Government’s massive investment in our NHS. I hear what she says about her own local hospital, and she is right to highlight the work done by the staff, who do amazing work day in, day out, particularly in the aftermath of some incredibly challenging disasters. I would be very happy to meet and talk to her in more detail about the finances of her hospital and trust since 2011, if she feels that would be useful.

Stephen Hammond (Wimbledon) (Ind): I welcome my hon. Friend to his role and wish him every success. I also welcome this Government’s continuing investment in the NHS, particularly in that the Epsom and St Helier University Hospitals NHS Trust. Does he agree that it will provide high-quality A&E services for my residents, maintain key services at the St Helier site and confound those naysayers who said that this Government were going to shut that hospital?

Edward Argar: My hon. Friend was a distinguished predecessor of mine in this post. He is very much missed by the Department and, I am sure, by all those working in the NHS who came into contact with him. He rightly highlights the positive news in this announcement, including for his hospital trust. This money will allow it to invest and for the hospitals to continue providing first-class services to his constituents.

Jim McMahon (Oldham West and Royton) (Lab/Co-op): The £100 million seed funding needs to be put in context, which for Oldham is a £95 million capital requirement just for basic maintenance and upgrading, so it is not really a significant investment at all. More importantly, I am here to call and collect. Two years ago, the Government promised £80 million for Greater Manchester as part of the Healthier Together proposals, but they still have not written the cheque. So, fewer announcements, more cash, please.

Edward Argar: The hon. Gentleman makes his point forcefully but courteously. I will take away what he said and I will write to him.

Mrs Maria Miller (Basingstoke) (Con): May I welcome my hon. Friend’s announcement that the Government are backing Basingstoke’s plan for a new hospital to serve not just north Hampshire but across mid-Hampshire? It has the support of our local council and local residents. However, the 1970s buildings in which my incredible doctors and nurses and chief executive Alex Whiffin work are already creaking at the seams and are very expensive to maintain. What can my hon. Friend do to support the hospital’s bid and to ensure that a new hospital is in place as swiftly as possible, so that the money is not patching up the old but building the new?

Edward Argar: My right hon. Friend makes an important point. This money will be hugely important to doing exactly what she says: investing in our NHS buildings for the long term, so reducing the reliance on expensive capital repairs.

With this plan, we are also looking to deliver a step change in how we deal with capital in the NHS, which is also hugely important. Instead of stop-start investment, we are looking for a rolling programme of investment to make sure we get those facilities up to standard in order to reduce the day-to-day spend on repairs. I will happily talk to my right hon. Friend about what we can do to ensure that we go through due process as swiftly as possible so that her hospital trust can get on with it.

Karin Smyth (Bristol South) (Lab): I worked on many business cases for capital projects during my long NHS career. These projects are important to local people, but local people across the country were misled over the weekend. This is a proposal to give permission to think about building a hospital; they are not new hospitals. The Government’s own response to the Naylor report said that sustainability and transformation partnerships are the chosen means of planning and delivering capital projects, so how were STPs consulted about which projects to progress?

Edward Argar: The hon. Lady, as she says, comes to this with a wealth of experience. The bids were put forward by individual trusts working with their STPs,
and in the context of the STPs that have been developed. There is a synthesis and a read across to ensure that, in this announcement, we have picked the trusts that put together the most compelling bids in order to deliver value for money and improvements where they are needed.

Jeremy Wright (Kenilworth and Southam) (Con): I welcome my hon. Friend to his new post and, of course, I welcome the investment he has announced, but he will recognise that, however new the hospital, being an in-patient can be a profoundly distressing experience for someone with dementia. Good design can help tremendously, so will he do all he can to ensure that the best possible design standards are used when building these hospitals, with the interests of people with dementia in mind?

Edward Argar: My right hon. and learned Friend makes an important point that is close to my heart, as a former co-chair of the all-party parliamentary group on dementia. I recently, or relatively recently, had the opportunity to visit Leicester Royal Infirmary, which has done exactly that and worked with the Alzheimer’s Society and others to create a dementia-friendly ward. He is right that that sort of thing should be hardwired into our designs as we upgrade hospitals.

Rachael Maskell (York Central) (Lab/Co-op): Had the Minister conducted an appraisal of the full NHS estate, he would have realised that mental health hospitals are not on his list. In the light of the urgent need for a new child and adolescent mental health services unit in York, how did he miss CAMHS from his list? This will have a real impact on clinical services.

Edward Argar: The hon. Lady makes an important point about mental health and the services for those with mental health needs. This announcement is very much focused on acute hospitals, and investment was recently announced for mental health services in, for example, Mersey Care and Manchester. Indeed, my own county recently invested in a new unit.

The hon. Lady raises a specific point, and it would be wrong to suggest that this Government are not investing in mental health services. However, if she wishes to discuss the specifics of her constituency and of the needs in Yorkshire, I would be happy to meet her.

Andrew Bridgen (North West Leicestershire) (Con): I wholeheartedly and unreservedly welcome the massive £450 million investment in the University Hospitals of Leicester NHS Trust. It is every penny that management and clinicians say need to ensure that we have world-class healthcare facilities for the people of Leicester and Leicestershire. Will my hon. Friend join me in welcoming the fact that this Government abandoned the discredited Labour funding mechanism of PFI? PFI stood for “private finance initiative,” but it should have stood for “pay for indefinitely”.

Edward Argar: My right hon. and constituency neighbour makes a positive point, perhaps in contrast with some of the points made by Opposition Members, in welcoming the huge investment that we will see in the University Hospitals of Leicester NHS Trust. Although the hospitals are in the constituency of the shadow Secretary of State, the work to campaign for this money has been a team effort, across all parties and all constituencies, and I pay tribute to my hon. Friends the Members for South Leicestershire (Alberto Costa) and for Harborough (Neil O’Brien) in that context. My hon. Friend the Member for North West Leicestershire (Andrew Bridgen) is right to highlight PFI again. It was massively expanded under the previous Labour Government, who ran it so badly that it left trusts saddled with debt.

Tracy Brabin (Batley and Spen) (Lab/Co-op): On Friday, I had a meeting with Mid Yorkshire Hospitals NHS Trust, whose chief executive said to me: “The impact of low levels of funding over seven years has been longer and more impactful than when funding was squeezed by the Mrs Thatcher Government. More investment is required to increase staff training and in turn employ more qualified health staff.”

We know that hospitals in towns are often not funded to the same level as hospitals in cities, so could the Minister give me the number of hospitals in towns that are not in marginal seats which are having extra hospitals and funding? Will he meet me to discuss extra funding for Dewsbury’s hospital?

Edward Argar: The hon. Lady makes a powerful point. I am sure she would therefore welcome what we are doing, which is addressing capital funding needs with a long-term, rolling programme of capital investment to address both the immediate need and the shortfalls from the previous Labour Government’s landing trusts with PFI debt. On her local hospital, and the need to invest in cottage hospitals, community hospitals and town hospitals, I will of course meet her.

Karen Bradley (Staffordshire Moorlands) (Con): I realised from the earlier exchanges how lucky I was, because my hon. Friend the Member for Wimbledon (Stephen Hammond) did visit my local hospital, Leek Moorlands Hospital, but please do not let that stop the incumbent from adding it to his address book, because he would be very welcome any time he feels like a visit to north Staffordshire. Can the Minister confirm that this investment is possible because of this Government’s careful stewardship of the economy and that these hospitals will not be saddled with debt, as the ones built on PFI were?

Edward Argar: My right hon. Friend is right. In my previous role, I enjoyed a visit to her constituency to visit a prison with her and I am more than happy, although I am sure my officials will wince at the diary management involved, to take her up on her offer of a visit as well. She is exactly right: we are able to make this investment because, unlike the previous Labour Government, who left that note saying, “Sorry, there is no money”, we have stewarded the national finances well and we now have the money to invest.

Bill Esterson (Sefton Central) (Lab): There was nothing in the announcement about Southport and Formby District General Hospital, which desperately needs a new walk-in centre to relieve the pressure on the accident and emergency department, and nothing about the
much-needed health centres in Maghull and Formby, also in my constituency. Given the cancellation and delay in previous projects, and the growing repairs backlog, why should anyone think that these projects will go ahead in the way the Minister has announced any more than previous projects that have not?

Edward Argar: The hon. Gentleman is understandably and rightly fighting the corner for his local trust and local hospitals, but I am sure he would none the less welcome the huge investment by this Government in our NHS that this announcement amounts to. On delivering on these commitments, we are clear: we want to see these hospitals built as swiftly as possible. Unlike the Labour party, when we say we will do it, we get on with doing it.

Sir Mike Penning (Hemel Hempstead) (Con): As the Minister knows, in his short time in office I have been pinging his ear, as I did his predecessor’s, over the investment we need in west Hertfordshire. The Secretary of State kindly took a call from me at the weekend. Now £400 million is welcome, but not if we are going to chuck it into Watford Hospital, which is a Victorian hospital that took all the work from Hemel Hempstead Hospital when Labour closed our acute hospital. Hemel Hempstead is the largest town in Hertfordshire. We welcome the money, but we would like a new hospital where we could look after St Albans, Hitchin and Harpenden, Watford and Hemel Hempstead in the 21st century—we do not want to plough this into a Victorian hospital.

Edward Argar: My right hon. Friend rightly campaigns vociferously for his constituents in Hemel Hempstead, and I know he has spoken to the Secretary of State about this issue on several occasions. No formal decision has been made on the detail. He will know that his hospital trust has a view. I hope he will continue to engage with the trust and with us Ministers, and that he will put the points that he just put to the House to us in a meeting.

Helen Goodman (Bishop Auckland) (Lab): Around 15 years ago, when there was a Labour Government, we had a new hospital in Bishop Auckland. My constituents want to know why it is not used properly. In particular, will the Minister look at the latest proposal to close the stroke rehabilitation ward—ward 3—and reverse it?

Edward Argar: The hon. Lady highlights an issue of great importance to her constituents and her local hospital. As she will be aware, decisions on changes to services are made by local NHS trusts and clinicians, to reflect their assessment of the best way to deliver care and meet clinical need in a particular locality. If she wishes to write to me about the details of her local hospital and the issue she just highlighted, I would be happy to respond as swiftly as possible.

Simon Hoare (North Dorset) (Con): The delivery of healthcare in rural settings presents some complex challenges, so I was delighted to hear what my hon. Friend said in his statement about the importance of community hospitals. Dorset is in phase 2, for want of a better phrase; will the Minister flesh out, to the best of his knowledge, how that will come about, the timeframe and what my residents should expect?

Edward Argar: I notice that my hon. Friend did not invite me to visit Dorset, although I visit him fairly regularly anyway so may well take advantage of such an occasion. The seed funding in the HIP 2 for Dorset is for the trust to develop its proposals for 12 community hospitals. That is an improvement. He is absolutely right to highlight the importance of community hospitals in a large rural county with transport challenges, given its rurality, and often an older population in some villages. As I said to my right hon. Friend the Member for Harlow (Robert Halfon), if it is helpful, I will be happy to write to my hon. Friend to set out the process by which his local trust will work with the seed funding.

Andy Slaughter (Hammersmith) (Lab): I spoke to Imperial College Healthcare NHS Trust earlier and asked what there might be from this announcement for our local hospitals; I was referred to the Conservative party press release, which is the only information that the trust has so far received. If I divide up the seed money between the three major hospitals that will get some money, I see that we could get as much as £9 million for planning for currently unfunded work that could happen in six to 10 years. That can be compared with £76 million wasted on consultants; £170 million, which is the current-year deficit for north-west London; and £1.3 billion, which is the Imperial maintenance backlog. We need that money now. When are we going to see it?

Edward Argar: The hon. Gentleman made several points. I am pleased that he has been enjoying improving reading of Conservative party press releases. On his serious point about the Imperial trust, the seed funding will be for the trust to develop its plans as a trust and to put forward its proposals. I am happy, as I am in respect of other colleagues, to write to the hon. Gentleman to set out the process, how the money will be spent and how swiftly it can be allocated. There is always a need for the development of a business case when large sums of public money are involved, and I am sure he would expect one for any major investment in his trust. The seed funding will enable the trust to get going quickly and put together its case.

Mark Menzies (Fylde) (Con): I welcome the excellent announcement of the seed money for Royal Preston Hospital. This is indeed a great day for healthcare in Lancashire. Will the Minister assure us that he will work with right hon. and hon. Members to shape the health vision for this part of our county?

Edward Argar: Again, I am happy to welcome the positivity from my hon. Friend and the welcome for this money; the welcome for this massive additional investment into our NHS has been clear on the Conservative Benches. I am, of course, happy to give him the commitment that he wishes, which is to work with him and his colleagues to make sure that his constituents continue to get the healthcare that they need.

Liz McInnes (Heywood and Middleton) (Lab): The King’s Fund has commented on the recent announcements: “these piecemeal announcements are not the same as having a proper, multi-year capital funding plan.” So could the Minister clarify by what criteria these schemes have been selected, and what are his spending plans for the long term to repair our crumbling NHS?
Edward Argar: The hon. Lady refers to piecemeal announcements. I have to say that the reason we are now coming up with an approach—a new approach—that delivers rolling capital investment to a strategic vision linked to investment elsewhere in the health service is that, singularly, the previous Government utterly failed to do that. On criteria and process, as I mentioned, the bids considered were put forward by individual NHS trusts and we have considered them against the usual bidding process value-for-money criteria. If it is helpful to her, as with other colleagues to whom I have committed to write, I will be happy to write to her about process rather than the specifics of individual hospitals. If there is a particular trust that she wishes to highlight to me, if she writes to me, I will include the response on that in the letter.

Andrew Jones (Harrogate and Knaresborough) (Con): May I congratulate my hon. Friend on his statement, which is so encouraging because it demonstrates our long-term ambitious plans for the NHS? I was particularly pleased to see the investment in CT scanners as technology and medicine are moving so fast. Does he agree that the screening programmes in the NHS, supported by the capital budget that he is announcing today, are helping to save lives and that we must do all we can to encourage these programmes?

Edward Argar: My hon. Friend is absolutely right. We are investing to make sure that, when people need care, that care is there for them, but he is absolutely right to highlight that prevention is always better than cure. The investment that we are making in these CT scanners and X-ray machines and, indeed, the steps forward that we are seeing in the research and development of new technologies, all contribute to improving our ability to prevent illnesses.

John Spellar (Warley) (Lab): May I express to the Minister my disappointment that, in the list of hospitals, there is not one in the whole of the west midlands? I say that in particular because when, in January 2018, Carillion went bust, a major casualty was the half-completed, but much-needed, Midland Metropolitan Hospital. After long representations to his negotiations, the new contract with Balfour Beatty has now been sent to both his Department and the Treasury. It just needs ministerial sign-off, so will he go back to his Department, get out the file and get this project moving?

Edward Argar: I am grateful to the right hon. Gentleman. He is absolutely right to highlight the challenges about Midland Metropolitan Hospital. I know, in the spirit of bipartisan sentiment, how hard he has been working on that issue on behalf of his constituents, and I also know how hard Toby Lewis has been working on this as well in running that hospital trust. I have looked into the matter recently. I am very happy to meet him to talk through with him where we are and what the next steps are because, like him, I am keen that we get things moving.

Mr Philip Hollobone (Kettering) (Con): Record numbers of patients are being treated at Kettering General Hospital with increasingly world-class treatments. The difficulty that we have at Kettering General Hospital is the A&E department, which, when it was constructed 25 years ago, was designed to cope with 45,000 visitors and is expected to go through 100,000 attendances this year. The solution is an urgent care hub. There is already a fully worked-up business plan in place. May I welcome the addition of Kettering General Hospital on the list of future projects and ask: when can the hospital expect the money and when can it expect to start to build the new urgent care hub?

Edward Argar: I am grateful to my hon. Friend for his question. He is right to highlight the importance of design, particularly in A&E and emergency departments, for the ability of staff to manage increasing demand and increasingly complex cases. As he highlights, Kettering General Hospital NHS Foundation Trust is included in HIP 2 for the seed funding to develop that business case and its proposal. I am happy to work with him and I hope that he will work with the trust to develop the business case in accordance with the criteria for bidding against future funds.

Jenny Chapman (Darlington) (Lab): A couple of years ago, my constituents and I led a spirited and successful campaign to maintain A&E and maternity services at Darlington Memorial Hospital, but our attention now turns to the state of mental health services in Darlington. I know these problems are not unique to my constituency, but they are dire. There are young people and children in Darlington who have been waiting for 18 months for an autism diagnosis. The situation needs urgent attention. Will the Minister please meet me to discuss how we can improve the situation?

Edward Argar: As the hon. Lady will know, improving mental health services for those with mental health needs is at the heart of this Government’s agenda. The Government have already announced investments of over £400 million in improving the mental health estate since July 2017, but she highlights a specific point and has a specific request—that I meet her. Given the number of meetings and visit requests I have had today, there may be a slight wait, but I would be very happy to meet her.

Huw Merriman (Bexhill and Battle) (Con): On Friday, I had the pleasure of visiting the Conquest Hospital in Hastings with my amazing neighbour, my right hon. Friend the Member for Hastings and Rye (Amber Rudd). The hospital was delighted with the £14 million that has just been allocated to its sister hospital in Eastbourne to help to develop wards there, and the trust would be absolutely delighted if it were able to deliver a new hospital. May I ask my right hon. Friend—he will soon be right hon. if he is not already—what more the Conservative MP team in East Sussex, one of whom, my hon. Friend the Member for Lewes (Maria Caulfield), is sitting right in front of me, can do to get a new hospital delivered to our constituents on the East Sussex coast?

Edward Argar: I pay tribute to my hon. Friend and to my right hon. Friend the Member for Hastings and Rye (Amber Rudd) for their campaigning work on behalf of their local hospital trust, East Sussex Healthcare NHS Trust, and their two local hospitals, the Conquest and Eastbourne. The investment that we envisage flowing from this seed funding will lead to current district
general hospital services being provided from a significantly enhanced environment at both Eastbourne and the Conquest—something that my hon. Friend the Member for Bexhill and Battle (Huw Merriman) has campaigned for very actively. I encourage him to continue doing so and to continue working very closely with his local trust to ensure that it continues to develop those services.

Nic Dakin (Scunthorpe) (Lab): I have with me a letter from the chief executive of North Lincolnshire and Goole NHS Foundation Trust, which identifies a capital gap in excess of £247.36 million as of July 2019. Will the Minister meet local MPs to discuss how the Government can work with the trust to address this capital need?

Edward Argar: At the risk of being a little brief at this point—yes.

Scott Mann (North Cornwall) (Con): Many of my constituents have a two-hour round trip to access an acute general hospital, so they are jumping for joy at the opportunity of getting more money for the cottage hospitals or for a new general hospital in Cornwall, but what reassurances can the Minister give my constituents that this is more than just an aspiration for the people of Cornwall?

Edward Argar: My hon. Friend is absolutely right to highlight the need for access to facilities in his county, given its geography. I have been clear today, the Secretary of State has been clear and the Prime Minister has been clear in our commitment to the list of schemes that we have said will get the HIP 2 funding. I know that officials in my hon. Friend’s constituency will be looking forward to working with him to develop their proposals.

Cat Smith (Lancaster and Fleetwood) (Lab): I am pleased that my persistent and passionate campaigning for the University Hospitals of Morecambe Bay NHS Foundation Trust must have been heard by those on the Government Benches; I am sure it has nothing to do with the two marginal constituencies of Morecambe and Lunesdale, and Barrow and Furness, which fall into the trust’s footprint.

When constituents get in touch with me frustrated with NHS wait times, it is invariably about the wait for mental health services, and some of the most difficult conversations I have had to have as a constituency MP have been with parents who have lost children to suicide or eating disorders, so why is the Government’s announcement today so silent on mental health issues, particularly regarding CAMHS?

Edward Argar: I am grateful to the hon. Lady, who I know has campaigned on this. My hon. Friend the Member for Morecambe and Lunesdale (David Morris) has taken a real lead in fighting for improvements and investment in this area, so I pay tribute to him as well. The hon. Lady raises a point that other hon. Members have rightly raised about mental health services, particularly for children. She will know that before I was a Minister I campaigned in this House on eating disorder support services with the charity Beat. She is absolutely right to highlight the importance of early and appropriate intervention in those areas. That is why improving mental health is at the heart of our agenda and why, alongside these announcements, since July 2017 we have, for example, announced investments of over £400 million in improving mental health services. Yesterday’s and today’s announcements are another part of our overall strategic vision for investing in and improving our NHS, and they should be read in the round with all the other announcements.

Michael Tomlinson (Mid Dorset and North Poole) (Con): I warmly welcome the Minister’s statement demonstrating, yet again, our commitment to the NHS. I particularly welcome the commitment to community care. In that regard, will he meet me to discuss Wareham Community Hospital and the proposal for a hub, perhaps in addition to going to Ealing, North Devon and Staffordshire? He is officially welcome in Dorset. Perhaps he could even stop off in North Dorset on his way back home.

Edward Argar: What is one more invitation to a meeting and a visit? I am of course very happy to accept my hon. Friend’s hospitality in his constituency and to meet him. He makes a very important point, which my hon. Friend the Member for North Dorset (Simon Hoare) alluded to, about the importance of community hospitals and community health facilities. That is exactly what is at the heart of the proposals that his county and his trust are developing, and that is exactly the right thing for them to be doing.

Mr Clive Betts (Sheffield South East) (Lab): I am sure the Minister will agree that Sheffield Teaching Hospitals NHS Foundation Trust is an outstanding trust. It always comes in within budget and regularly has good or outstanding ratings for care, as I have experienced personally over the past two years. Disappointingly, Sheffield is not mentioned in this announcement. However, rather than my simply complaining, will he agree to meet me, the chair of the hospitals trust, Tony Pedder, and officials to discuss their very ambitious plans to renovate Weston Park Hospital in Sheffield, which already provides a top centre for cancer treatment and could be even better with the Minister’s help and the necessary funding?

Edward Argar: I am grateful to the hon. Gentleman for that note of deep positivity, which has not necessarily been universally heard from Opposition Members. Again, I would be happy to meet him.

Chris Green (Bolton West) (Con): As we all recognise, the NHS is coming under increasing pressure to meet people’s health needs. Does my hon. Friend agree that the new Bolton College of Medical Sciences will play a key part in delivering the next generation of health professionals to meet those needs?

Edward Argar: My hon. Friend is absolutely right to highlight the huge contribution that that new medical school will make to delivering a highly trained, highly motivated local workforce. There is strong evidence that when people graduate from medical school their first post tends to be in the near vicinity of that school. I therefore think that he can look forward to, as I say, a highly motivated, highly trained workforce to continue delivering first-class healthcare to his constituents.

Emma Little Pengelly (Belfast South) (DUP): I welcome today’s statement and the benefit it will bring to Northern Ireland by way of the Barnett consequentials. I also
welcome the reference to NHS workforce investment. The Minister will no doubt be aware that Northern Ireland faces a very particular challenge with the recruitment and retention of consultants. Will he outline when and if the situation will be addressed that currently disincentives consultants from doing any overtime while attempts are made to fill those vacancies, because that is having a knock-on impact on the waiting lists in Northern Ireland?

Edward Argar: I am grateful to the hon. Lady for her comments and for their tone. She is absolutely right to highlight the importance of the workforce. Investment in new, first-class buildings and in equipment is vital because they are the tools that the amazing workforce need to do their job. She highlights a specific point about pensions, particularly consultants’ pensions. As she will be aware, we have been looking at this, and the Secretary of State has recently launched a consultation more broadly on proposals to address the challenges on pensions taxation.

Ian Austin (Dudley North) (Ind): Thanks to the brilliant chief executive, Sarah-Jane Marsh, and the fantastic team of doctors and nurses and all the support staff, the most seriously ill children from Dudley and elsewhere in the west midlands receive the most fantastic care at Birmingham Children’s Hospital. But that care is provided in buildings that are 155 years old and, as I understand it, there is no possibility of them being replaced for at least another 15 years. I know that the Minister has had a lot of requests for meetings and visits today, but I would like to ask him to make the short trip to Birmingham and come with me to meet Sarah-Jane Marsh and the staff, see what they are doing and see how much better it could be if he managed to find a way of enabling the hospital to have the new facilities it needs.

Edward Argar: I am grateful to the hon. Gentleman. He is right to highlight the world-leading work of that hospital, carried out by Sarah-Jane Marsh and her team. He is right: it is a team effort. Every single person in the NHS family is vital to delivering those amazing outcomes and he is right to highlight that. I am very happy, as ever, to visit the great city of Birmingham, and even more so to do it in tandem with him.

Chris Elmore (Ogmore) (Lab): I want to push the Minister on the whole issue of the devolution settlement and the Barnett consequentials. Can he confirm when the Welsh Government will receive this additional capital funding, so that we can make decisions in Wales about where our hospitals need investment? He can be reassured that he does not need to visit any Welsh hospitals.

Edward Argar: I am grateful to the hon. Gentleman. He will be aware that I spoke last week with the Welsh Health Minister and may yet be visiting Cardiff to see him anyway. He is right to pick up on the need for the devolved Administrations to understand what the Barnett consequentials are so that they can start planning. If I may, I will write to him about timescales and so on, but I want to reiterate the reassurance that the Barnett consequentials will be there.
that the projects we had asked for, such as the planned care centre and the health hub network, will now be approved quickly, so that we can get on and build those shovel-ready projects?

Edward Argar: I am grateful to the hon. Gentleman for attempting to pile a number of requests into his question. On where bids have come from for these moneys, they have come from those trusts and been worked up by those local trusts. On the specific requests he has and that he wants to raise with me about particular shovel-ready projects, I am very happy to look at those with him.

Mike Amesbury (Weaver Vale) (Lab): May I welcome the new Minister to his place and give him the opportunity to make his mark? Halton Hospital has been turned down twice for much-needed capital investment. It is desperate for investment. Will he meet me and my neighbour, my hon. Friend the Member for Halton (Derek Twigg), and secure the future for Halton Hospital?

Edward Argar: As that is the final request for a meeting, it would be churlish of me to say no to the hon. Gentleman. I am very happy to meet him, as I am happy to meet any Member of this House to discuss this announcement and our commitment to funding the NHS because we are the party of the NHS.

**Points of Order**

5.1 pm

Ian Blackford (Ross, Skye and Lochaber) (SNP): On a point of order, Madam Deputy Speaker. The Supreme Court ruled that Parliament had not been prorogued, and it was clear that the Prime Minister's intention was to stymie the ability of this House to hold him and his shambolic Government to account and that parliamentary business should be resumed so that we could hold them both to account.

Madam Deputy Speaker, I seek your advice regarding the provision of Opposition days. Standing Order No. 14(2) provides for three allotted Opposition days “at the disposal of the leader of the second largest opposition party”.

That has been the Scottish National party since 2015. This has been the longest Session of Parliament in history, yet in over two years the SNP has been granted only one and a half Opposition days for debate on subjects of our choosing. We have repeatedly asked through the usual channels, and my hon. Friend the Member for Perth and North Perthshire (Pete Wishart) has been asking the Leader of the House at business questions since the summer for an SNP Opposition day. Another attempt at Prorogation and a new Queen's Speech looms, with the prospect of this Session being brought to a close without the third largest party in this House being provided with a type of debate that we are entitled to under Standing Orders.

Can you advise me, Madam Deputy Speaker, on whether my understanding of the Standing Orders is correct, and could you suggest what, if any, remedies are open to us to ensure that we are able to exercise the rights provided to us under Standing Orders? Would the Government’s refusal to comply with a legitimate request for Opposition time, when there are still allotted days remaining, be grounds for considering whether the Government were yet again in contempt of the House and its Standing Orders?

Madam Deputy Speaker (Dame Rosie Winterton): I am very grateful to the right hon. Gentleman for his point of order, and for giving me notice of it and highlighting the Standing Order to which he refers. I hope he will appreciate that it is not for the Chair to become involved in the timing and allocation of Opposition days. I would advise him to continue to use the channels that he and his colleagues have been using so far to press his case for the time he is seeking. He may also wish to use other devices for raising the specific issues that he has wanted to raise on any Opposition days. On the issue of contempt, if he believes that there are any grounds for a possible contempt, the course is to write to Mr Speaker about the issue. I do hope that that is helpful.

Helen Goodman (Bishop Auckland) (Lab): On a point of order, Madam Deputy Speaker. Earlier this afternoon I raised a conflict of interest that I believed the Leader of the House had. Before I did so, I wrote to him. During the Urgent Question, the Exchequer Secretary revealed that he had visited my constituency without telling me. Furthermore, the Minister without Portfolio, the right hon. Member for Braintree (James Cleverly)
was in my constituency recently: he did not notify me of that beforehand either. I know we have had some constitutional innovations recently, and I know that the Government are not interested in convention, but has the convention of informing other hon. Members. Members of visits been set to one side, or is there some way we can get members of the governing party to abide by it?

**Madam Deputy Speaker:** I thank the hon. Lady for her point of order. I assume that she has notified the Members involved that she intended to raise it, as that is certainly one convention—

**Helen Goodman** indicated assent.

**Madam Deputy Speaker:** She has stuck to that, so that is good. It is important that right hon. and hon. Members notify each other if they are visiting other constituencies. If that breaks down, it will be difficult for all of us. I urge those on the Treasury Bench and everyone else to try to observe that convention. The hon. Lady has raised the issue and done the right thing by informing the Members involved that she intended to do so.

**BILL PRESENTED**

**Justice (Equality of Access) Bill**

Presentation and First Reading (Standing Order No. 57)

Frank Field presented a Bill to place a duty on the Lord Chancellor to ensure equality of access to legal representation and the justice system for people of all socio-economic groups.

**Frank Field** (Birkenhead) (Ind): I wanted to call it the “Gina Miller (Poor People’s Access to Courts) Bill” and if you could change the record in that respect, Madam Deputy Speaker, I would be very grateful.

**Madam Deputy Speaker:** I am not sure that that is entirely within my powers. Well done for getting it in there anyway.

*Bill read the First time; to be read a Second time tomorrow, and to be printed* (Bill 436).

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**Northern Ireland (Executive Formation etc) Act 2019 Section 7**

5.7 pm

**The Secretary of State for Northern Ireland (Julian Smith):** I beg to move,

That this House takes note of and approves the Report pursuant to Section 3(14) of the Northern Ireland (Executive Formation etc) Act 2019 - Historical Institutional Abuse, which was laid before this House on Wednesday 4 September.

On 4 September, I laid a number of reports before the House in line with my obligations under the Northern Ireland (Executive Formation etc) Act 2019. Parliamentary business pressures meant that some of those reports were not debated earlier this month, but I am pleased to stand before the House today to underscore my commitment to make progress on these issues.

The reports emphasise what colleagues on both sides of the House have known for some time: the restoration of the Executive and the Assembly is of vital importance to the people of Northern Ireland. That is my top priority and I will continue to work with the Northern Ireland parties to meet that objective.

Without an Executive, the people of Northern Ireland have seen the quality of their public services decline and decisions that affect their day-to-day lives kicked into the long grass.

**Carolyn Harris** (Swansea East) (Lab): Given that the current political situation in Northern Ireland is preventing the children’s funeral fund from being introduced, can I ask that the Secretary of State consider acting directly to allow that to happen, so that bereaved parents there may benefit from the fund like the rest of the United Kingdom?

**Julian Smith:** My understanding is that a number of councils in Northern Ireland have put in place measures to deal with the issue, but as with many other issues that we are debating today, the absence of an Executive at Stormont is affecting all sorts of decisions, including that one.

**Gavin Robinson** (Belfast East) (DUP): I want to support the hon. Member for Swansea East (Carolyn Harris), whose campaign has been hugely encouraging and personal to her. It has had a huge impact across the United Kingdom, and there is the prize of financial assistance for those who have been bereaved of young loved ones, of children in their family. I know that she has engaged with the permanent secretary in the Department for Communities, and rightly so. I know that the response has been positive, but that they look for political agreement through all the parties in Northern Ireland. Perhaps that is something that the Secretary of State could do. As he will outline regarding this historical institutional abuse report, where there is a need for political agreement, the will is there. He could bring the local parties together and indicate to the Department for Communities that there is full support for the roll-out of this much-needed scheme.

**Julian Smith:** I agree with my hon. Friend’s summary of the work undertaken by the hon. Member for Swansea East (Carolyn Harris) on this issue. I would be very
happy to meet her and others to discuss it. It is, again, up to the Northern Ireland Assembly, but let us meet and see how we can work further to move things forward.

**Ian Paisley** (North Antrim) (DUP): Normally there is another contingent in this House that is very interested in a one dimensional aspect of things to do with Northern Ireland. The Secretary of State must be aware of the 850 medical practitioners—doctors, nurses and midwives—who have written publicly about their absolute outcry at the failure regarding the decision of this House to impose abortion regulations in Northern Ireland, abortion regulations that cannot be met. That has put undue pressure on GP services, nursing staff and doctors’ staff. What is he going to do about that to protect our doctors and nurses in Northern Ireland?

**Julian Smith:** If I can, I will come to my hon. Friend’s point slightly later in my remarks.

Since my appointment in July, I have met public servants from a range of sectors who are doing an incredible job in the absence of support from local political leaders at Stormont, but they cannot of course take the proactive decisions that are needed on public services, the economy or the areas that we have already heard about in today’s debate. If we cannot secure the restoration of an Executive, we will pursue the decision-making powers that are needed at the earliest opportunity. In addition to the reporting requirements, the Northern Ireland (Executive Formation etc) Act 2019 requires the UK Parliament to introduce laws on same-sex marriage and opposite-sex civil partnerships, abortion and victims payments. This House has spoken, and the duty to legislate will come into effect if the Executive are not back up and running before 21 October. My Department will shortly begin an awareness campaign to ensure that women and citizens across Northern Ireland are clear as to how we plan to proceed to regulate for these new legal duties.

I recognise that these are sensitive issues, and this Government’s preference is that they are taken forward by a restored Assembly and Executive, but to those who now lobby me and others in Government to somehow change the law I say that the only way for these laws to be changed and shaped in the best interests of Northern Ireland is for the Northern Ireland party leaders to form an Executive and get back into government. To that end, following the frustratingly slow pace over the summer caused by a range of factors, I will this week begin work urgently with the Northern Ireland parties and the Irish Government to do everything I can to get Stormont up and running. The time for that is now. The party leaders need to show leadership and do the right thing for the people of Northern Ireland.

**Sammy Wilson** (East Antrim) (DUP): Already, frustratingly, the Secretary of State has fallen into the trap that so many others have fallen into by spreading the blame for the non-existence of the Executive in Northern Ireland across all the party leaders. Will he accept and publicly state in this House today that the only party leader opposing and stopping the formation of the Executive in Northern Ireland is the leader of Sinn Féin?

**Julian Smith:** I honestly do not think that it is productive for me to get involved in pointing any fingers. I think I stated earlier in my speech that I view the lack of progress as being down to a variety of factors, and I now want to be as proactive as possible in moving back to getting the Assembly up and running, as do the Irish Government and many parties, including the Democratic Unionist party and others.

**Ian Paisley:** The Secretary of State must know that his words, as they are spoken from the Dispatch Box today, sound like a punishment to every single party in Northern Ireland except Sinn Féin. That is the only party holding us up in getting back into the Assembly, yet we are all being punished, even by what he says.

**Julian Smith:** I am happy to restate that I do not think that any one party or any particular issue has held things up, but it is time that we move on. I call on each party to play its part in getting Stormont up and running, and I hope and expect that they will.

On the matter of historical institutional abuse, I want to say first that victims in Northern Ireland have shown incredible courage and dignity through their engagement with the Hart inquiry and their campaign for redress. Without their willingness to speak up about the trauma of what happened to them, we would not have been able to forge a path from the inquiry to the consultation on the draft legislation, and to the present position where there is a commitment to introducing a historical institutional abuse Bill in Westminster by the end of the year in the absence of a Northern Ireland Executive. I know that colleagues will join me in restating today our collective determination to see progress made in delivering redress to the victims as soon as possible.

**Lady Hermon** (North Down) (Ind): Since the Prime Minister has refused to rule out proroguing Parliament again and seems hellbent on a swift general election, it would help the victims of historical institutional abuse in Northern Ireland, who will be particularly interested in this debate, if the Secretary of State were to lay out a realistic timetable for the legislation to go through all stages, so that compensation can be paid to them. They have been enormously patient. They have suffered too long, they have waited too long and they deserve compensation. When will that be?

**Julian Smith:** I will talk in my speech about how we hope to make progress.

On the Floor of the House in July, the Government made plain their commitment to introducing legislation in the absence of a Northern Ireland Executive. Much progress has been made by my officials, working together with the Northern Ireland civil service to prepare all the necessary materials to do just that. On 4 September, I laid a report that sets out the progress that has been made in implementing the recommendations in the historical institutional abuse inquiry report. The House will have noted in that report that the inquiry published its findings and recommendations in January 2017. The collapse of the Northern Ireland Executive in that month has meant that the implementation of many of the recommendations has been delayed.

We should take a moment to remember that during his work on this very considerable report Sir Anthony Hart, who sadly passed away in July, showed immense
compassion, empathy and determination to make a difference to the lives of victims. The inquiry he led uncovered evidence of systematic physical, sexual and emotional abuse of children in institutional care, as well as neglect and unacceptable practices in children’s homes. Thanks to Sir Anthony’s commitment, focus and sensitivity, victims finally had a voice after so many years of suffering. As one of the prominent campaigners for redress, “It was Sir Anthony who believed in victims and it was Sir Anthony who delivered the truth when others failed.”

The Executive Office is to be commended for the progress made in the absence of Northern Ireland Ministers. It prepared draft legislation in 2018 and undertook a consultation exercise which concluded in March 2019. It was with the benefit of that progress that the Northern Ireland political parties were able to discuss in detail the implementation proposals for a commissioner for survivors of institutional child abuse and a redress scheme. It is worth noting that all political parties in Northern Ireland have been supportive of the Bill. The discussions between the Northern Ireland parties on the legislation and the policy decisions required to finalise it demonstrate that there is a genuine will to reach agreement. The resulting Bill was provided by the Northern Ireland Office on 18 July and has been the focus of work in my Department to make ready everything necessary to introduce the Bill at Westminster. It is a complex Bill and those documents have required significant input from legal advisers and policy officials.

The UK Government commitment to introducing the Bill by the end of the year in the absence of a restored Northern Ireland Executive remains resolute. To answer directly the question from my hon. Friend the Member for North Down (Lady Hermon), I hope that we will have a resolution in the coming weeks.

Maria Caulfield (Lewes) (Con): Does the Secretary of State recognise the frustration and distress that victims will feel when they see the Chamber so empty today, given that previous Northern Irish legislation has been rushed through all its stages in one day, and given that the last time the Executive Bill was in this place the House was packed with Members hellbent on using it as a tool for delaying Brexit? Will he commit, when he gets a date for the Bill, to rushing it through in the same manner as other pieces of Northern Irish legislation earlier this year?

Julian Smith: There are some complex issues that need debate. I know that my hon. Friend has stood up steadfastly and consistently for victims of child abuse in Northern Ireland, and I hope that we will be able to introduce the Bill in short order.

Lady Hermon: The Secretary of State has just said that he hopes the Bill will be introduced “in short order”. I do not know quite what that translates to. Have he and his very hard-working and diligent officials given any thought to introducing a statutory instrument, rather than going through all the stages of a Bill, to establish an administrative scheme whereby an initial payment of compensation—let us say of £10,000 or £7,000—could be awarded to victims? They cannot be asked to wait any longer. They are dying, they are most unwell, and the anxiety and the waiting are not helping them. Will he commit to that?

Julian Smith: I commit to introducing the Bill in the coming weeks, and I am confident that we can do that. I accept my hon. Friend’s point that the age and the wellbeing of many victims means that we also have to consider how we get money to them at the earliest opportunity.

Nigel Dodds (Belfast North) (DUP): I am grateful to the Secretary of State for his commitment to trying to move this forward. I entirely agree with what the hon. Member for Lewes (Maria Caulfield) said about there being no reason why this legislation cannot be passed very quickly, given the way Brexit legislation is now being put through in a matter of hours and given the way abortion law has been changed in a matter of hours without consultation. Why can we not do this Bill in a matter of hours, since there is cross-party support and unanimity across the board? I gently say to him: we have heard a lot about the absence of the Executive, but he knows from conversations he has had with us and other Ministers that the Government are also responsible for the lack of progress. They could have taken action themselves in the House but they refused to do so, for political reasons. They may have been well-intentioned reasons, but a deliberate policy decision was taken to stymy all the things that needed to be done in Northern Ireland. He is perfectly within his rights to share some of the blame among the political parties in Northern Ireland, but he also has to take some responsibility himself for the failure of the Government to take action over two years of doing nothing.

Julian Smith: My right hon. Friend knows that the Government, like the previous Government, view taking more decisions from Westminster with great caution. We respect the Good Friday agreement and want to encourage local institutions to take the decisions required.

Maria Caulfield: Can I gently remind the Secretary of State that periods of this abuse—between 1922 and 1995—were periods of direct rule, when this place was responsible for those children, and so while there is not an Assembly in place, this place also has some responsibility to ensure that those victims get compensation?

Julian Smith: My hon. Friend makes an important point. Again, we need to encourage Stormont to get up and running and we need to deliver on this legislation, and I believe that we can achieve both.

Karen Bradley (Staffordshire Moorlands) (Con): I thank my right hon. Friend for giving way; he is being generous with his time. We want this legislation to progress as quickly as possible, but it has to be watertight and robust, and it has to have proper scrutiny, because otherwise it will be challenged. The quickest way to get redress for the victims is to have proper, robust legislation that has been properly scrutinised.

Julian Smith: I thank my predecessor for those remarks, and I will take this opportunity to pay tribute to her for her relentless work to get the legislation to this stage. I am acutely aware that she has played a really important part in getting us where we are. She is right: we need to move things on, but we need to be as careful as possible in how we do so.
On 23 August I met representatives of victim and survivor groups, and I intend to meet them again later this week. These people’s lives have been blighted by unforgivable, horrendous acts, yet they have engaged patiently and respectfully with politicians and with the legislative process. It is imperative that we do all within our power to support the Bill so that they can finally receive a measure of redress.

This House is well aware of the stain of child abuse that shames our country. It took place in every corner and it went unchecked for decades. The Hart report outlines starkly the degrading acts perpetrated by those responsible for caring for vulnerable children at Kincora boys home, Nazareth House and Tissue Hospital. In fact, there were only two institutions across Northern Ireland where evidence of systemic abuse was not found. In most instances it was the poorest and most vulnerable young people who were affected, and in some instances the same vulnerable children were then sent to unsuitable homes in Australia, with their whereabouts unknown to their family members.

Gavin Robinson: I am grateful to the Secretary of State for allowing me to intervene once again. He mentioned Kincora boys home, which is in my constituency. Although the report that he has laid before us today highlights the recommendation that there should be a suitable memorial to those who suffered abuse, Kincora boys home remains a sepulchral reminder of the tragedy that occurred in my constituency and in institutions across Northern Ireland. Five years ago I stood in Kincora boys home with victims, and they have continually called for it to be razed to the ground, yet just last week Belfast City Council felt it appropriate to say that the building should be retained because of its townscape character. Does he understand the anguish of abuse victims? One of the victims I stood with back then has since died. They want to see this tragic reminder of their horrible past razed to the ground once and for all.

Julian Smith: My hon. Friend speaks powerfully of the symbolism of the buildings, and it is important that we recognise that in this debate. I would be interested in discussing his proposals further in due course.

We can ask no more of victims. We can ask no more of the inquiry. The policy officials have prepared the policy and the lawyers have prepared the draft law. Now it is time for us, as political representatives, to act. It is therefore my sincere hope and belief that colleagues across the House will support us as we seek to deliver this legislation in the coming weeks.

I thank all colleagues for the debate that we have had so far, and I look forward to hearing further contributions. Obviously we are debating some of the most sensitive issues that this House can scrutinise. I will do everything I can as Secretary of State to deliver the Bill and address many of the issues that we have heard about today.

5.28 pm

Tony Lloyd (Rochdale) (Lab): May I begin by repeating what the Secretary of State has just said, because we can ask no more of the victims, and obviously we can ask no more of Lord Justice Hart. The report before us includes this telling sentence:

“There is no doubt that victims of abuse have shown incredible dignity throughout the inquiry and that an apology is long overdue.”

In fact, the victims have shown incredible dignity over the many years they have suffered as a result of the abuse and as a result of the delay and obfuscation by the political system, which failed to work that record of the past and the needs of those individuals. I share with the Secretary of State and with his predecessor, the right hon. Member for Staffordshire Moorlands (Karen Bradley), the view that that there is a sense of urgency, as we have heard in the Chamber. The hon. Member for Lewes (Maria Caulfield) is right, and made the valid point that between 1922 and 1995, the period covered by the Hart inquiry, there were significant amounts of time under direct rule, when the responsibility for the governance of Northern Ireland lay with Whitehall and Westminster. We should bear that in mind, because it gives us all the sense that we need to bring this to a credible conclusion.

The Secretary of State will know that the shock that was experienced when Parliament was prorogued several weeks ago was felt across the whole of Northern Ireland and across the whole nation, and by no one more than the victims of institutional abuse, who thought that that the probability that at last they were seeing some resolution of their suffering was about to be truncated. I hope that today we can give some comfort to those victims that all is now back on track.

Ruth Jones (Newport West) (Lab): We are here today because the Prime Minister prorogued Parliament illegally and tampered with our timetable for debates and discussion. Does my hon. Friend, like me, recognise the importance of all the nations—England, Scotland, Northern Ireland and, of course, Wales—that make up our United Kingdom? Does he share my grave concern about the downgrading of the important issues we are discussing that affect people across Northern Ireland? Those issues should not be an afterthought to fill the agenda, but today they very much feel like they are.

Tony Lloyd: That puts into context the unfortunate remarks last week of the Attorney General, who told us that this Parliament had no moral basis. This Parliament has enormous moral compass, no more so than when we examine the kind of issues that we are now examining. This is the message that ought to go out. There can never be a time when the House of Commons is irrelevant, and that is certainly not the case when we are debating the justice and urgency that victims are entitled to have. Members of the House of Commons must be here to do that.

There are things in the report that I strongly welcome. I strongly welcome, for example, the appointment of Brendan McAllister as the interim advocate, as that is an important step forward. From 12 August, I think, Mr. McAllister has been engaged in work that he can achieve. In the end, we want a permanent commissioner to be appointed so that they can work across the piece, particularly with victims of abuse.

I do not need to speak for an awful lot longer, as I simply want to make one point. The hon. Member for North Down (Lady Hermon) is absolutely right that we need a firm timeline. I would strongly welcome the return of devolved governance in Stormont. Every Member of the House ought to want that. If it can be done and the legislation can expeditiously be put through that
[Tony Lloyd]

Stormont process, we welcome that. However, in the absence of Stormont we need a definitive view that this can be completed in the House of Commons.

Ian Paisley: I share the absolute commitment of the shadow Secretary of State—let us see the Assembly back up and running. Would he therefore make a request on behalf of Her Majesty’s Opposition to the Secretary of State to call a meeting of the Northern Ireland Assembly tomorrow at 10 am, and see who turns up and wants to do business?

Tony Lloyd: I think that, regrettably, things are more complicated than that. I will say to the hon. Gentleman, however, that if the commitment is there to see Stormont back in operation, we will all, like him, do everything we can to support the process. One of the interesting aspects of the report is a recognition that all parties come together in agreement on this important issue. That is a lesson that ought to be taken back: when there is the will to move things on, there is political agreement, even between parties that are otherwise divided.

Lady Hermon: Does the hon. Gentleman share my disappointment at the tone and the content of what the Secretary of State has said this afternoon? He has been, rightly, enormously sympathetic to the victims, and has rightly praised Lord Justice Hart for his report—sadly, Lord Justice Hart died before he could see this legislation on the statute book—but my colleagues and I are unanimous in our disappointment that there is no sense of urgency.

The Secretary of State needs to be aware that, under the European convention on human rights, there must be an effective remedy for any breaches of the human rights guaranteed in that convention, and that includes the guarantee that everyone should be free of degrading treatment. The victims of historical institutional abuse were certainly not free of degrading treatment in those homes as children. Will the Secretary of State, when he winds up the debate, show some sense of urgency about getting this legislation on the statute book? All of us here will support him in that tone and in that effort.

Tony Lloyd: The hon. Lady has made a powerful point. I share her regret—I suppose that that is the right word—that Lord Justice Hart is not around to see the conclusion of his work, but we should nevertheless pay tribute to it.

This matter is urgent—there can be no doubt about that—and we now look to the Secretary of State to map out for us what kind of timetable is possible and practical in the absence of a Stormont Government. Let me say to him, on behalf of the official Opposition, that this is not the kind of legislation that we would seek to delay. It is not the kind of legislation that we would seek to deliberate on to make life difficult for the Government. In the end, this is about justice: it is about justice for people who suffered, and whose suffering was continued by the failure of all our institutions to recognise their plight. In that context, we will work with the Secretary of State, and we will work across the House of Commons and, no doubt, in the other place, to ensure that if legislation can be introduced at an early stage, it can go through this House.

Let me also say to the Secretary of State that, just as with other legislation that is conditional on the return of Stormont—the hon. Member for North Antrim (Ian Paisley), for example, referred to legislation on abortion—if it is the appropriate way of moving things forward here, we will of course avail the Secretary of State in taking legislation through this Parliament.

I join Northern Ireland Members, but I also join Members throughout the United Kingdom, because the abuse of our young people—whether it took place in England, Scotland, Wales or Northern Ireland—is a stain on our nation. If we can now secure an adequate system of redress that is not simply financial but involves all the other matters in the Hart report, it will serve as a template for the entire United Kingdom. It is something that we should welcome not only across the whole of the House of Commons, but across the whole of this nation of ours.

5.39 pm

Simon Hoare (North Dorset) (Con): May I thank my right hon. Friend the Secretary of State for the tone he adopted in his opening remarks? Like him, I will divide my remarks into two parts. First, I will make a few casual, general observations. I have seen the video clip that the Northern Ireland Office has put on Twitter today, marking nearly 1,000 days since there was last an Executive at Stormont. Clearly, that is a running sore and it just goes on. Although I usually travel in an optimistic frame of mind, Brexit is clearly the elephant in the Chamber and in Northern Ireland. It is hard, if not impossible, to see how Stormont could get up and running prior to 31 October, but I wish the Secretary of State and all parties well.

I say to Opposition Members and, indeed, to all political parties in Northern Ireland that from talking and listening to people and from reading what they say, my hunch is that we seem to have got incredibly hung up on process, whereas real people in the real world who are concerned about the delivery of vital local public services just want to see them delivered. Whether the issue is Brexit or the restoration of Stormont, the public have a limited reservoir of patience. When it is drained, that will be it—there will be no more reservoir on which to draw. That patience is running thin and people are not necessarily interested in the blame game politics of “He said, I said, they said, we would, they might, we didn’t”. The message is clear, just as it is on other things in this topsy-turvy political age: “Either make progress or get out of the way and let those who are interested in making progress have a go.” I think we are close to that point.

Sir Jeffrey M. Donaldson (Lagan Valley) (DUP): I thank the Chairman of the Select Committee on Northern Ireland Affairs for giving way. He makes a valid point. The question is: who do we give way to? As currently constituted, the institutions cannot have a power-sharing Government without their being cross-community and representing a majority of both nationalists and Unionists. That implies that direct rule is the only other option. May I connect Brexit with the absence of Stormont and suggest to the hon. Gentleman that if we leave the
European Union on 31 October, so many decisions will need to be made as a consequence that we will have no alternative but to reintroduce direct rule?

Simon Hoare: I am grateful to the right hon. Gentleman for those observations. I made that point in a radio interview in Northern Ireland last week. He may have heard me take my right hon. Friend the Chancellor of the Duchy of Lancaster to task last week. As we get closer to 31 October, the civil servants in Northern Ireland are clearly doing their best. They are straining every sinew to try to keep the show on the road, but they can only do so, as the right hon. Gentleman well knows, within the confines of public and local policies that enjoy the imprimatur of previous Executives. I thought that the welter of pressing needs told against the early Prorogation. There was plenty that this House could have been getting on with, at least to provide some form of legislative safety net were Stormont not to be up and running by 31 October. There is no point in those on the Treasury Bench waking up on 29 October and saying, “Oh gosh—the 31st looks a bit close. What on earth are we going to do?”

Let us be frank: there could well be, with or without a deal post 31 October, issues that will need to be mitigated. If issues will need to be mitigated on the mainland, by golly they will also need to be mitigated in Northern Ireland, enjoying as it does—although “enjoying” is a pejorative term, I am sure—what will be the only land border with the European Union. We will need to be incredibly fleet of foot. I am not sure whether civil servants in Northern Ireland are currently sufficient in number to be able to deal with the scale of the issue, but they, coupled with local government, will need every tool at their disposal to ensure that normal life can continue for the taxpayers and residents of Northern Ireland. It is not for the lack of chivvying by my right hon. Friend the Secretary of State, but there seems to be an incredible disconnect between the strategy of No. 10 and the Cabinet Office vis-à-vis Brexit GB and their strategy vis-à-vis Brexit Northern Ireland, which cannot be allowed to stand. Greater urgency is required.

I turn briefly to the subject of the motion and the report tabled by the Secretary State: historical institutional abuse. I concur with and underscore entirely the comments of my hon. Friend the Member for Lewes (Maria Caulfield), a fellow member of the Committee, and of the hon. Member for North Down (Lady Hermon) and the right hon. Member for Belfast North (Nigel Dodds). Had this scale and range of abuse, over such a period of time, happened in North Dorset or anywhere else in England, it would have been rectified and sorted out by now.

I share the concerns expressed specifically, although not exclusively, by the hon. Member for North Down. Opaque language may have been the order of the day in the Secretary of State’s recent job as Government Chief Whip, but a Bill dealing with this issue, this running sore, must be announced in the Queen’s Speech and enacted before Christmas—not introduced before the end of the year but done and dealt with by the end of the year, subject to Stormont not being back up and running.

I make this wager with my right hon. Friend, and luckily it is for somebody else to take cognisance of this point: unless a Bill is announced in the Queen’s Speech, my hunch is that some of us would find great difficulty in voting for the Gracious Speech when the vote is called. We do not want to add to the catalogue of Government defeats—well, not all of us do—and I am heartened by what the hon. Member for Rochdale (Tony Lloyd) said. This is not a contentious piece of legislation.

My right hon. Friend the Member for Staffordshire Moorlands (Karen Bradley) is right that the devil will be in the detail, and that getting the process and the rubric correct and beyond challenge is important, but people should listen, as the Committee has, to Mr Jon McCourt or Margaret McGuckin talk about these issues and the people they represent. I know my right hon. Friend the Secretary of State has certainly met Margaret, and I believe she calls him Mr Darcy—I do not know whether that elates him or not, but it is the only light moment in this sad and sorry episode.

In great part, it was organs of the state that put these young children in those institutions where they were abused. Some had mothers who, for a whole variety of reasons—many of which we have heard and which do not need going over again today—put their children and young babies in what they thought was a place of safety that would provide a gateway to a better life. If they had known what we now know, they would not have taken that route.

Officialdom did not know but, beyond the tight kernel of my right hon. and hon. Friends who are Ministers in the Department, I am not certain whether that historical social and special responsibility has been taken into account. I hope that the business managers and others have heard the very strong sense of feeling and the drive for justice. Many of these people are elderly, and many of them are vulnerable. They feel as though they are being slightly brushed under the carpet and ignored, like an eccentric great aunt at a wedding: there but not really engaged, and hoping they will go home before the reception finishes.

These victims of abuse are going nowhere until justice is delivered in full, and neither are their champions in this place, because to do anything other would be a failure in our duty.

Several hon. Members rose—

Madam Deputy Speaker (Dame Rosie Winterton): Order. Quite a few colleagues want to get in. There is not enormous pressure on time, but if colleagues stick to about eight minutes, we will be able to get everyone in comfortably.

5.50 pm

Emma Little Pengelly (Belfast South) (DUP): I will endeavour to be as pithy as I can be, Madam Deputy Speaker.

I thank the House for bringing this debate forward today. I expressed my concern just before the break—the adjournment or whatever we are calling it—that the Northern Ireland report debates had been contracted into a short period. It was woefully short, given the important issues we need to raise and discuss, so I welcome the fact that the Government have brought the debates back to the House today.
I am disappointed by the lack of representation across the Chamber, particularly on the Benches in front of me, as many people come to this House to talk about Northern Ireland in relation to Brexit and other matters. These are incredibly important issues, which, as Members from across the House have highlighted, touch on the most vulnerable in our society.

Many years ago, I sat in a room where I first heard the plea from victims and survivors of historical abuse for an investigation and inquiry into what had happened to them. Everybody in that room—there were senior politicians from across the parties, including Martin McGuinness and the right hon. Peter Robinson and officials and politicians—was struck by the pain and anguish of the victims and survivors of that abuse. The thing that stood out most in that discussion was the key line repeated by many victims: “We have not been listened to.” Some of the abuse took place many decades beforehand. They told the politicians and civil servants on that occasion, as they have many times since, that as children and young people they were not believed. They told them that as adults, first when they were struggling through the many challenges of their early adulthood and now, when many of them are older and facing a number of challenges with the ageing they are experiencing, they were not listened to or believed—this happened throughout their lifetime. They told them that they were demeaned, not just as children, but throughout their lives, in terms of the painful stories and experiences they needed to tell.

I knew from that first meeting that the then First Minister and the then Deputy First Minister genuinely felt an empathy with those victims. I was a policy adviser at that time, and they turned to me and the other civil servants and advisers in the room and tasked us with going away to do something to help and support the victims as swiftly as possible. During that period, despite all the other discussions, arguments and differences we may have had, all the political parties worked hard together—quickly—to put in the terms of reference. A lot of work went into that. I was part of the original project board, with civil servants, and we looked at many of the different experiences of inquiries from all over the world.

We owe a huge debt of gratitude to the late Sir Anthony Hart, the first judge I appeared before when he was the recorder of Belfast. He was a fearsome individual with a fearsome reputation, but he was keen on two things—he wanted things to be done effectively and efficiently. He was hard on the young solicitors and barristers who appeared before him, but for good reason, because at the heart of every case that he looked at was a victim who was going through a court system. He hated delay and unnecessary bureaucracy, and he brought those values with him. He was absolutely the right man for that job and I pay tribute to the incredible work he has done. When I have spoken to the many victims and survivors, they have all said the same: “Sir Anthony Hart listened to me. He made me feel valued and vindicated. He genuinely made this a victim-centred process, and that is exactly what we wanted.”

May I also pay tribute to the incredible team of officials, many of whom I worked with throughout that period and many of whom worked on after I left that policy adviser/special adviser role? They worked incredibly hard to get this inquiry up and going, and it was conducted incredibly efficiently and effectively by all the civil servants involved, led by the chair and the team around that. It will be a model for people to look at internationally.

One thing we did was to introduce, in legislation, a time limit for the inquiry, which is rare in these inquiries. We suggested it should be two and a half years, but with a possible extension of a further 12 months. Sir Anthony Hart said clearly that he was up for that challenge, and he fulfilled it. It was a time-limited inquiry and he produced the report on time, which is incredible.

What happened after that is deeply disappointing. As I have said in this House before, we always knew when the report was due, because of the time-limited nature of the inquiry. Sinn Féin knew when the report was due. We liaised periodically with the chair, who made it clear that there would not be delay and that he would be giving the First Minister and the Deputy First Minister the report. I pleaded with Sinn Féin colleagues. I said, “Look, if you have to collapse the Assembly, we need to do two things before you do that.” They were going to make that decision, with the resignation of the late Martin McGuinness. The first thing was to pass a budget for Northern Ireland. The second thing was to wait two weeks to allow this report to be received and agreed by the Executive, as that would have facilitated the recommendations being brought forward. They were not prepared to wait.

The serious question that needs to be asked is: what was accomplished by pulling down the Assembly two weeks earlier than it could have been brought down? Those two weeks could have transformed many of the issues in Northern Ireland. I say that without going into all the reasons or justifications for bringing the Assembly down, but I firmly believe that bringing it down two weeks before this report was due—Sinn Féin knew from the beginning of this inquiry when it was due—was wrong, and it left victims in a very vulnerable state.

Today, however, I want this contribution to be about the victims: like the inquiry, which was victim-centred, I want this contribution to be about them and not about the other parties and what happened in the past. I respectfully ask the Secretary of State to be brave, make a decision, and go ahead and do this swiftly, because the people who are missing out and suffering are the genuine victims and survivors, who were incredibly brave. They stood up and contributed to the inquiry. They told their stories, despite all the legacy of the decades of hurt from not being believed. We know, from all the evidence and from talking to people, that, for those individuals, telling their stories is incredibly painful, as it brings back everything they have been through. It is so hard for them to go into that institutional setting; despite all the things that the late Sir Anthony Hart did to make them feel comfortable, it must have been a challenging and difficult experience for them, and we must recognise that. After going through that—after their bravery—they have been left out there without the much-needed help and support that they require.

May I say, Secretary of State, that when we think about what happened, we see that these were young children? I listen to many, many of their stories. Many of them came from very challenging backgrounds. When they came into these institutions what they needed was
love, dignity, comfort and support, but instead, as we see when we read that report, they got harshness and pain. They were demeaned and demoralised, starved and beaten.

Who in the House could not feel a genuine empathy for and desire to help those victims and survivors? This House has the power to do that. It has broken the convention in respect of legislating on devolved matters. I respectfully say to the Secretary of State that this is an important issue on which we are all in agreement, so please be brave. Please bring forward the legislation—and do it swiftly, because victims are suffering.

6 pm

Maria Caulfield (Lewes) (Con): As we all know, the inquiry looked into the abuse of children in 22 homes and institutions between 1922 and 1995, but abuse happened in around 76 institutions: the inquiry touched on the tip of the iceberg in respect of the children affected.

I agree with the hon. Member for Belfast South (Emma Little Pengelly): the poorest of poor children and the most vulnerable children were put in these homes and had no voice to speak out when they faced abuse, sexual abuse, starvation and neglect. I serve on the Select Committee and have heard grown men in tears, recalling what happened to them as children and feeling voiceless and helpless once again. It was bad enough to be a child abandoned in a home with no one to look out for them and to have to face what they faced, but it is heartbreaking for them to reach adulthood and still be in a situation where no one seems to want to listen to what they have been through.

As I have said previously to the Secretary of State, many of the cases of abuse took place during a period of direct rule, when this place was responsible for those children. From an administration point of view, the Assembly should be responsible for a compensation scheme, but this place has a responsibility to look after those adults now and pay them compensation, which will in no way take away the pain they endured but will at least be recognition of what happened to them.

It is heartbreaking that Sir Anthony Hart, who led the inquiry—who was the only voice that many victims had for years—has not lived to see the victims get compensation. Tribute should be paid to the head of the Northern Ireland civil service, David Stirling, who has taken up the mantle, prepared the legislation, put it before the Secretary of State and asked the Secretary of State and his predecessor to bring it forward in this place so that people can get the compensation they deserve.

I agree with my hon. Friend the Member for North Dorset (Simon Hoare): I will be deeply upset—I cannot emphasise enough how upset I will be—if the legislation is not in the Queen’s Speech. It is just not good enough to say that it will be passed by the end of the year; it needs to be passed by the end of October. We in this place set for one day to pass legislation on the renewable heat incentive and the Northern Ireland budget, and to pass the Executive formation Bill. If we can do those measures in a day, why cannot both Houses do this legislation in a day?

When the Executive formation Bill went through the other place in a day, an amendment to bring forward the legislation for institutional abuse victims was dropped.

I do not decry the importance of equal marriage or abortion—I do not want to get into those debates—but the Northern Ireland (Executive Formation etc) Act 2019 allowed the introduction of legislation and gave that legislation a date, but that was not the case for historical institutional abuse. Why? I feel that, under the radar, historical institutional abuse was being used as a tool in the talks about getting the Executive back up and running, such that if other parties came back to the table legislation would be passed pretty quickly. It is outrageous if that was the case.

These victims should be our No. 1 priority—way ahead of the renewable heat incentive, budgets and Executive formation. These people have lived for 70 years with the abuse that they suffered at the hands of institutions. The legislation has cross-party support, both in this place and in Northern Ireland. It is our duty to make sure that legislation happens. Thirty victims have died already. Nearly every day another victim dies.

It is very much welcome that an interim advocate is now in place, but survivor groups have done much of the work on their own for years, without funding and administrative support. Many survivors have travelled to inquiries and had to pay their fares themselves. They have travelled a number of times to Westminster to pay their fares and hearing payments and paid their air fares. They have supported other victims. Some have never disclosed to family and friends the rape, abuse and torture that they experienced as children. Fellow survivors are the only support they have and we are providing no funds and no administration for people to carry on their essential work. A small amount of funding is provided by the Executive Office, but that runs out in March. Even if we pass the legislation tomorrow, it will take years to compensate all the victims. So far, only 500 victims have come forward as part of the inquiry; it is estimated that there are at least 2,500 victims, and that could be just the start of things. The only support they have is the victims groups. We need to support them properly. It is not fair to ask fellow survivors to be doing the heavy lifting when it comes to getting compensation for all those affected.

I have three asks of the Secretary of State. First, although the interim advocate is welcome, we need to fund the survivor groups properly and give them the support that they need. Secondly, we need a legislative date in the Queen’s Speech and, even though it is mentioned in the Queen’s Speech, we need legislation delivered by the end of October. There is no rhyme or reason why that cannot happen. If there is a general election in November or December, the legislation will fall. How much longer will these people have to wait? If we are serious and want to work together across party lines, we need the legislation to be delivered by the end of October. If we do not set a date, it will never happen.

Finally, we need to look at the support for all the victims. Many have not come forward, and many who do come forward will relive the horrific experiences that they went through as children. We cannot expect them just to apply to an administration fund and ask for some compensation, and then leave them with the consequences of having to disclose to friends and family what they have been through. We have let these victims down. Even if we act now, there is still a legacy. They will have to live with the incompetence of this place and of the Assembly. We have to take up the mantle. We are all that is blocking people getting their compensation. We need to take that responsibility seriously.
Ian Paisley (North Antrim) (DUP): Where are they, Madam Deputy Speaker? Why is the House empty? Where are they? Where is the choir of people who are normally so interested in Northern Ireland and who wish to introduce the most damaging legislation in the history of Northern Ireland? Where are they today? They are hardly at the Tory party conference. They tell us that they want the House back and sitting because they need to hold the Government to account. Where are they? Where are their probing questions about the protection of vulnerable lives? They are quick to be here when they want to destroy the unborn life, but they are absent today, when we want to ask questions and scrutinise the Government on the protection of innocent victims in institutional care in Northern Ireland. It is a disgrace that they are not here. Their absence speaks thousands of words to the people of Northern Ireland about how much they really care. Are they even really interested in abortion rights in Northern Ireland and the rights of woman in Northern Ireland? No, they are interested in one thing: pursuing their own agenda. They use this House and abuse this House to get those things done.

Madam Deputy Speaker (Dame Rosie Winterton): Order. I am sure the hon. Gentleman is aware that there has been a lot of discussion about the use of language and the tone that we are setting. I do hope that he will bear that in mind.

Ian Paisley: I will bear it in mind, Madam Deputy Speaker—I will take your ruling—but I think people are right to be angry. People are right to be angry on behalf of the unborn and on behalf of the innocent victims of institutional abuse, whose rights are brushed under the carpet every moment. When someone dares to speak up for them, they are told that they have to calm things down—“Don’t say things about the victims. Don’t upset people who have challenged the lives of innocent victims or the lives of the unborn.” Oh no, we cannot have anything rough said; it might upset their sensitivities. It might be awful for them. No, Madam Deputy Speaker, it is about time that people did speak up for the voiceless and for the abused—for those who see this place, which should be a champion of their rights, being silenced on their rights, because that is effectively what has happened.

I reiterate my challenge to the Secretary of State. He really needs to do more when it comes to the issues that have been brought to the attention of the House. Last week, on 26 September, 815 doctors, nurses, midwives and other health and social care workers felt so deeply concerned about what this House had done in relation to the people of Northern Ireland that they decided to write publicly about that abuse. They said:

“The concept of taking human life at any stage is inimical to us, and the concept of taking a human life in the womb especially so.”

They went on to make demands of the Government here, saying:

“Healthcare in Northern Ireland is in such a parlous state, due to chronic underfunding, understaffing, and the lack of a sitting Government. Imposing abortion on our healthcare system risks destabilising our GP service, many of whom are contemplating retiring... It risks burdening our hospitals with unnecessary procedures, extra complications, divisions within departments and lengthening of waiting lists—all of which will likely have a negative effect on the population of Northern Ireland who rely on healthcare services from medical problems.”

That is the problem that is being impacted on Northern Ireland. That is the problem that the Secretary of State needs to address. If he really wants the Assembly back to deal with this issue before 20 October, he will find that the only party that runs away will be Sinn Féin. The Secretary of State has that power in the Belfast agreement—I am not asking him to do anything outwith his powers. There are two people who can call a meeting of the Assembly, and he is one of them. I urge him to do that.

Madam Deputy Speaker (Dame Rosie Winterton): Order. There is a very specific subject of discussion here, which I am sure the hon. Gentleman will be returning to as quickly as possible—by which I mean now.

Ian Paisley: I understand that we are speaking about the Northern Ireland Executive formation and the reports flowing from that. The Secretary of State introduced his comments tonight by referring to the lack of an Assembly. The Chairman of the Northern Ireland Affairs Committee emphasised that issue as well. I am trying to get the Assembly back, and I am outlining the way in which the Secretary of State could take active measures this evening by phoning the 90 Members of the Assembly and getting them back in the Assembly tomorrow morning. That could bring about the changes that the Secretary of State wants to see—that I want to see and that people in this place want to see—but I fear that that call will land on deaf ears. I hope that he decides to do that, and I hope that he takes up that chance.

I welcome what the Secretary of State said in his remarks. I believe that he is passionate and that he does care about the victims of institutional abuse. Indeed, I know, following on from the meetings that he had with them in August, that many of them meet regularly with Government Members, and they reported back to us the enthusiasm and the genuine concern that he has. I happen to think that it is important that we put that on the record, but it is also right and proper that he is pushed on a few areas. I ask him to give us a time, to give us a specific date and to tell us when this will happen. He should not let this slip any further. My hon. Friend the Member for Belfast South (Emma Little Pengelly) made the point in her excellent speech that we cannot allow this slippage to continue. These people are dying. These victims need immediate help and there is nothing to stop the Secretary of State from providing that.

I wish to leave some very specific questions with the Secretary of State: who is ultimately going to pay the compensation? The hon. Member for Lewes (Maria Caulfield) made the crucial point that this abuse was carried out vastly during a period of direct rule. Therefore, the responsibility and the onus must fall on this place to come up with the compensation. The Northern Ireland budget could not cope with—that is the extent of that payment.

Emma Little Pengelly: I thank my hon. Friend for giving way on that important point. It is undoubtedly the case, when one reads that report, that there is a direct rule implication—an implication for this place.
Does he agree that there is also a significant obligation on the institutions, including the Roman Catholic Church? They have contributed to compensation schemes in relation to these inquiries in all other jurisdictions as far as I am aware, so does he agree that the Secretary of State should engage in those early conversations with the institutions to ensure that that contribution is made?

Ian Paisley: I am more than happy with that. Indeed, I have spoken in this House in the past about that very point. One of the ways that this could be addressed expeditiously is by the institutions actually making amends—by way of payment, by way of apology and by way of an actual practical measure. I think that, without doubt, that is the case. There should be something that the Secretary of State can do to facilitate such a process. I know that there are ways that he can facilitate that, and I encourage him to take them up. There is a crucial point here. Ultimately, if the Government pay money in compensation, they may, later on, get that money back through the institutions. They should be pursuing those institutions for the abuse inflicted on those innocent victims.

Professor Patricia Lundy, who gave evidence to our Northern Ireland Affairs Committee on these issues, spelled out what she believed the costs could run to, and they are staggering. It is essential that the Government grapple with this issue immediately. There should be no surprises when they come to legislating. We do not want to have to delay legislation further, because we have now discovered what the costs are. The costs are mammoth. The costs will have to be dealt with.

May I also speak for some of the survivor groups? All of those who have given us evidence and spoken to us directly have said that they run their organisations on a shoestring. Clearly, they will have to keep up the momentum by informing their people, encouraging their people and being a shoulder for their people. Therefore, some sort of assistance in the interim period—until the legislation is actually enacted—would be very beneficial indeed. Finally, it would be brilliant if the Secretary of State published the Bill, put it out there and brought it into this place so that we had the opportunity to enact it without any further delay.

6.16 pm

Sammy Wilson (East Antrim) (DUP): I will try to be as brief as possible so that other Members get the opportunity to speak in this debate.

I welcome the fact that we are debating this issue today, although we have grave reservations about the way in which what was to be a fairly narrow and innocuous Bill was hijacked by the Labour party. I know that Labour Members do not like Bills being called by the effect that they have—I am talking about their attitude to the Prime Minister when he refers to the surrender Bill. The anger that there is from these Benches is a good indication of that. If we were to give this Bill a name according to its effect, it would either be the prevention of the formation of the Executive in Northern Ireland Bill, or, as some people in Northern Ireland a shoulder for their people. Therefore, there should also be a responsibility on those who put young people and children through that kind of experience—a requirement that they also make a contribution to making good.
Emma Little Pengelly: Will my right hon. Friend confirm that in all the discussions at the time of the inquiry—when we looked at the inquiry in the Republic of Ireland and inquiries elsewhere, where the institutions made a significant contribution—it was the clear understanding of all parties that the institutions would be requested and required to give their contribution as well?

Sammy Wilson: My hon. Friend is quite right. Indeed, that was always the understanding. I note that the report says that research is being undertaken into how the issue has been handled elsewhere. I would like the Secretary of State not just to research, but to tell us what approaches have been made to the bodies at which the finger of blame was pointed for this abuse. Is it simply that there will be an academic study of what is to be done, or have approaches actually been made? If they have, what has the response been?

The report says that there will be a mediation mechanism to decide how much should be paid by the various institutions and that the parties will have to submit themselves to a final arbitration. All that is fine—of course we have to have a mechanism—but there is no indication that civil servants in Northern Ireland are making approaches to the institutions, knowing what the view of the Executive was on this matter; and it is important that that is done.

I have one final point, which has been made time and again today. I do not believe that the Northern Ireland Assembly will be up and running on 21 October because Sinn Féin, which wanted some of the changes that have been put through this House and that have a date attached to them, will not want the institutions back up and running for all that to be taken back into the Assembly and for the debate to be reopened. That was a fatal flaw in the Labour party’s decision to interfere with a devolved issue and to dabble in the future of the Northern Ireland Assembly. Labour Members were warned about this, but they ignored that warning, and now they lament that we cannot get this issue dealt with as far as the victims are concerned.

The Assembly will not be up and running because, for those who wanted the changes to abortion and gay marriage legislation, there is every incentive not to have it up and running. They are showing no indication that they will even engage in talks. It is important that the Secretary of State recognises that and ignores any evidence he might be getting from the Northern Ireland Office about what might annoy Sinn Féin. He should be bringing to this House legislation that compensates and gives some redress—as much as money ever can give redress—to that individual who met me in a street in Belfast and told me how, as a boy, he was abandoned, he was not listened to and he was hurt, and how he still carries that hurt today.

Several hon. Members rose—

Madam Deputy Speaker (Dame Rosie Winterton): Order. There is pressure on time, and I want the Secretary of State to be able to speak for a couple of minutes towards the end of the debate because certain points have been raised. May I say once again, though, that the use of inflammatory language is absolutely unacceptable? We have had a lot of discussion about this over the past few days, so I urge Members to be very careful about the language they use. I hope that the remaining speakers will stick to that.

Ruth Jones (Newport West) (Lab): I want to speak about this report for several reasons, so I thank you for calling me, Madam Deputy Speaker. The main reason I am here is that I believe in the Union of our United Kingdom. I am fiercely proud of Wales and, of course, Newport West, but I also respect England, Scotland and Northern Ireland. In the absence of a devolved Administration in Northern Ireland, I think it is important for all of us in this House to speak up loudly and proudly for all the good people of Northern Ireland.

The lack of a devolved Government in Northern Ireland worries me. It also worries the shadow Secretary of State, the hon. Member for North Down (Lady Hermon) and many other colleagues on the Opposition Benches. Thanks to the strong and active Labour Government in Wales, I see the transformative impact that a devolved Government have on my constituents every day, and it is important that the people of Northern Ireland can share in the same.

The report gives a round-up of progress, but it is very light on next steps. I want to see a timeframe for the legislation, as do the people affected in Northern Ireland—and we all want to see it now. It is frankly disgraceful for the Government to play games with the people of Northern Ireland, and to try to prorogue this Parliament rather than get to grips with such long-standing and important issues. We have so much of the people’s business to do, as was evidenced by the urgent question of the hon. Member for North Antrim (Ian Paisley) this afternoon. I would like the Minister to confirm that the legislation in relation to historical institutional abuse will feature in the Queen’s Speech; we need to know if it is a priority for this Government. I will leave my remarks there, but I want to place on record how disappointed I am sure that Northern Ireland-related business appears to be an afterthought to this Government. They need to change their approach, and do it fast.

Jim Shannon (Strangford) (DUP): This issue is a difficult one to speak about. It is heartbreaking when we hear of the scale of abuse and the ramifications of that abuse for entire families throughout the Province. However, it is clear that, no matter how difficult it is, we must do more than just speak; we must act. That has been said unanimously in this House today, and the Secretary of State and the Government have to respond accordingly. One constituent put it to me like this:

“You may already be aware of this high-profile issue, which has come to symbolise the pain afflicted onto some of the most vulnerable people in Northern Ireland in the absence of government.”

The Secretary of State referred to two places—Kincora and Nazareth House. I would add De La Salle in Kircubbin, where physical and sexual abuse took place of young boys in that establishment. Some of the people who have come to speak to us in the groups and have come to my office to meet me have also addressed the Northern Ireland Affairs Committee. We have heard at length their deputations and submissions to that as well.

This is yet another group of people who have been affected by the intransigence of Sinn Féin and its refusal to do its job and take its place—another group of people who have been further traumatised by the stalemate
that has taken place. Can I say very respectfully to the Secretary of State that he cannot ignore the fact that Sinn Féin is the obstacle in this process? This is partly why I have been calling for direct rule in this place: it is time to consider that honestly.

The Bill was hijacked by hon. Members—with respect, again—on the Opposition Benches to introduce legislation that was not discussed, vetted or done by the proper process. Vulnerable groups like this have no showing in the priorities of the hon. Member for Walthamstow (Stella Creasy), but it is one of my priorities, and that is why I am speaking on this issue today. I speak for the unborn: those who are alive in the womb. One hundred thousand people live today because of the current abortion legislation that has taken place. Can I say very respectfully to the hon. Member for Belfast South (Emma Little Pengelly) that was not discussed, vetted or done by the proper process.

Madam Deputy Speaker (Dame Rosie Winterton): Order. Can I just bring the hon. Gentleman back to the issue of historical abuse? I am sure he is returning to it now.

Jim Shannon: I think it is important that we have that issue on record, as that has been abuse as well.

By way of quick summary, the independent inquiry by Sir Anthony Hart that was commissioned by the Northern Ireland Executive in 2013 reported on a series of recommendations in January 2017 that sought to deliver justice to victims and survivors of historical institutional abuse. The delivery of the findings of that inquiry coincided with the collapse of the Assembly and Executive. In the two and a half years since that point, victims and survivors have been left without any of the redress and justice that was promised to them. That is really obvious to every one of us who is aware of the situation. There was a crystal clear need to introduce the legislation required to establish a redress board and commissioner to advocate on behalf of victims and survivors. As my constituent said to me:

“It has not been easy and it has retraumatised many victims”—including him—

“some of whom have been extraordinarily brave in sharing their story in the media with the public to try and convince those in power to act.”

What we are seeking today is simple. I thank the Secretary of State for what he has done so far, and his team as well. We may have been a bit harsh with him in these horrendous crimes. I would say, go after them and get the money—let us go after them hard.

North Antrim (Ian Paisley) and the right hon. Member for East Antrim (Sammy Wilson) spoke about the need to get the Assembly up and running, and expressed his concerns about that. We all have to do everything we can to get things up and running in the coming days and weeks. That is important for the issue of abortion, which I believe is best dealt with by the Executive in Northern Ireland for the people of Northern Ireland, but it is also in the best interests of all citizens across Northern Ireland to get decisions done and political decisions made.

Lady Hermon: Will the Secretary of State reply to one specific question? For the victims of institutional abuse, will he give a commitment—a clear guarantee—that the legislation to compensate them for the dreadful abuse that they suffered as children in Northern Ireland will be on the statute book before 31 October? It is a straight question and I would like a straight answer.

Julian Smith: I thank the House for what has been an exceptionally moving debate. I pay specific tribute to the survivors’ groups—SAVIA, Survivors (North West), the Rosetta Trust and Survivors Together, among others—who will be watching tonight and I think will be clear about the priorities of this House and the people who have attended this debate to move things forward. I have heard the desire to get this Bill introduced at the earliest opportunity. As I have mentioned, I really hope and expect that we can get it into the Queen’s Speech. I really want to get it in as soon as possible. I heard the points made by my hon. Friend the Member for Lewes (Maria Caulfield) and others about the need for speed in getting this moving as quickly as possible, and I want to ensure that we do that.

The hon. Member for Belfast South (Emma Little Pengelly) spoke passionately about the role of officials—David Sterling and the civil service—in getting us this far. I again pay tribute to them. The hon. Member for North Antrim (Ian Paisley) and the right hon. Member for East Antrim (Sammy Wilson) spoke about getting money from the institutions that have played their part in these horrendous crimes. I would say, go after them and get the money—let us go after them hard.

The hon. Member for North Antrim, among others, spoke about the need to get the Assembly up and running, and expressed his concerns about that. We all have to do everything we can to get things up and running in the coming days and weeks. That is important for the issue of abortion, which I believe is best dealt with by the Executive in Northern Ireland for the people of Northern Ireland, but it is also in the best interests of all citizens across Northern Ireland to get decisions done and political decisions made.

Lady Hermon: Will the Secretary of State reply to one specific question? For the victims of historical institutional abuse, will he give a commitment—a clear guarantee—that the legislation to compensate them for the dreadful abuse that they suffered as children in Northern Ireland will be on the statute book before 31 October? It is a straight question and I would like a straight answer.

Julian Smith: I think I have given an indication on timing. I am no longer a business manager. I am concerned, in this whole debate, to ensure that I do not make commitments that I cannot deliver. The commitment I have made is that I have written to business managers. I hope that this Bill will be in the Queen’s Speech. I do not want to go further than that, but I will continue to do everything I can to push my colleagues to get it introduced in the coming days and weeks.

Question put and agreed to. Resolved.
Northern Ireland (Executive Formation etc) Act 2019 Section 6

6.37 pm

The Minister of State, Northern Ireland Office (Mr Nick Hurd): I beg to move,

That this House takes note of and approves the Report pursuant to Section 3(13) of the Northern Ireland (Executive Formation etc) Act 2019—Victims’ Payments, which was laid before this House on Wednesday 4 September.

We do not seem to agree on much in Parliament these days but, on the subject of this specific debate, I hope and believe that there is enough common ground to move forward on what we should see as a moral imperative to turn words into action, and to turn the idea of a victims’ payment or pension into a reality that does something powerful in acknowledging the unacceptable harm done to those seriously injured in the troubles and the deep trauma that many still live with, and makes a meaningful difference to the dignity and quality of life of those severely injured through no fault of their own.

Those last six words are important, because it is clear to me from the debate in both Houses of Parliament that consensus in this Parliament exists only if the guiding principle of our work is that this payment is not designed as a pension for terrorists and those injured by their own actions.

Sammy Wilson (East Antrim) (DUP): The important words, as the Minister says, are, “Those who have been injured through no fault of their own.” I have noticed a discrepancy between the explanatory notes to the Bill and the report that has been presented. The explanatory notes state that that compensation will be paid where injury sustained is through no fault of the individual and whether or not the individual has been convicted of an offence. When it comes to the report, the only exclusion is where the individual has not been convicted of an offence. That is important because with some it is their own fault but they have never been convicted. Can he give us an assurance that anyone who has been engaged in terrorist activity, whether they have been convicted or not, will still be regarded, in any injury, whether mental or physical, as being at fault?

Mr Hurd: I understand the point that the right hon. Gentleman is making. I can assure him that, as we work towards the regulations and consult on their detail, the guiding principle—fundamental to the Government, and which we believe is the basis of consensus on which to proceed—is that we see this as a pension that is not designed for terrorists or those injured by their own hand. We will have to work through the detail of how it works and the burden of proof in those situations, but I am clear—as I am sure he is, because I have heard him speak passionately on this subject before—that I do not believe there is consensus in this place to move forward without that guiding principle. I do not think that this Parliament, under any Government, would seriously propose making payments to terrorists or those injured by their own actions. That principle needs to guide us as we get into the detail.

We are clear that what we are considering is a payment in recognition of the suffering of those severely injured through no fault of their own. The victims’ pension is the right thing to do, and I genuinely congratulate those, such as the WAVE Trauma Centre, who have made the case with such tenacity and resilience over the years. Like many Ministers and shadow Ministers before me—Conservative and Labour—I have listened to and been deeply moved by the stories of those whose lives have been profoundly affected by the terrorist atrocities of the troubles. When we read the stories of people such as Paul Gallagher, Jennifer McNern or Peter Heathwood, it is frankly impossible not to be moved by their courage and resilience. The reality is that there has been widespread criticism of compensation schemes in the past. Many of those who would benefit from the payments feel that they were not treated well or supported in the right way, and it is surely time that we do more to support those individuals.

Jim Shannon (Strangford) (DUP): On 10 December 1971, Daniel McCormick, a part-time soldier in the Ulster Defence Regiment, was murdered. His wife and three children got compensation of £3,500. Will the Minister give a commitment that that matter will be sorted for that family?

Mr Hurd: I can give the hon. Gentleman a commitment that the Government absolutely accept the case for victims’ pensions and payments and recognise, as I just said, that we need to do more to support individuals and families affected in that way. We are determined, as I hope I will persuade him, to move forward, not just through the sense of moral obligation that we feel, but because this Parliament now obliges us to, as a result of legislation passed in the summer.

Jim Shannon: I thank the Minister for what he said, but what I am trying to get to is that £3,500 was paltry compensation for a wife and three children. What we need for that family, going back as far as December ’71, is compensation that equates to what would be given today to people who are innocent victims. This was a Roman Catholic part-time soldier who had resigned from the UDR and was murdered because he served his country.

Mr Hurd: We are talking about innocent victims and a victims’ payment scheme which is not about restitution or compensation; it is about recognition and acknowledgment and doing more to improve the dignity and quality of life of those who are eligible. As I have acknowledged, there have been criticisms in the past about the effectiveness, fairness and efficiency of compensation processes, and it is, in part, in acceptance of that that the Government, with cross-party support, are extremely committed to moving forward on this matter.

As the House would expect me to point out, this is a devolved matter. It will, of course, always be our strong preference that the establishment of a payment scheme to acknowledge the harm done to victims of the troubles in Northern Ireland be led by Northern Ireland political parties within an established Executive. That is the first priority for us. The Secretary of State has left the Chamber, but I commend him for his active support of that process and hear the observations of the elected representatives of the DUP on that point. One thousand days on, we recognise that, not least due to the advancing years of many of those who could benefit from a victims’ pensions scheme, we must draw this matter to an acceptable resolution without delay.
The previous Secretary of State, my right hon. Friend, the Member for Staffordshire Moorlands (Karen Bradley), who was in her place but has left, asked the Northern Ireland Commissioner for Victims and Survivors to provide comprehensive advice on how a scheme of payments to those seriously injured in the troubles could be progressed, so that the issue was not indefinitely stalled in the absence of an Executive. That advice has been received. The UK Government are now committed, under the Northern Ireland (Executive Formation etc) Act 2019, if there is no Executive in place by 21 October—I have heard some pessimism on that front—to bringing forward regulations before the end of January, to ensure that a victims’ payment scheme can come into force in Northern Ireland by the end of May next year.

Emma Little Pengelly (Belfast South) (DUP): I thank the Minister for giving way on that point. Although the amendment puts an obligation on the Government to bring forward regulations, I suspect that such a change in the law and such a scheme would benefit hugely from being based in primary legislation, as opposed to regulation. What consideration have the Government given to discharging the duty to make payments to victims by bringing forward primary legislation, rather than regulation?

Mr Hurd: We are 100% genuine in our commitment to deliver on the moral and legal obligation to come forward with those regulations. Our intention at the moment is to come forward with regulations but to do so through a process that genuinely engages stakeholders and gives people the opportunity to express their view on the fairness and practicality of what is being proposed. But I hear what the hon. Lady says, and I am more than happy to follow up with her personally if she is interested.

Maria Caulfield (Lewes) (Con): I echo the call for this to be done through primary legislation. I think the nervousness on both sides of the House is about the definition of a victim, because there are victims out there who will refuse to take any compensation if they feel that terrorists will benefit from this. Given the lack of clarity from the Victims’ Commissioner, it is incumbent on us to ensure that the definition is watertight in legislation.

Mr Hurd: I understand the point made by both the hon. Member for Belfast South (Emma Little Pengelly) and my hon. Friend, and I have a feeling—new as I am to this post—about the underlying sensitivity of this issue. I will come on to the definition of victims, which I know is an extremely controversial issue but one which we see as being distinct from eligibility for payments under the scheme that we are working through.

As set out in the update report, to meet this commitment we have been undertaking work to develop the detailed arrangements for the scheme, with factual input from the Northern Ireland civil service. As the House would expect, that has included consideration of other relevant schemes, detailed design work, discussion with certain key stakeholders and making plans for future engagement, and preparing detailed advice on the proposed architecture of the scheme: its purpose and principles, levels and methods of payments, eligibility—critically—and other technical considerations, the assessment process and wider support arrangements for scheme applicants.

During the passage of the 2019 Act through Parliament, Ministers were clear that “through no fault of their own” would be the guiding principle as we develop the regulations required by the Act. The current Administration and I share that conviction, and I have heard the Prime Minister express it from the Dispatch Box. We must ensure that the scheme gets to those who need it most, but not at the expense of paying a pension to terrorists injured by their own hand. We are clear that any legal duty imposed by the Victims and Survivors (Northern Ireland) Order 2006 relates to the appointment and functions of the Commissioner for Victims and Survivors for Northern Ireland, and not to wider issues such as the provision of a victims’ payment scheme. It is our view that any change to that definition—a hotly contested matter—is a matter for the Northern Ireland parties, and we believe that it is a separate discussion from those about regular payments to victims. We do intend to deliver on our obligations within the Northern Ireland (Executive Formation etc) Act 2019, and we do propose to engage widely on the detailed design of the scheme and the date by which the regulations must be made. The views received on our proposed approach will help to inform final decisions on how that scheme will be implemented.

In conclusion, more than 20 years on from the Belfast/Good Friday agreement, while Northern Ireland is clearly a different place in many positive ways, the legacy of the troubles—as many in this House know much better than I ever will—casts a long shadow over many aspects of life in the here and now. We must never forget that over 40,000 people were injured during a 30-year period, and those still living carry a significant burden. We know in this House that it is difficult to move on and secure a better future for Northern Ireland without dealing with the past. The Stormont House agreement provides a framework for doing so, with much detail that needs to be worked through and discussed further, but surely we should not let those discussions hold up or divert a pragmatic determination across all parties to deliver, at pace, a fair victims’ payments scheme that those most seriously affected by the troubles need and deserve, and this Government are committed to work with all parties and stakeholders to deliver just that.

6.51 pm

Stephen Pound (Ealing North) (Lab): Before I respond to the Minister, may I refer to some earlier remarks from the hon. Member for Belfast South (Emma Little Pengelly) in relation to Justice Hart? I would like to associate myself and all my colleagues with the comments she made. I was interested to hear that she learned much when she appeared before him. I trust it was professionally rather than as a respondent, but in any case we certainly support her in those comments.

Before turning to the Minister, may I also pay tribute to the hon. Member for Weston-super-Mare (John Penrose), his predecessor? He was a good, decent and committed Minister, who brought a great deal of energy and commitment to his role. We miss him, and we understand that he has gone to better places—who knows?—but I hope that the House can record its appreciation.

May I particularly welcome my parliamentary neighbour, the right hon. Member for Ruislip, Northwood and Pinner (Mr Hurd)? Many neighbours are divided politically; we are in fact divided by the A40 Western Avenue, and...
no more than that. I do welcome him, and also note
that he is a man of such extraordinary qualities that he
is not just the Minister for London, but the Minister
of State for Northern Ireland. Any man who can actually
combine the briefs of London and Londonderry has
to be a person of extraordinary qualities, and I have
absolutely no doubt that the right hon. Gentleman is
that person. I was, however, slightly perturbed to note
that as soon as he was appointed, he gave it a great deal
of thought and announced that he would not be standing
at the next election. I trust that that is completely
coincidental.

May I thank the Minister for the work he has already
done? His visit to the South East Fermanagh Foundation
was widely appreciated. I know that my hon. Friend the
Member for Bristol South (Karin Smyth) has visited it.
I think the fact that the Minister is actually taking the
time and trouble to visit some of the victims groups is
very important.

Throughout everything we have discussed this afternoon,
the leitmotif has consisted of two strands. One, quite
clearly and obviously, is the absence of the Assembly
and Executive, but the other is the sheer, almost
unimaginable horror of the situation and circumstances
of the innocent victims. The Minister has visited these
people; most Augsts, I visit the Omagh Support & Self
Help Group, and I pay tribute to Michael Gallagher, his
daughter and all those people. It is almost impossible
for us to imagine what it must have been like that
August day when a bomb just ripped through that
city—that peaceful market town—and the repercussions
are being felt to this day.

Mr Gregory Campbell (East Londonderry) (DUP): On the point the hon. Gentleman made a moment ago
about the importance of the Minister and others visiting
the border and speaking to people who have first-hand
knowledge and experience of some of the violence
down through the years, does he agree with me that it is
absolutely essential that every Minister and every Member
of this House who does not have first-hand experience
in Northern Ireland should avail themselves of that and
that it would make them much better prepared to deal
with the matters before us tonight?

Stephen Pound: I do. I think it is quite important to
place on record the fact that when I have visited all of
the constituencies in Northern Ireland, I have always
been welcomed by the Members of Parliament for those
areas, whether or not they take their seats here, and
have had the opportunity to visit particularly the border
areas and the areas that, in all honesty, very few of us
on this side of the water can fully understand unless we
have actually seen them—unless we have actually walked
those roads and those boreens, and seen those fields—and,
more importantly, looked into the eyes of the families,
because those families will carry that agony, pain and
sense of loss with them to their dying day. It is important
and it is crucial that we actually do that, and I entirely
agree, not for the first time, with the hon. Gentleman.

The problem we have here is one of delay. As we
know, the Stormont House agreement was in 2014,
which was when the process started. If hon. Members
remember, the Stormont House implementation group
was established by all five of the major parties back in
2015, but the work has not been completed. I think it
was only this year that the previous Secretary of State
for Northern Ireland provided an updated and
comprehensive advice note on how the matter can be
proceeded with. I really think that we have waited long
enough, and we simply must—must—move forward on
this.

My questions will therefore be fairly prosaic, relating
to the timetable and where we stand at the present time,
and I will also have a specific question in a moment. We
need to know the current situation on the initial scoping
of how best to deliver the regulations—it is as simple as
that: we have got to do it—while reviewing the international
models where relevant, and perhaps developing engagement
and communication plans, ready for implementation
when the duty comes into effect. I am sure officials of
the Northern Ireland Office have done this, but I think
we should hear that this process is in work. We need to
know the timeframe—we have to know the timeframe—
and, unfortunately, we also need to know how Prorogation
will affect this work, as I am sure it will. An update on
the initial scoping of how best to deliver the regulations
would be extremely helpful.

I would also like to ask a question about overseas
nationals. As we know, the Omagh bomb killed two
people who were Spanish nationals. A number of overseas
nationals have been impacted by the troubles. What is
the situation regarding overseas citizens when it comes
to payment or pensions—presumably payment, rather
than pensions?

Finally, as I appreciate that we have much business to
go through, may I welcome the reappointment of Victims’
Commissioner Judith Thompson? I had the pleasure of
meeting Commissioner Thompson in Northern Ireland,
and she is a woman of great integrity, great passion and
great commitment. I think the House should place on
record our appreciation of the work she has done to
date and our anticipation of the work she will do in the
future. I offer my congratulations to the Government
on reappointing her.

In conclusion, there can be few more pressing, important,
emotional and also painful issues than those we have
discussed this afternoon, not just under section 7 of the
Act but under section 6. We have a duty—a bounden
duty, a duty of honour—to those people who have
suffered, as the Minister so rightly says, through no
fault of their own. I think the hon. Member for Belfast
South once said, “We speak for the victims, not for the
victim-makers”. That is a very powerful statement, and
it must inform all our decisions. Above all, we must
think of humanity, justice and some form of compensation.
The money will never, ever be enough, but let us show
by our words, and most of all by our actions from now
on, that we will never, ever forget and fail to support
those innocent victims of the troubles. I entirely support
the points that were made, and I agree with the Minister
when he says that this is not an issue for us to divide on.
This, above all, is an issue for us to unite on in the
names of the victims.

6.58 pm

Simon Hoare (North Dorset) (Con): I will make three
very quick points, if I may. First, I underscore the point
made, not least by my hon. Friend the Member for
Lewes (Maria Caulfield), that this issue is much better dealt with by legislation, not by regulation. It is absolutely crucial that there is proper debate on and scrutiny of the terminology to ensure that all quarters of the House are happy.

Secondly, the definition of a victim is clearly imperative, and no terrorist should benefit. That would undermine entirely the credibility of the scheme, and doubtless would put off an awful lot of people from applying to it, so distasteful would they find it to be associated in drawing something from a fund from which those not entitled to it, at least in a moral sense, will also seek to draw.

My third and final point is that we always think of victims in the narrow definition of those who live in Northern Ireland itself. It is a point always made to me by the hon. Member for North Down (Lady Hermon): some of the victims of the troubles live on the mainland and we should never forget them in our deliberations. While events were more sporadic and dispelled than the troubles in Northern Ireland, their suffering is none the less serious, and we would dishonour them if we did not include them in our thinking.

7 pm

Emma Little Pengelly (Belfast South) (DUP): Thank you, Madam Deputy Speaker. I say that with some trepidation because I may have called you Madam Deputy Secretary on the last occasion and now it is constantly in my head whenever I see you in the Chair.

As I did in the previous debate, I welcome the fact that we are now debating this issue in the House of Commons. On the last occasion, I indicated my concern about the lack of debate on these very important matters. I am particularly concerned today because of the confirmation of the Government position that many policy issues arising from this important and detailed measure may be dealt with by regulation. I want to add my strong support to other Members who have said that this issue would be much more appropriately addressed by primary legislation for a range of reasons.

The motion is technical, but the report does not contain a significant amount of detail about what will be done. What is referenced is the basic amount that we would expect to be done in terms of consultation with the stakeholder group—the project group being put together to bring this forward. I shall touch on the context for the motion and then some of the details of the proposal.

First, I have mentioned in the House before that I believe the measure of any process is how it treats our most vulnerable. The measure and test of the peace process in Northern Ireland should always have been how we treated our victims and survivors. It was the innocent victims and survivors of the many decades of the troubles who suffered the most in their loss and pain. They are also suffering today in 2019.

As I said in my maiden speech, I am always conscious when I stand in the Chamber that if I look to my left I can see the coat of arms of Rev. Robert Bradford and others who lost their lives to terrorism. Rev. Robert Bradford was the Member of Parliament for South Belfast. He served the constituency with honour and dedication, and he was cut down while conducting a constituency surgery in a community hall in Finaghy. The caretaker was also killed. It was an appalling attack by the Irish Republican Army, not just on Rev. Robert Bradford, with the legacy of pain and loss for his family, but on democracy through the killing of a sitting Member of Parliament.

My challenge to this Chamber—albeit a relatively empty one tonight—is how many Members of Parliament remember what happened to Rev. Robert Bradford, or do they think that it is an inconvenient truth? I never walk through the doors without looking over and remembering the service that he gave and the life that he lost for his constituents. Frankly speaking, there is a party in Northern Ireland today that has never issued any statement of remorse, regret or condemnation for his murder. In the last few weeks, we have talked about the hate, bile and abuse that can happen in this Chamber, but we must always remember that that has been the case for some considerable time. Most of all, we must remember the consequences of such hate.

From speaking to many thousands of the victims and survivors of Northern Ireland over the years, I know—as do my colleagues—the pain and anguish that they continue to go through. I pay tribute to the WAVE Injured Group in particular, and to the many victims and survivors who have campaigned for many years on the proposal for a special pension. That proposal came about because many of the severely injured victims and survivors are now reaching pensionable and retirement age, but many of them do not have an employment-related pension because of the scale of their injuries in the 1960s, 1970s and 1980s. The reality of the world at the time was that workplaces were different from today and it was difficult for people with severe disabilities to maintain and retain their employment. As they reach retirement, they therefore have to rely on the state pension, the disability living allowance or some small amounts periodically from the Victims and Survivors Service. The vast majority of those people are in that position through no fault of their own. They wanted to work, and they had had jobs. Some of them were young soldiers, in the Royal Ulster Constabulary or in the Ulster Defence Regiment. Many of them were just innocent victims going about their business, having coffee in a coffee shop or walking down the street. Some were severely injured in attacks targeting someone else; they were innocent bystanders and their lives were changed dramatically.

Those victims and survivors have told me that they suffer incredible and increasing pain, with new challenges as they age, as well as financial hardship. It is a travesty that despite a campaign over many years they have not yet received special support from this proposal being put into action.

Paul Girvan (South Antrim) (DUP): Mention has been made of those with physical injuries that we can actually see but many have suffered mental trauma and have not been able to work since. I ask that we include the mental trauma that many people have experienced alongside those with physical injuries when trying to address the issue in the future.

Emma Little Pengelly: I thank my hon. Friend for that valuable contribution. One of the interesting aspects of the proposal is that it has been so long in gestation
that the debate, knowledge and evidence of the impact of the psychological injuries has grown. The original proposal was for the severely physically disabled victims, but I welcome the recommendation in the commissioner’s report that both physical and psychological injuries should be covered. The key point is the impact on the ability to gain employment and thus an employment-related pension.

On the Victims Commissioners’ advice, I was vocal at the time about my deep disappointment that it did not reflect the strong feeling among many thousands of people across Northern Ireland that the pension should not go to victim-makers. Throughout the many years I have been involved in this project it has been clear that that was a significant view among the victims and in the wider population. I have spoken with the commissioner on many occasions and I have huge respect for her. She does many things well, and I know that many victims have respect for her. I met her monthly or bi-monthly over several years and repeatedly raised with her my concerns that if the victims pension included the victim-makers, many people would be deeply hurt by that. What I said was that surely we have a responsibility first of all to do no harm. In this case, the issue is to do no further harm and cause no further hurt to the very genuine victims who are desperately in need of this proposal. I acknowledge that this tricky issue has held up discussions for some time, but the biggest impact on progress has been the lack of a Northern Ireland Assembly. I strongly welcome the Government’s commitment to ensure that this pension does not go to those who were victim-makers.

The Commissioner for Victims and Survivors has defended her report and said that she is caught by and operates under the definition of the 2006 order, but I find it unacceptable and I was deeply disappointed that the report made no reference to the existence of those other views. If I were a Minister or the Secretary of State and I was asking for this advice, I would want the advice to be clear: “There are these views on this matter, but also be aware there are that a significant number of other views, and if you progress down this recommended path hurt will be caused, victims will come out and say that they will not receive it, and that they are deeply upset by it.” That exists as a view and it should have been reflected in the commissioner’s report.

I find the fact that that was missing from the commissioner’s report deeply disappointing. I genuinely feel that it has led to her losing the confidence of a huge number of victims across Northern Ireland and that her position is unsustainable. That is the position that I have outlined to the Secretary of State, and I was therefore disappointed to see that the commissioner’s term was extended. It is key that any commissioner should have the support and confidence of the people she is supposed to speak about, and in this case what has happened has led to her losing that.

I want to move on to the specifics of the proposal in the report, which is the special pension for victims and survivors, and to touch on a number of very technical issues. As I mentioned, I am concerned about the proposal to introduce this through regulations because there were a number of aspects that need to be debated and aired for potential amendment. The proposal from the Victims Commissioner deals with the method by which people will be assessed, and she has asked very strongly that this is done in a way that is victim-centred. I asked the Minister and the Secretary of State to look carefully at the Victims and Survivors Service process. I was involved in the setting up of that new institution, and there was a lot of genuine intent about some of the mechanisms to assess the level of need of the victims and survivors, but within a very short period of time it became absolutely clear that victims and survivors were being re-traumatised or troubled by the process of questioning and assessment. They felt that this was a test that they either failed or succeeded at.

In due course, we have to change that process, so I ask the Secretary of State and the Minister to look very carefully at it and to ensure that however people submit their applications and however the assessment is done, it takes account of the types of evidence and documentation already in the system—perhaps with the Victims and Survivors Service—to avoid victims and survivors having to go through the process again. It should be a victim-centred, sympathetic and empathetic environment, not a questioning environment or one in which people feel they are in the witness box giving evidence.

The Minister and the Secretary of State should also ensure that it is done swiftly. One of the big challenges with the Victims and Survivors Service was that the assessments take time, and dealing with hundreds or thousands of applications could risk people waiting six or 12 months before getting their assessment. Perhaps the Secretary of State or the Minister could put their mind to how that can be done in a way that ensures victims and survivors can get financial help quickly while they are going through the process and waiting for it to end.

The Minister referred to the fact that we have had 1,000 days without devolution, and that to me is an absolute travesty. It comes back to the point that I raised in the earlier debate: this House has broken the precedent that it does not legislate on devolved matters. This House has legislated on devolved matters. Victims and survivors of the troubles—and the survivors of historical institutional abuse, those who are sitting on waiting lists, those who are dying on waiting lists, people who are waiting for their child to get an autism assessment, and people who are in desperate need of public services—ask me why those issues were picked for this House to decide to legislate on, despite the convention. Why pick those issues on which to break precedent and the convention of this House by legislating on them, while in this case the victims and survivors are suffering pain every hour of every day, and they have done so since they got their injuries 20 or 30 years ago?

These are victims in pain saying, “Why do we have to wait? Why are we being told, ‘No, no, this House doesn’t deal with that?’ This House can only do that by regulation. This House does not legislate on that.” This House has legislated. It has legislated on cases that are considerably less urgent, where people are not in pain, where people are not in real financial need. As I said about the historical institutional abuse inquiry, I urge the Minister and the Secretary of State to take swift action. This House and its legislative timetable, whatever is announced in the Queen’s Speech, could all fall. Who knows what will happen in the next few months? But this is the important point: the Minister can do this. He

[Emma Little Pengelly]
can introduce this provision as a piece of legislation. He can get the time to do that and he can do it very quickly. The message needs to go out to people in Northern Ireland—the victims and survivors who are suffering—that this is not a case of can’t; it is a case of won’t. I ask the Minister to make a promise to this House and those victims and survivors that he will decide to no longer go with “won’t” but to move to “I will”. I ask that he introduce it as quickly as possible to ensure that those victims get a special pension by and before 31 October, because he can do that.

Maria Caulfield: May I echo the hon. Lady’s point? I think there is a nervousness in the Government caused by a fear that if this place legislates it is offending the nationalist community, but members of the nationalist community were victims of institutional abuse or victims of terrorism and they all want compensation and need pensions and to have justice for what they have suffered. We need to be bold and brave about this. We will do no favours for the nationalist community by not legislating on either historical institutional abuse or victims compensation.

Emma Little Pengelly: I thank the hon. Lady for that very valuable contribution and I absolutely agree. This is so difficult to explain to victims and survivors. I know that the Minister will have found himself in this position as well—it is so difficult to explain to people a point of constitutional theory or purity. Quite frankly, given what has happened in this place over the course of the past few weeks and months, people have no time for that. What people want is action and what victims and survivors need is help to support them in their pain. They need financial security as they get into their older age and they need the Government to act. They can act, and I am asking the Government today to please commit to doing so as quickly as possible.

7.18 pm

Mr Hurd: I am grateful for the opportunity to respond to this very interesting debate, and I thank my friend and parliamentary neighbour, the hon. Member for Ealing North (Stephen Pound), for a typically generous welcome and a generous tribute to my predecessor, my hon. Friend the Member for Weston-super-Mare (John Penrose). I know my hon. Friend will appreciate that, and it is typical of the hon. Gentleman to take the time to express his appreciation of my hon. Friend’s work.

The hon. Member for Ealing North pressed me on the scope and timing of this, and what I will say is that the work on the architecture is relatively advanced. The debate has also thrown up some extremely complex issues that need to be worked through, not least in an environment where almost anything we do will be subject to quite robust challenge. He will appreciate the need to sweat things through.

The hon. Member for South Antrim (Paul Girvan) pressed me about the scope—physical, psychological and geographical. That work is relatively well advanced, and he will be aware that we have a backstop—if I am allowed to use that word—in the end of January deadline for producing regulation. That focuses minds in the system, as he will appreciate.

One of the most important questions to arise from the debate is that of legislation versus regulation. A powerful coalition has formed, comprising the Chair of the Northern Ireland Affairs Committee, the hon. Member for Belfast South (Emma Little Pengelly) and my hon. Friend the Member for Lewes (Maria Caulfield). I respect their view. A balance needs to be struck between recognising the need to engage, discuss, debate and build trust in whatever is proposed and the need to get on with things, but given the messages registered in the debate, I undertake to discuss that properly with the Secretary of State.

I congratulate the hon. Member for Belfast South on her truly interesting speech. I thank her for reminding us of the murder of Reverend Robert Bradford and all it represented in terms of affront to our democracy. I thank her also for reminding the House of the genesis of this long-standing campaign and the reality—the uncomfortable truth, as she described it—that we are talking about a period in which attitudes to disability were completely different from attitudes now. Attitudes to disability in the world of work and access to pensions were completely different then, and it is absolutely right that we respond to that change.

I wholly appreciate the hon. Lady’s point about the need for a victim-centred approach. One of the things that has struck me most during my engagement with victims—something I find unacceptable and uncomfortable—is how forgotten they feel and how disrespected for all this time. It is incumbent on us to do something about that.

Lady Hermon: (North Down) (Ind): I have listened carefully to the debate. There is one issue that the Minister has not touched on. The shadow Minister, the hon. Member for Ealing North (Stephen Pound), referred in fulsome terms to the Northern Ireland Victims Commissioner and paid her a very warm tribute. The hon. Member for Belfast South (Emma Little Pengelly) was quite different; she was highly critical of the commissioner. I think that the Northern Ireland Office cannot remain silent on this issue. The Minister has the opportunity to state on the record that he and his colleagues in the Northern Ireland Office have full confidence in the Victims Commissioner. They have renewed her appointment for a year, so will the Minister do that?

Mr Hurd: I did not feel it needed to be said, because actions speak louder than words. The commissioner has been confirmed for another period of 12 months. I think the Secretary of State’s instinct is to ensure some continuity while making it clear that future decisions must be for the devolved institutions.

Emma Little Pengelly: Will the Minister give way?

Sammy Wilson: Will the Minister give way?

Mr Hurd: I give way to the right hon. Gentleman.

Sammy Wilson: Does the Minister accept that this is not a question of whether he, the Secretary of State or indeed Members of this House have confidence in the Victims Commissioner? The commissioner, as my hon. Friend the Member for Belfast South (Emma Little Pengelly) pointed out, is there to represent victims. If she does not have the confidence of victims, how can she possibly fulfil her role?

Mr Hurd: I understand the right hon. Gentleman’s point, and it is possible that the hon. Member for Belfast South intended to make a similar one, but I was
pressed to clarify the Department's position, which I have done. Let me be candid: in my meetings with victims groups, I have been struck by the strength of the expressions of precisely that lack of trust and confidence. When I meet the commissioner, I will press her to respond to those concerns, because if I were in that position and people were expressing those views, I would be worried. It is incumbent on her to respond appropriately.

Stephen Pound: I sense that the Minister is approaching his coda. May I ask him to say whether overseas nationals will be included in the scope of pensions and payments?

Mr Hurd: To reach the coda will be welcome. I thought I addressed that point when I said that, as we finalise the architecture, a number of big issues—the biggest being eligibility, of course—need to be resolved. No decision on that has been taken and finalised, but as we finalise our proposals, we will go through proper processes of engagement, not least with the Labour party.

Emma Little Pengelly: Regarding the earlier point, I emphasise again that my personal opinion does not matter; I was articulating the opinion of victims and survivors and that is why I said the commissioner's position is unsustainable.

We are talking about overseas nationals, but there is another point on which I have yet to get clarity. It concerns the many soldiers in particular—there are others—from Scotland, Wales and England who served in Northern Ireland and who sustained injuries but are now living in mainland UK who may want to access the pension. Previously, it was thought that this would be funded through the Northern Ireland block grant, but of course there are citizens from outside Northern Ireland and who are currently living outside Northern Ireland who may need to benefit. Has the Minister considered that technical point and how to resolve it?

Mr Hurd: It is more than a technical point; it is a point of fairness. Both of those lines of inquiry reflect the fact that what was discussed through the Stormont House agreement, as I understand it, was relatively narrow in scope. We are discussing widening the scope and thinking through the consequences of doing so. I would not even be entertaining this conversation if our minds were not open to doing that, but it reinforces the need to think through the consequences, including the financial consequences, and the ability to defend any proposals.

Jim Shannon: My hon. Friend the Member for Belfast South (Emma Little Pengelly) referred to people from Scotland, Wales and England who served in the Army. The same question applies to those from the Republic of Ireland who served in the British Army, of whom there is quite a number—sometimes, how many is underestimated. Will the same levels of compensation and pension apply to them, too?

Mr Hurd: The word “compensation” has come up several times. I think I should clarify that we are not talking about a compensation scheme. The victims payment scheme was originally crafted and designed to acknowledge the damage, harm and suffering that have occurred, and hopefully through those payments to make a difference to the dignity and quality of people's lives. The hon. Gentleman presses me on the scope of a proposal that is wider than the one considered as part of the Stormont House agreement. We have to think it through and determine the degree to which we can hold a consensus.

To bring this to a close—I sense your approval, Madam Deputy Speaker—I wholly concur with the hon. Member for Belfast South on taking a victim-centred approach. I have been shocked by the way in which victims of the troubles have been left to feel neglected and disrespected. I feel strongly that we need to move forward on this agenda. One of the clear messages from the debate was the support for the guiding principle that we should constitute this scheme only as payments for those injured through no fault of her own. The hon. Lady pressed me for a commitment, and she is right: we can act, because this Parliament has rightly obliged us to do so, and we will act, not just because the law requires us to do so if the Assembly is not up and running by 21 October, but because it is so clearly the right thing to do.

Question put and agreed to.

Resolved,

That this House takes note of and approves the Report pursuant to Section 3(13) of the Northern Ireland (Executive Formation etc) Act 2019—Victims' Payments, which was laid before this House on Wednesday 4 September.
Northern Ireland (Executive Formation etc) Act 2019 Section 5

7.29 pm

The Parliamentary Under-Secretary of State for Northern Ireland (Mr Robin Walker): I beg to move,

That this House takes note of and approves the Report pursuant to Section 3(12) of the Northern Ireland (Executive Formation etc) Act 2019 - Use of discretionary powers to provide support and assistance under section 18(9) of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015, which was laid before this House on Wednesday 4 September.

It is an honour to speak for the first time as a Northern Ireland Office Minister, though by no means for the first time on Northern Ireland matters.

On 4 September, my right hon. Friend the Secretary of State laid before Parliament a report on the use of powers to provide support and assistance under section 18(9) of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015. As Members will know, the policy on modern slavery is a devolved matter in Northern Ireland and is dealt with by the Northern Ireland Department of Justice. I thank officials from the Department for the assistance they have provided in producing this report.

Modern slavery is a truly abhorrent practice that can often have long-lasting physical and psychological effects on its victims. It is unsettling to realise that those who are vulnerable in our society could be subjected to such crimes, but the distressing reality is that callous traffickers and enslavers are operating across the UK, including in Northern Ireland. I recognise and welcome the significant good work that daily continues to be taken forward by partners in Northern Ireland, across Government and by statutory agencies, civil society and the Police Service of Northern Ireland, in seeking to tackle this issue.

We know that modern slavery is happening in Northern Ireland and I am aware that the Department of Justice has recently welcomed a number of convictions under the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act. This is encouraging, as it undermines any low-risk, high-profit perceptions that might have been held by exploiters and traffickers and sends out a strong message that modern slavery will not be tolerated in Northern Ireland. As with the rest of the UK, Northern Ireland has in general seen increasing numbers of referrals to the national referral mechanism over the past five years.

Jim Shannon (Strangford) (DUP): Will the Minister congratulate the PSNI on what it did today and over the weekend when it caught some of those involved in human trafficking and its after-effects? Does it perhaps show that the PSNI needs this legislative back-up to pursue criminals who do not care about people as individuals but look upon the people they traffic not as people but as commodities? The PSNI can do its job, but the Minister and the Government need to do theirs alongside it.

Mr Walker: The hon. Gentleman makes a powerful point. I was going to come to the actions of the PSNI in my closing remarks, but let me congratulate it on its work. It is clear that, while the legislative framework is slightly different in Northern Ireland from that in the UK, it is enforcing the law actively, which sends an important message to the traffickers. He will recognise that the report relates to specific support under the law of Northern Ireland, rather than to the issue of who is arrested and for what, but his point is very valid, and certainly I am un stinting in my praise for the work of the PSNI in protecting the victims of trafficking and indeed protecting the whole of society across Northern Ireland.

Lady Hermon (North Down) (Ind): I welcome the Minister to the Northern Ireland Office. He did a superb job in the Brexit Department and I am absolutely delighted, as I am sure is everyone, to have him in the Northern Ireland Office, though we regret that we have to share him with the Scotland Office.

I am grateful to the Minister for his praise for the work of the PSNI—it is right that he praised it—but I am concerned about the aftercare for those trafficked. There is a growing number of particularly women but also men who have been trafficked and rescued—thank goodness—by the PSNI. What happens to them afterwards? Does the Department of Justice in Northern Ireland have a record of those who are deported? More to the point, are they allowed to stay in Northern Ireland and given settled status when they are rescued from the horrible ordeal of being trafficked?

Mr Walker: The hon. Lady makes a powerful point. I want to come to the elements in the report that focus on the support to victims of trafficking—that is what it is really focused on. It is important that we send a message, as we have done in our many discussions in the wider debate about human trafficking in this place—that the victims should be protected and reassured wherever possible that their rights will be respected. I join her in acknowledging that.

The number of referrals has gone up, perhaps as a result of greater awareness of the issue and increased reporting. Tackling modern slavery is a key priority for the Department of Justice in Northern Ireland and, as we have discussed, for the PSNI, and I commend them for the work they have done with other Departments that have significant roles, such as the Department of Health, which is responsible for child protection.

I know that across the statutory agencies and civil society organisations with which the Department is working there is a group of hugely committed and dedicated people who are pursuing offenders, providing essential support to victims so that they can rebuild their lives, and actively raising awareness or trying to reduce demand.

Jim Shannon: There is an organisation in my main town of Newtownards. It is a charity group and probably a church group as well. The hon. Member for North Down (Lady Hermon) referred to aftercare and the follow-on. I think that is what it does. Will there be funding, grant aid and assistance to help those organisations doing such marvellous work, albeit under the radar—they have probably never heard their name mentioned. They are doing the work where it matters and some assistance to help them would be gratefully received if possible.
Mr Walker: I recognise the hon. Gentleman’s support for the organisation in his constituency and his bid for assistance. As he will appreciate, the report we are discussing specifically focuses on one element of this, but I will take that away and take it up as something we can discuss as we move forward.

Emma Little Pengelly (Belfast South) (DUP) rose—

Mr Walker: I will give way to the hon. Lady, but then I will make some progress so that we can get into the meat of the report.

Emma Little Pengelly: I note from the report that the immigration status of those who have been rescued and entered the system is not held. I want to echo the point made by my hon. Friend the Member for North Down (Lady Hermon) about aftercare. If this information is not held, as indicated in the report, how can we be sure that those who have suffered from human trafficking are being looked after on their onward journey and not experiencing problems with settled status and potentially being deported?

Mr Walker: I want to come to the specific point about the information that the report does and does not contain. Clearly, as it sets out, there were concerns, given the small number of individuals involved, that to disclose their immigration status could result in some of them being identified. That was the reason the Northern Ireland civil service did not want to go further in disclosing that information. That said, the hon. Lady raises an important point: the aftercare should be there.

Gavin Robinson (Belfast East) (DUP): The paucity of information in the report is staggering and the response about immigration status totally inadequate. It says that the Department of Justice does not hold this information and would have concerns if it did because of the limited number of people involved. The legislation passed by this House does not ask for that information from the Department, as is accepted in the second footnote where it states it would be possible for a competent authority to provide the information. We would understand that to be the Home Office. If there had been any serious intent behind the research for this report to the House, in compliance with the legislation, it would not have been much trouble to ask the Home Office for that relevant information. It is a point of concern. It has been raised by three Members now and it would be appropriate for the Minister to push back and ask for that information.

Mr Walker: I certainly take onboard that feedback from a number of Members, but it is not just that the Department of Justice in Northern Ireland does not hold that information. We recognise that another competent authority could advise on immigration status, but given the small number of victims involved—16 over three years—the concern was that information on their immigration status could make it possible to discern their identity. That is why the view was taken not to include that information in the report, but I recognise the strength of feeling, and I will reflect on it in any follow-up action.

I want to come back to the Department of Justice’s role. I have read its 2019-20 modern slavery strategy and I note the priorities of pursuing offenders, protecting victims and preventing further vulnerability to modern slavery. The nature of Northern Ireland and its structures—one police service, five health and social care trusts—and its relatively small geographical size can only help to support a truly joined-up strategic and operational response. Partnership is key to delivering that strategy, as are training and awareness, together with strong links with colleagues in neighbouring jurisdictions.

The report, which was laid before Parliament on 4 September, contains information specifically on how many times the Department of Justice has considered it necessary to provide ongoing assistance and support for victims of human trafficking for whom there has been a conclusive determination that the person is a victim of trafficking of human beings, under the discretionary power under section 18(9) of the 2015 Act. It also outlines the reasons the Department has decided it is necessary to provide that support. I recognise the importance of the support that is provided to adult potential victims of modern slavery under section 18 to assist them in recovering from their experiences—we should acknowledge that separate arrangements are in place for children.

It was clearly the will of Parliament that the Secretary of State should report on this issue. We have already discussed the caveats for the one area where we have perhaps been unable to report in the detail that the legislation originally specified. I will certainly take away the strength of feeling that we have already heard in the debate, and I look forward to hearing what hon. Members across the House have to say.

7.40 pm

Karin Smyth (Bristol South) (Lab): I, too, welcome the Minister to his new post. He and I have previously met and talked in our respective roles in the British-Irish Parliamentary Assembly. He is a great loss to the Brexit team but a great addition to the Northern Ireland Office team, given his knowledge.

This is a cruel subject and there are many victims. I was recently involved in the police parliamentary scheme, as many other hon. Members have been, and I spent a day with the trafficking team here in London before going out on one of their investigations. Anyone who has seen up close the work that they do could only be massively impressed. It is very difficult work, and meeting and talking with victims is hugely emotional. I pay tribute to the work that they are doing here in London and to support teams across the United Kingdom and Europe.

It is very valuable to have this discussion about victims in Northern Ireland. The European Commission’s recent report “Together Against Trafficking in Human Beings” highlights that: “Northern Ireland is the only part of the United Kingdom to have a land border and traffickers and enslavers exploit this. We therefore have strong links and effective partnerships in place to ensure that law enforcement organisations from both jurisdictions work together to tackle modern slavery.”

That is a core part of the United Kingdom’s work in this area. I therefore have a few questions for the Minister. First, in the context of the discussions that are now happening, and not just on the European arrest warrant but in relation to our joint north-south arrangements on human trafficking, which are a core
part of the UK’s defence in this area, what discussions are taking place to ensure that traffickers and enslavers are not allowed to exploit the situation at the border.

Secondly, as has been mentioned already, support for victims really does rely on policing. We have heard about some good success this weekend, but the chief constable of the PSNI has said that he will require an extra 800 police officers over the next few months, so resourcing in this area is a massive problem. Having seen up close the level of resource needed by police forces in the rest of the United Kingdom—I have not been to Northern Ireland to see the work being done there—I know that it is a massive problem, and they will have to make decisions about those competing priorities. Again, we need an assurance from the Minister that the Government will be cognisant of those priority decisions that the chief constable is having to make now with regard to policing over the next few months, to ensure that the situation is not further exploited by traffickers.

Thirdly, as has already been said today, these are victims, and even if we find them, which itself is a massive “if”, they require an awful lot of support and resource, particularly in housing and health provision, and especially mental health support and counselling. We know that mental health services in Northern Ireland are already heavily stretched, with high levels of mental health need. It is important, when looking at these reports and the work coming forward, that the Minister and his Department work with colleagues across Northern Ireland to really understand what we mean by aftercare. The fact that it has been raised here shows that people here feel very strongly about that. We know that these public services are already under huge strain and cannot cope with the levels of care needed. I do not have much confidence that they are able to provide that aftercare. The Government need to take that very seriously, support those victims and provide the rehabilitation services that they so desperately need.

7.45 pm

Fiona Bruce (Congleton) (Con): The 2019 Act states that the report must include reference to “progress on the use of discretionary powers” and that it must cover three distinct areas. The key words here are “progress” and “must cover”. I believe the Minister to be a most courteous and conscientious Minister—I, like many other colleagues, welcome him to his new post—but I regret to say that this scathing report is a sadly inadequate response to a very grave subject. Only two of the three questions are even touched on in any way. If we are to learn what works in tackling the huge scourge of human trafficking, we need better data-gathering systems, and one thing that the report clearly does highlight is the need for that to improve.

Lady Hermon: I am delighted to endorse what the hon. Lady has said. I suggest that one of the key issues that the Department of Justice ought to have put into this very thin report, and which it should have been capable of doing, is the involvement of paramilitaries in human trafficking, whether loyalist, republican or simply criminal gangs that have no connection with either side. We need to know who is responsible for this hideous crime in Northern Ireland, because it is growing, and that should have been included in the report.

Fiona Bruce: I thank the hon. Lady for her intervention. In 2015, the Northern Ireland Assembly became the first legislature in the United Kingdom to pass comprehensive human trafficking legislation. I commend Lord Morrow on his leading role in initiating that legislation and the Assembly on fully supporting its wide-ranging provisions. In some areas, it goes further than the human trafficking legislation in England and Wales, the Modern Slavery Act 2015, in providing statutory assistance and support for victims during the process of confirming victims, which is known as the national referral mechanism. There is also a fully implemented scheme of independent guardians for trafficked children. An article published in the journal Statute Law Review in 2016 described that Northern Ireland Act as “an impressive instrument”.

Section 18 of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) sets out the first statutory support for victims, or potential victims still to be assessed, of a minimum of 45 days during the NRM process, but it also recognises that there are times when that support would need to be extended. Again, the Northern Ireland Assembly was ahead of the rest of the UK in that regard, because section 18(9) specifically allows for assistance and support to be extended beyond the point where a victim receives a positive conclusive grounds decision at the discretion of the Department of Justice. Indeed, it is one of the more bizarre features of the current system of identifying victims of trafficking that, once fully recognised as a victim, the state offers them no further statutory support. As the previous anti-slavery commissioner said, “supporting a potential victim until the conclusive decision is made and then ceasing support so abruptly could be damaging for the victim and negatively affect their recovery.”

In 2013-14, Members of the Northern Ireland Assembly envisaged that there could be circumstances in which it is not in the best interests of the victim for support to be stopped if they receive a positive conclusive-grounds decision. The Assembly was ahead of its time in recognising the need for victims to receive support beyond that point. The report that we are considering shows that, for the past three financial years, 17 victims received additional support. That is welcome, although sadly the numbers are low. Will the Minister give us some more information on how long the victims were supported and say why information is scant? Will he confirm that those 17 did indeed receive that extended support after they had had a positive conclusive-grounds decision?

Northern Ireland introduced that pioneering legislation, and there has been much debate and dialogue about what assistance should be provided, and for how long. It has become clear that the extent of stability and support that victims need to help them on a pathway to recovery beyond the NRM potentially has a huge impact on their ability to recover, on their resilience to the very real risk of re-trafficking, and on their capacity and confidence to participate in police investigations and court proceedings against their traffickers. They need that support to enable them to have the confidence to stand up and do so.

Jim Shannon: Does the hon. Lady recognise the international aspect of human trafficking? The hon. Member for North Down (Lady Hermon) referred to
local paramilitaries, both loyalist and republican, being involved in human trafficking. In many cases, the people who are trafficked are from eastern European countries, so the internationalism of criminal gangs must be taken into consideration. Under the legislation that has been introduced to help the victims, that internationalism must be considered so that we find the right way forward.

**Fiona Bruce:** That is why I was disappointed that there was no reply to the third aspect of the report, on information relating to the immigration status of individuals. It was not so much that I wanted to see particular information, but it might have indicated a pattern of trafficking to this country from certain other jurisdictions, which could be helpful in tackling the problem further.

I have spoken a number of times about the need for much greater support for trafficked victims, which was acknowledged in a court case in June by the Home Office, albeit in an out-of-court settlement with victims of human trafficking. If the Home Office has acknowledged that in a case in this jurisdiction, it should consider that that has implications for Northern Ireland. Forty-five days is better than nothing, but it is still not enough. Several reports and Committees have stated that in recent years, and I shall highlight a few. The Select Committee on Work and Pensions produced an important report on victims of modern slavery as long ago as 2015 and strongly recommended personal recovery plans for victims of up to 12 months in cases in which they wanted to stay in the UK. More recently, the British Red Cross, in its July 2019 report, “Hope for the future”, repeated those needs. The Home Affairs Committee is running an inquiry into the impact of the Modern Slavery Act 2015, including, because it knows that it needs to be looked at, levels of support for victims and how that can be improved. The independent review of the Modern Slavery Act, led by the right hon. Member for Birkenhead (Frank Field), along with the Chair of the Women and Equalities Committee and Baroness Butler-Sloss, stated in its final report in May this year that there was a need for improved victim support, even though victim support was not in its remit. It said that “it cannot be right that the Government provides no standardised post-NRM support offer for victims, who are often still incredibly vulnerable, and this can increase their vulnerability to being re-trafficked and re-exploited.”

As I have said, victims who receive support are more likely to be able to work with the police in any investigation of their traffickers and provide important evidence in court.

Following Northern Ireland’s example, Lord McColl of Dulwich introduced the Modern Slavery ( Victim Support) Bill at the beginning of this Session in the other place. It is being taken through this House by my right hon. Friend the Member for Chingford and Woodford Green (Mr Duncan Smith) no less, and it recommends 12 months’ support. That is the kind of support that is needed, with the option of different services to meet an individual’s particular needs. I understand that it is possible that, if the Government accept the Bill, the measure will relate not only to England and Wales, but could easily be extended to Northern Ireland. I would appreciate a meeting with the Minister to discuss that and other aspects of my speech.

I sincerely hope that the McColl Bill will be considered in the House so that we can debate more fully the benefits of providing longer-term support for victims. The University of Nottingham Rights Lab recently published a cost-benefit analysis of providing support to victims in England and Wales on the basis of the provisions in the Bill. It estimated, staggeringly, that there would be a direct and indirect net benefit to society of up to £25.1 million from providing all confirmed victims with 12 months of support to help their rehabilitation.

The report of the independent review of the Modern Slavery Act, to which I have referred, called for standardised support for victims wherever they are trafficked in the UK. The Government report on trafficking that we are discussing gives very few details on why the 17 individuals were given further support. It is inadequate for it to say that the reason that the Department of Justice decided that it was necessary to provide assistance related to the general policy intent underpinning the provision. That is the rationale behind the regulation—it does not give us any detailed information. The response is barely five lines long. When one considers some of the desperate situations that people can face when they are trafficked, it is completely inadequate to have so little information to help us understand how they can be helped further. Will the Minister let us know whether or not officials who have made decisions to extend support have received any guidance on how to make those decisions? If there is guidance, can he place a copy in the Library? If there is no guidance, how are decisions made as officials consider the case of each individual victim?

**Gavin Robinson:** I thank the hon. Lady for the thoughtful and considered way in which she is dealing with these issues in detail. She is making absolutely correct points. There was a response, following consideration of the report, issued to Lord Morrow from our party and the questions that he raised by Lord Duncan of Springbank. May I suggest to the hon. Lady that that could usefully be placed in the Library?

The hon. Lady is right to make these points for a number of reasons. First, there was a conclusive finding in the case of 16 people—they were victims in those 16 individual circumstances. We do not know why there was a delay, or whether other financial support and welfare assistance was provided, but there was a delay in doing so, or whether there was a delay in the administrative system through which they received support. Similarly, we do not know whether there were other people beyond the 16 for whom there was a conclusive finding of victimhood, but that occurred before the 45-day expiration. I thank the hon. Lady for raising the paucity of information in the report and for the detailed way in which she has explained why she hopes it will be provided in due course.

**Fiona Bruce:** I thank the hon. Gentleman for his intervention. To put it on the record, in its first response, the Department of Justice admitted that it did not routinely record information in relation to the exercise of the discretionary power to provide continued support. As he said, that is completely unsatisfactory. Sadly, the report also says that the Department of Justice is not proposing any policy changes or consultations in relation to the provision under section 18(9). That is a great pity, because we need to understand how discretionary support

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[Jim Shannon]
works and whether there could be a plan to extend it under the statute to provide more comprehensive support to benefit the wellbeing of victims of human trafficking.

I further commend Northern Ireland’s legislation as the only legislation in the United Kingdom with substantial provisions to tackle the demand for sexual exploitation—an international treaty obligation—and to provide support for those who want to exit prostitution. Although many women in prostitution are not trafficked, we know from the NRM data that the majority of female victims are trafficked into sexual exploitation. Rachel Moran, a survivor of prostitution, commented that “prostitution is the context in which sex trafficking takes place”.

A report produced by the Conservative Party Human Rights Commission, which I have the privilege of chairing, highlights the need to reduce the demand for prostitution by creating a new criminal offence of paying for sexual services in England and Wales; not supplying them, but paying for them. Since the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015, France, the Republic of Ireland and Israel have introduced similar legislation. Our country will be behind the curve if we do not address this. I commend the commission’s report to the Minister; perhaps we can discuss that as well if he is kind enough to agree to a meeting.

Those who have been abused through sexual exploitation must not be treated as criminals. Instead, those who exploit and coerce others must be penalised. In countries such as Sweden and Norway, which have legislated to tackle the demand for paid sex, fewer men report having paid for sex following the introduction of those laws. According to a report published by Queen’s University Belfast a couple of weeks ago, relating to the 2015 Act, 11.6% of people asked said either that they had stopped purchasing sex or that the law was likely to make them stop completely, while 27.1% said that they would purchase sex less frequently.

Mr Peter Bone (Wellingborough) (Con): My hon. Friend is making a powerful point about prostitution, but in respect of victims of sexual exploitation, there is a danger. If prostitution is driven underground, it is much more difficult to recognise and release the victims of human trafficking. There is a balance to be struck.

Fiona Bruce: I hear what my hon. Friend says, but all the evidence that I have seen from countries where paying for sex has been criminalised shows a reduction in that form of abuse. In other words, laws such as the one in Northern Ireland are having positive effects.

As we heard earlier, only yesterday the Police Service of Northern Ireland announced the arrest—through the use of the 2015 Act—of a 57-year-old man in the Belfast area on suspicion of human trafficking for the purpose of sexual exploitation, controlling prostitution, brothel keeping and money laundering. The PSNI also announced the arrest of five men on suspicion of paying for sexual services. The officer in charge made a powerful statement, and I hope that the House will bear with me if I put it on record; I am approaching the end of my speech. The officer said:

“Whilst the sale of sex in itself is not a crime in Northern Ireland, it is a criminal offence to purchase sex. I want to make it very clear—if you are paying for sexual services, you are committing a crime. Do you really want to be getting a knock on the door from police, perhaps having to explain to family and friends why you have been arrested? I want to encourage anyone who purchases sex to think of the consequences. Furthermore, you cannot be sure that the person providing the services has not been forced to or trafficked to make a profit for the person controlling them.”

The importance of the way in which prostitution ties in with trafficking is currently being reviewed by a piece of work following up the independent review of the Modern Slavery Act. Prostitution is also the subject of a new inquiry by the Women and Equalities Committee. I believe that we should follow Northern Ireland’s progressive steps and create the offence of paying for sex and consequently make England and Wales a less attractive destination for traffickers.

In acknowledging the very significant accomplishment that is the 2015 Act, I cannot but note that it provides a fantastic example of how we have all benefited from a functioning Northern Ireland Assembly. Most of the Act was supported by all the parties, and, crucially, the DUP, Democratic Unionist party and Sinn Fein supported all of it. I very much hope that Stormont can be up and running again very soon, so that we can benefit from its legislative prowess in this and other areas.

8.5 pm

Emma Little Pengelly (Belfast South) (DUP): I do not intend to speak for long because I follow a hugely comprehensive, detailed and valuable speech from the hon. Member for Congleton (Fiona Bruce). Many extremely detailed issues have been articulated in an excellent way. Although this has been a relatively short debate, with few speakers, it has certainly not lacked detail and substance, and I welcome that. A number of important questions have been asked and I look forward to the Government’s response.

First, let me offer huge congratulations to Lord Morrow and the team. In previous contributions, I have indicated my dismay and sorrow about the situation in Northern Ireland, which has experienced 1,000 days without a devolved Assembly, but when we reflect on this Act, we realise that we have something to celebrate in relation to our Northern Ireland Executive. The Executive and the Assembly have often been criticised, perhaps with some cause, but the Act is an excellent example of Northern Ireland’s leading the way. It took a lot of inspiration and hard work by those behind the scenes, who lobbied and received a warm and receptive response from Lord Morrow. That team helped him to produce a private Member’s Bill that was an innovative piece of legislation which has led the way not just in the United Kingdom, but globally.

I welcome the fact that over the last few days and weeks there has been a significant investigation of human trafficking. I understand that there have been a number of arrests. That is a welcome example of the success of the legislation and the action of the police, and I commend the teams in the police and other agencies who work so hard to identify and to try to stamp out the absolute scourge that is modern slavery.

The report is, of course, very specific. It relates to the support that is given to those who come forward, or who are suspected of being trafficked. I will not go into too much detail—I had a number of questions to ask, but many of them have already been asked by Members on both sides of the House—but I want to touch on a couple of technical issues.
The report focuses on section 18 of the Act, which provides assistance and support for adults during the process of determining whether a person is a victim of trafficking. That process is known as the national referral mechanism, or NRM. It specifies a period of 45 days. As has already been pointed out this evening, the legislation very much led the way. At that time, the 45-day period involved some flexibility, with the understanding that it might be sufficient, but this matter has moved on. I want to focus on that flexibility, and on what consideration the Government have given to extending it and adopting a more needs-based approach to support. I understand that they are engaged in ongoing discussions about the report and about the possibility of a 12-month period, which would certainly provide more flexibility. Important questions were posed in the original amendment which requested the report. We should analyse the experience in Northern Ireland up to this point.

I agree with other Members that, unfortunately, the report is somewhat scant in relation to the information. There is a bit of detail in there. I accept the Government’s view—there are small numbers involved—that we do not want people to be identifiable from that, but I feel that there would have been a way in which to provide a great deal more detail and analysis of the situation without contravening anything or compromising anyone. This legislation pertains to Northern Ireland, so it is worrying if the Department of Justice and other agencies in Northern Ireland do not hold or analyse that data.

There has been a huge drive in public policy making, including in Northern Ireland. Northern Ireland has been leading the way on evidence-based and outcomes-based accountability. Government policy making is very much at the heart of that, and I argue that the policy development work of Committees and this House should be also be based on evidence. We have the potential to collect and analyse that valuable data and to evolve, amend or change the law in accordance with our experience over the past three years. References to the data not being held are, therefore, worrying. There is an old adage in public policy making and Departments that what is not measured does not get done. If the data is not being measured, how are we evaluating and analysing information relating to the evolution and development of policy?

The Act broke new ground, in that there was an awareness that we would have to assess, improve and develop. That was discussed at the time. The Act is a really good example of innovative policy work and legislation breaking new ground and taking risks. I welcome that because it is important, but we must also carefully monitor and measure. The most worrying thing is what happens to those people when they move off the system. The Home Office arrangements mean that every MP has a case load of people and we liaise regularly with the Home Office. We know how stressful it can be to navigate the system, and if people are told that they have to leave and are at risk of being lifted at any time and are unsuccessful in getting the right to remain, people who have come through terrible experiences may face that situation, but we do not know because apparently that data is not held by the Department of Justice.

I can only imagine the terrible and unfortunate circumstances in which people who were trafficked found themselves in their countries of origin or perhaps in a country to which they travelled and from which they were trafficked onwards. I can only assume that at the heart of each of those individual stories is a very tragic and unfortunate set of circumstances, perhaps going right back to their childhood. It is deeply worrying to think that some of them are being sent back and about where they are being sent back to. I hope that that is not the case and that, with a little more analysis, the Minister will be able to confirm in due course that they have the necessary support, that they are able to stay and that they are being protected, because it is care for the human and those people who have been through such difficult circumstances that is at the heart of this compassionate legislation. There are a number of questions for the Minister to answer.

I also want to ask about the guidance. I have had the benefit of seeing Lord Duncan’s letter to Lord Morrow in response to a number of queries. I know that they have been answered, so perhaps that letter could be placed in the Library for the benefit of Members who have asked questions. Although a number of questions have been answered, it is important to get additional clarity, particularly on the guidance given on the extension and the discretion involved. I understand that there is a very small number of cases. The Government’s argument is that they are dealt with on a case-by-case basis and that there is absolute discretion. I fear, however, that that discretion is not necessarily operated fairly or consistently; it depends on who applies it. It would be helpful if transparent guidance could be set down so that Members and others, including victims and members of the public, can be assured about the circumstances in which support can be extended and that the right support mechanism is in place. Many Members across the House would like that additional information, to ensure that that support mechanism is in place for these very vulnerable people if, indeed, the current legislation is not operating as envisaged.

8.14 pm

Mr Peter Bone (Wellingborough) (Con): It is a great pleasure to follow the hon. Member for Belfast South (Emma Little Pengelly), who made the very good point about the 45 days and the national referral mechanism. When we debated and introduced the proposal in the Modern Slavery Act 2015, I remember 90 days being thought to be appropriate. We were reassured, however, that people would be looked after irrespective of the 45 days, if necessary. We do not have enough information to make that judgment in relation to Northern Ireland. I do not want to say that the Government are not doing that; I would just like more information.

The United Kingdom leads the way on fighting human trafficking. It is a great credit to the previous Government that they passed the Modern Slavery Act and that they listened to Members on both sides of the House. A little while ago, when I was chairman of the all-party parliamentary group on human trafficking and modern slavery, the hon. Member for Upper Bann (David Simpson) invited me to Northern Ireland. I had travelled all over the United Kingdom and I saw in the voluntary and charitable sector in Northern Ireland an effort that exceeded what was happening in the rest of the UK. It
is to their great credit that those voluntary organisations help victims of human trafficking in Northern Ireland. I also had the pleasure of meeting the Justice Minister at the time and I was absolutely convinced that there was a determination in Northern Ireland to do their best to stamp out the evil of human trafficking.

The phrase “The evil of human trafficking,” does not really grasp what really happens. We are dealing with violent, evil, criminal gangs. It is no surprise to hear today that loyalist and other evil gangs that have operated in Northern Ireland on sectarian lines are the sorts of gangs that would get involved in human trafficking. They are just despicable.

I will give one example of what happened in Northern Ireland some time ago. A restaurant in Belfast was importing young girls into Northern Ireland. They were told when they came in that they would be working in the restaurant, but that is not what they did. They were taken to a terraced house in Belfast where the locks on the bedroom doors were on the outside, not the inside, to lock the girls in. These girls were then used for prostitution, but let us be honest: it was not prostitution; it was repeated rape. I still cannot really get across the evil of it. Imagine if you were a young girl, brought up perhaps with a strong religious background in Hungary, who had come to this country thinking you had got a job, but you finished up being raped and raped and raped.

To the great credit of the Police Service of Northern Ireland, it broke that gang up. Police forces across the United Kingdom have a very good record of doing that, but we have to look after the victims who are rescued. I have to say that in the case of adults, we do that very well. The approach taken in England and Wales—with the Salvation Army, the distribution of money from the Ministry of Justice, and voluntary organisations—is exactly the right way to look after adults. I am sure that adult victims in Northern Ireland are also very well looked after. I am not at all concerned that victims of human trafficking are sometimes regarded as criminals and sent home; I just do not believe that happens. We look after victims properly.

What I worry about are the child victims of human trafficking. For a 20-year-old girl who comes over expecting to work in a restaurant and who finds herself repeatedly trafficked. For a 20-year-old girl who comes over expecting and sent home; I just do not believe that happens. We have an excellent Minister—I am pleased he is working; but if they are not, we can take action to sort it out.

When a victim of human trafficking is rescued, I want to know where they are and what has happened to them after a year. If we cannot prove they are still safe, we can bet our bottom dollar that they have been re-trafficked. It is not a difficult thing to do, and thankfully there are not that many victims, but it is no good looking after victims only at the beginning: we have to look after them continuously so they are not re-trafficked.

In a future report to this House, would it not be good if we could know what has happened a year later to every victim of human trafficking in Northern Ireland? If they are all safe and well, we will know our system is working; but if they are not, we can take action to sort it out.

8.22 pm

Mr Robin Walker: I am grateful to hon. Members on both sides of the House for this wide-ranging discussion; they will recognise that it has sometimes ranged beyond the confines of the specific legislation and report before us.

It is a pleasure to face the hon. Member for Bristol South (Karin Smyth) across the Dispatch Box. I have enjoyed working with her at the British-Irish Parliamentary Assembly, and I recognise and share the interests of Members on both sides of the House, and in the other place, in ensuring that support is available to all victims of human trafficking, both adults and, as my hon. Friend the Member for Wellingborough (Mr Bone) said, children, although children are not specifically within the scope of this report.

The hon. Member for Bristol South asked about the common travel area and cross-border co-operation between the PSNI and the Garda, and I assure her that we are confident that that will continue in all Brexit scenarios—those discussions will continue. She asked about extra police officers for Northern Ireland and, even though that is not specifically part of this report, I am happy to be part of a Government who are supporting extra police officers across the U.K. I understand that around 206 extra officers have been recruited in this financial year as a result of extra support from the Treasury for the PSNI, which has also sustained 102 more officers recruited over the past financial year.

Modern slavery is a global issue, but it is also a local one. It is widely accepted that there are more slaves in the world today than at any point in human history, which is a shocking thought. As my hon. Friend the Member for Congleton (Fiona Bruce) said, Northern Ireland has, in many ways, pioneered action in this space. As the hon. Member for Belfast South (Emma Little Pengelly) said, that is a reason to celebrate the work of the Northern Ireland Assembly. As we debate these motions and regret the absence of the Northern Ireland Assembly, we should celebrate that good work where we have seen the Assembly leading the way.

I am grateful to all those involved in developing and implementing the strategy at the Department of Justice, and I am sure there will continue to be a sustained and
increased collaboration with the voluntary service, which my hon. Friend the Member for Wellingborough rightly praised as outstanding.

I acknowledge and commend the Northern Ireland civil service for its progress on these matters in the current difficult circumstances, and I look forward to a time when these issues can be properly considered by a restored Northern Ireland Assembly which, as the hon. Member for Belfast South said, can look at the evidence and take this issue forward.

As we discussed, there were a number of arrests in Northern Ireland over the weekend for crimes related to human trafficking, and Members across the House will join me in praising the work of the PSNI in that respect.

My hon. Friend the Member for Congleton asked specific questions about the guidance, and I refer her to the letter from Lord Duncan to Lord Morrow. I am happy to make sure a copy of that letter is placed in the Library for all Members to look at because, as the hon. Member for Belfast South said, it makes the point that it has been extended in all cases until that transition is facilitated.

A number of hon. Members on both sides of the House raised areas where they would like to see this issue taken further, and my hon. Friend the Member for Congleton talked about her wider campaign and the legislation before the House in other areas. Recognising, of course, that responsibilities for this area sit with the Department of Justice, the Northern Ireland civil service and the Department of Justice-funded support into mainstream agreements. I can confirm that, where an extension of support has been requested, it has been extended in all cases until that transition is facilitated.

The Parliamentary Under-Secretary of State for Northern Ireland (Mr Robin Walker): I beg to move, That this House takes note of and approves the Report pursuant to Section 3(11) of the Northern Ireland (Executive Formation etc) Act 2019 - Gambling, which was laid before this House on Wednesday 4 September.

I present to the House a report that provides an update on the current nature of the gambling laws in Northern Ireland. As many Members will be aware, the gambling legislation in Northern Ireland differs from that in place in Great Britain, and the report recognises the challenges associated with the likes of online gambling and fixed odds betting terminals and notes that existing legislation has not kept pace with industry and technological changes.

A high-level strategic review of gambling policy, practice and law is currently being carried out by the Department for Communities in Northern Ireland. There have been some moves towards more thorough regulation of gambling in Northern Ireland in recent years. As a result of the Gambling (Licensing and Advertising) Act 2014, for example, it is an offence for an online gambling operator to advertise to Northern Ireland consumers unless it holds the appropriate GB Gambling Commission licence and complies with its codes of practice. However, the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985, which regulates gaming machines in Northern Ireland, has become increasingly outdated and contains no provisions related to online gambling.

The introduction of any measures to address online gambling will require primary legislation. The report also highlights the lack of specific services commissioned by the Health and Social Care Board to help those suffering from gambling addiction. No data are kept on the number of people dealing with addiction, but we are all aware that this is a growing problem among all age groups. There are no statutory codes of practice in place in Northern Ireland, nor is there any statutory or voluntary arrangement with the gambling industry requiring any contribution to funding support services for problem gambling.

Gambling operators in Northern Ireland have taken some positive steps towards addressing the impact of gambling addiction, by reducing the maximum stakes in fixed odds betting terminals from £100 to £2, for example. That mirrors the law set out in Great Britain under the Gaming Machine (Miscellaneous Amendments and Revocation) Regulations 2018, but it is voluntary, rather than statutory action. In addition, the industry’s main trade associations, the Northern Ireland Turf Guardians Association, representing more than 80% of bookmaking offices, and the Northern Ireland Amusement Caterers Trade Association, representing 60% of the amusement arcade/gaming machine sector, state that they are committed to implementing social responsibility measures. Both organisations state that their members voluntarily adhere to industry codes of practice and protocols, and provide induction and regular refresher training to staff on all aspects of social responsibility. Both organisations state that members operate self-exclusion schemes for customers who wish to avail of them.
Many operators contribute to Dunlewy Addiction Services, one of a number of resources available for problem gamblers. Dunlewy operates a free confidential helpline service, 365 days a year, between 9 am and 11 pm, for individuals affected by their own or a family member’s problem gambling issues, with a 48-hour referral commitment, and has local access to counselling available across Northern Ireland. The NHS has services dedicated to all forms of addiction, including problem gambling, and where a person who is struggling with problem gambling has a mental health issue, whether related or unrelated to the gambling, such as anxiety or depression arising from the consequences of gambling, they should receive the appropriate help and treatment in the health and social care system for that condition.

As I said at the outset, there is no doubt that regulatory arrangements for gambling in Northern Ireland differ greatly from those in place in Great Britain. Following a review of the legislation and a public consultation, the Northern Ireland Executive agreed, in 2012, to the drafting of new legislation to modernise the law on gambling, which would have delivered some element of alignment. However, the then Minister for Communities decided not to progress this legislation. So I welcome the opportunity to open this topic for debate in the House and look forward to hearing from hon. Members across the House on this issue.

Carolyn Harris (Swansea East) (Lab): I rise as chair of the all-party parliamentary group for gambling-related harm. The Minister alluded to the fact that legislation in Northern Ireland fails to protect problem gamblers. For example, there is outdated regulation. He mentioned FOBTs and how the gambling companies so “willingly” reduced the stake to £2 from £100, but the law in Northern Ireland would be that the stake could be 25p, which is a considerable difference from what those companies have done out of the goodness of their heart.

Online gambling is technically illegal in Northern Ireland, so the online gambling companies are advertising illegally and making vast profits illegally.

Given the Gambling Commission’s reluctance to challenge these companies to make sure that they pay for their misconduct in Northern Ireland, there is something amiss and we need to act to make sure that people in Northern Ireland get the same protections as those in the United Kingdom. Shockingly, no gambling-specific services are currently commissioned by the Northern Ireland Health and Social Care Board, as a result of which there are no data on the number of problem gamblers in Northern Ireland. We used such statistics very effectively in the United Kingdom when tackling the FOBT problems, so may we have some clarity on what more we can do to bring gambling legislation in Northern Ireland into line with that in the UK, so that we can protect gamblers?

Emma Little Pengelly (Belfast South) (DUP): I thank the hon. Lady for giving way. One particular challenge in Northern Ireland—[Interruption.] Had she finished?

Mr Deputy Speaker (Sir Lindsay Hoyle): I do not think she had given way. Let us just clarify this. Have you finished your speech?

Carolyn Harris indicated assent.

Fiona Bruce (Congleton) (Con): Thank you, Mr Deputy Speaker. I would be delighted to welcome that intervention at some point in my speech. Should the hon. Member for Belfast South (Emma Little Pengelly) wish to make it?

Emma Little Pengelly: I thank the hon. Lady for giving way, and I apologise to the hon. Member for Swansea East (Carolyn Harris). I thought she had given way, but it was clear from her demeanour that she had not.

I want to raise the particular problem in Northern Ireland, which is that online gambling and gambling appears to operate under the regulation of the Gambling Commission but if something goes wrong with that, there is no body to complain to. I am dealing with a case where there is an issue with online gambling. I have tried to make a complaint, but I have been told by the Department for Communities and by the Gambling Commission that they have no remit over it. I have been told that they make the regulations under which these sites operate, but if there is a breach of those regulations there is nobody to complain to and nobody to investigate that breach. Does the hon. Member for Congleton (Fiona Bruce) agree that that needs to be urgently addressed, given the scale of the issues in Northern Ireland?

Fiona Bruce: I do; in fact, as I understand it the oversight in respect of gambling responsibilities in Northern Ireland is completely unco-ordinated. The report admits that licensing responsibilities currently rest with a mixture of “the courts, district councils and the Department for Communities.” That is unacceptable.

This brief report on gambling law and policy in Northern Ireland was a demoralising read. That is no reflection on the good and caring Minister who presented it, but early in his speech he recognised the fact that in Northern Ireland this policy area has been left behind compared with elsewhere. That leaves me with great sadness. The report was meant to outline progress on six specific, enumerated areas. For years, little progress, if any, has been made on this hugely important matter that so devastatingly affects people’s lives. I am always a little thoughtful—I will not use the word “suspicious”—when a response to questions that are enumerated fails to repeat the enumeration, as in this case. It is sad, because we know from what the Assembly has done on human trafficking, which we have just heard about, that innovative policy and legislation in Northern Ireland are possible.

We all know from the many debates and discussions in the Chamber on gambling about the huge damage that gambling addiction can cause. It can destroy individual lives. Children and families suffer. The flaws in gambling law and policy have been debated at length in this place. We have taken positive steps in the form of reducing the stake on fixed-odds betting terminals from £100 to £2, following widespread campaigning. I pay tribute to the hon. Member for Swansea East (Carolyn Harris) for her leadership in much of that campaigning.

We continue to debate and consider this issue. The all-party group for on gambling related harm is currently conducting an extensive inquiry—it has been going for
several months—into the harms related to online gambling. We have looked into how we can increase the support provided on the NHS for those suffering from gambling addiction, and we have looked at how to increase the amount of money provided by betting companies to support those suffering from gambling addiction. Of course, we need to go further, and there is no room for complacency, but it is entirely evident from the report that the lack of progress in Northern Ireland must be causing real harm there—and that in a place where I understand gambling may be far worse than it is here.

So, what are some of the problems? As we have heard, the fact that gambling in Northern Ireland is still governed by an order, passed under direct rule, that dates back to 1985 is quite remarkable. That legislation predates the invention of the internet and widespread access to mobile phones, which have revolutionised how individuals gamble in the UK. It is no surprise to discover that the legislation struggles to cope with how the modern gambling industry operates. That is especially evident with regard to FOBTs and online gambling. I, too, have heard that there is no clarity as to whether FOBTs are even legal in Northern Ireland, and the report itself states that “the legal position of these machines is unclear”.

I, too, have heard that there is a strong argument that they are in fact illegal in Northern Ireland because they do not meet the definition in the 1985 legislation that states how slot machines are supposed to work.

The Northern Ireland Department for Communities estimates that currently around 800 to 900 FOBTs are operating in Northern Ireland, although in January the main trade association, the Northern Ireland Turf Guardians Association, estimated that there were 620. The differential is of major concern. The fact that the Department can only provide an estimate highlights a major issue: an inadequate understanding of the extent of this form of gambling—a form that we have recognised does such damage and that has been referred to more than once as the crack cocaine of gambling. I welcome the fact that some betting shops have voluntarily reduced stakes for FOBTs in Northern Ireland, but the people of Northern Ireland should not have to rely on the good will of operators to determine the way that gambling operates in the Province. The fact is that only the main operators—not all providers—are operating a £2 maximum stake. Consumers are not being given the protection they need.

It is obvious that the law in Northern Ireland is not fit for purpose any more. Indeed, the report says that the order of 1985 has become increasingly outdated, has not kept pace with industry and technological changes and contains no provisions that relate to online gambling. It needs to change as it simply cannot cope with the reality of how individuals gamble today and the operation of the industry. It is not protecting consumers who are vulnerable to gambling addiction. It is in desperate need of reform.

Not only is the law clearly failing, but support for those suffering from gambling addiction is clearly completely inadequate in Northern Ireland. The report makes for especially stark reading in this area. It notes that “there are no statutory codes of practice in Northern Ireland, nor is there any statutory or voluntary arrangement with the gambling industry requiring any contribution to funding support services for problem gambling.”

This in and of itself is a major concern as it appears that the gambling industry is simply operating on trust in Northern Ireland, unlike in Great Britain. Relying on the gambling industry, as the report says, to implement socially responsible measures is simply unacceptable.

In reading the report, we also discover that “there are no gambling specific services commissioned by the Northern Ireland Health and Social Care Board”, as we have heard, “and therefore the Board does not hold data regarding the number of people who are seeking treatment for problem gambling.”

I am informed that, in fact, only one of the five health and social care trusts operating in Northern Ireland hold data on the number of individuals coming forward suffering from gambling addiction. Is it any wonder that the significance of this issue has not come to light when no data is collected about it centrally?

Before I conclude, may I recognise that it is positive that, as a result of some local authorities calling on betting providers to adopt that £2 stake in their area voluntarily, that is happening? However, as I have said, these arrangements are not backed up by the force of law. People can still walk into some betting shops in Northern Ireland and place a much higher stake than £2. However, I do want to pay tribute to the campaigning charity CARE, which has worked very effectively with local councillors in Northern Ireland to achieve these positive council resolutions.

In England, in a really welcome step forward, the current Government recently announced that the NHS would fund 14 clinics for individuals suffering from gambling addiction, with one focused on children and young people. In Northern Ireland, there is not a single clinic.

We then read in the report that the trade association contributes only £24,000 per year to one addiction service provider—the Dunlewey Centre. I must confess that, when I read that figure of £24,000, I thought that a couple of zeros were surely missing, but apparently not. This is a drop in the ocean in terms of what is necessary in a jurisdiction that, according to statistics that I have been given, has a problem gambling prevalence of 2.3% of all adults in Northern Ireland. That equates to 30,000 to 40,000 adults in Northern Ireland today. The only figure produced in this report of people who have been helped is just 82 users at the Dunlewey Centre. There appears to be less than £1 provided for each person who is experiencing problem gambling.

The situation with gambling in Northern Ireland is nothing less than tragic—I do not think that that is too strong a word to use to describe the current situation. It highlights yet another reason why the Northern Ireland Executive need to return. I believe in devolution. I want Northern Irish politicians, alongside others, to solve this problem. I appreciate the huge difficulties between the parties in Northern Ireland, but what this report highlights once again is how real people are suffering owing to the lack of governance in place.

Northern Ireland, as I have said, has a high rate of gambling prevalence. It is possibly as much as four times higher than in England, but it has virtually non-existent support for individuals suffering from problem
8.45 pm

Karin Smyth (Bristol South) (Lab): It is a pleasure to follow the hon. Member for Congleton (Fiona Bruce) and my hon. Friend the Member for Swansea East (Carolyn Harris), who have both spoken with great knowledge and experience of this area through their work in the Chamber.

Whatever people’s views about the purview of the reports and the appropriateness of talking about them within this particular piece of legislation, I think they have really shone a light on some situations in Northern Ireland that have shocked many people in the House. People who have worked in this area for some time have been asking some very valid questions on behalf of people and families in Northern Ireland, and that must be a good thing. We would also like the Assembly up and running to take this work and legislation forward.

In an outpouring of unanimity around some of these issues, I agree with the Minister; the situation is clearly outdated and there is a real lack of specific services.

It is estimated that problem gambling in Northern Ireland may be up to four times that in England. That really is quite an extraordinary figure. It is really important to shine a light on that and to understand the real impact on individuals, families and communities. The other thing that has struck many of us who have looked at the report is the hard work addressing this issue will involve and the pressure on local authorities, which are already heavily overstretched. They try to do great work, but are they really in a position to be able to manage this level of workload on top of everything else? That needs to be taken into consideration.

The report repeatedly mentions the need for the Health and Social Care Board to provide mental health services, but those of us who spend time in Northern Ireland know that its ability to provide additional mental health services is compromised in an area that is already so heavily stretched and in a community where the demand for mental health services is so much greater than in Great Britain, owing to Northern Ireland’s recent history. I would question the board’s ability suitably to provide the services needed by individuals, families and—as the hon. Member for Congleton mentioned—children. We are only just beginning to understand the impact of addictive behaviours on children, and we really need to be able to have that learning read across from England, Scotland and Wales into Northern Ireland somehow, with or without the Assembly.

The reports we are discussing really highlight the need for—dare I say—some greater harmonisation with Great Britain in some areas where people’s wellbeing is so starkly affected. I agree that this issue is limited in scope, but maybe the work will continue, given that the issue has now been so starkly highlighted. The system is obviously desperately in need of reform.

8.48 pm

Ian Paisley (North Antrim) (DUP): Once again, we have to ask the question: where are they? The House is silent. There are hardly any Members here who called for these reports to be issued. The Labour Benches are not heeding with people ready to give us their weighty opinions on matters that they claimed to care about, such as gambling and problem issues in Northern Ireland. The Labour Benches are silent; the air is not pervaded with their wonderful views and wisdom. No, the House is silent—yet, those Members told us they wanted to ask numerous questions of the Government: to hold them to account for what they are doing in Northern Ireland. They wanted so much to legislate on these matters, but I cannot hear anything because their Benches, with the exception of one or two Members who have their own commitments to these issues, are empty. It is amazing, and my constituents are asking, “What conclusion are we to draw? Is it that they actually don’t care?” That is a fair conclusion to draw if those Members want to legislate on these matters, and then, when we come to discuss the reports on them, they do not bother to turn up. One is left with the conclusion that they actually do not care.

Carolyn Harris rose—

Ian Paisley: Of course I will give way—to a Member who does care.

Carolyn Harris: Is the hon. Gentleman aware that I am here and I did speak up? It is a matter of record that I have a real interest in this, in any part of the United Kingdom—I am not invisible.

Mr Deputy Speaker (Sir Lindsay Hoyle): We are dealing with section 4. I understand that, quite rightly, the point has been made and the hon. Gentleman has got it on the record, but I am sure that as the spokesperson for the DUP on gambling he desperately wants to get to the points that are relevant.

Ian Paisley: Thank you, Mr Deputy Speaker. Of course, as I have said, the hon. Lady—my hon. Friend—has a particular and well-known interest in this, but the Members who brought forward the legislation are not here, and I think that is a fair point to make. It is important for my constituents out there watching this event to understand who really cares about these issues, and to see that we are left to mop up the political issues that Members bring before us.

I am sorry to say to the Minister that this report on the Executive Formation Act and gambling is utterly irrelevant. It says that there is no work done in this area. In 2016, the Department of Health, and then the Department for Communities and Local Government, commissioned a report on the prevalence of gambling. They found that the levels of gambling in Northern Ireland were slightly higher—about 2% higher—than in England, about equal with Scotland, and slightly higher than in Wales. That is not mentioned in the report. It did not talk about those issues of prevalence. It was about setting down a measurement of where the issue of gambling rests. We should be targeting issues that it has identified, such as how we cope with problem gambling—the actual figures.
Facts are stubborn things. The facts were recorded by the Departments, and that should have been reflected in this report. I do not blame the Government for bringing forward an utterly irrelevant report. They were asked to commission a report in a fit of pique by some Members of this House, and now they have rushed into bringing forward a report that is irrelevant because it has not even dealt with some of the issues that exist.

The laws that pertain to gaming and gambling in Northern Ireland are already very different from those that obtain in the rest of the United Kingdom. Indeed, this matter, as Members across the House have rightly said, ought to be left to the Assembly unless we are prepared to introduce a root-and-branch change to all gaming and gambling legislation in Northern Ireland and make it identical to the rest the UK. Let us look at where things would then be different. For example, in English high streets we see four or five competing gambling companies running the same shops, neighbour to neighbour, on the same street, whereas in Northern Ireland we see maybe one gaming or gambling shop in a street, and then several streets away there might be another one.

I have heard Members of this House demanding that that sort of thing should happen in England. The fact is that it happens in Northern Ireland by agreement among the betting shop owners. There are, in effect, only about three major betting shop owners in Northern Ireland, and they have made that agreement among themselves. Yet that is not reflected in the report either. Would we like to import what has happened in Northern Ireland, which is a good thing, to the rest of the United Kingdom, or would we like to import what has happened in England and have numerous betting shops lined along street after street in Northern Ireland? I think that my constituents, and all my colleagues, would object to seeing their streets having loads of these shops. We do not have the prevalence of these shops that England has. We have no Sunday betting at all. In England, people can bet seven days a week. It is not possible to go into a betting shop in Northern Ireland on the Sabbath and bet; we have that restriction. Will we just import those regulations into Northern Ireland and change Northern Ireland’s culture? That would be crazy.

Emma Little Pengelly: Although some aspects of the legislation in Northern Ireland are perhaps positive, many aspects require reform. Does my hon. Friend agree that, although there is no gambling in shops on Sundays, the evolution of gambling—for example, online and through devices—the situation has moved on, but our laws have not, and we now need and are committed to bringing forward new, fit-for-purpose legislation?

Ian Paisley: Yes. I will come back to that point, because it is very important that we change the law in that way.

I turn to the matter of FOBTs. It has been said in the House tonight—wrongly—that people can walk into any gambling shop in Northern Ireland and place a £100 bet. They cannot. Betting on FOBTs is now the same by agreement in Northern Ireland as it is in England, with only up to a £2 stake. Whether we would like to see that stopped altogether is a completely separate matter. The fact is that Northern Ireland’s betting shops regulated themselves. They recognised that this was changing, and instead of waiting, as they could have until the Northern Ireland Assembly came back and continuing to rake in the funds that FOBTs would have given them, they decided to self-regulate and impose that restriction themselves. It is therefore not possible for someone to walk into a betting shop and place those bets.

People can, however, walk into an illegal club and place bets on FOBTs. They can walk into a pub that should not have FOBTs and place those bets. Most of those pubs and clubs are run by paramilitary organisations, but is there any regulation or policing of those matters? I understand that when the betting shop owners ring up and report those illegal clubs, dens and vices, the police say, “That’s too much hassle for us. That could cause major problems. We don’t want to run into the paramilitaries on those particular issues.” That is where the real problem lies, and that is where we should be focusing our attention and pushing to ensure that those illegal activities are stamped out.

The major contribution that betting shops make to horse-racing in particular in Northern Ireland is very different from how horse-racing is regulated here on the mainland. Horse-racing is regulated through a completely different system. The only reason we have a racetrack—one functioning racetrack—now in Northern Ireland is that betting shops have to pay a levy. Every single shop that exists in Northern Ireland has to pay; I think, £1,600 per year to the company that runs the racetrack. If we regulate betting in Northern Ireland in the same way it is regulated in the rest of the United Kingdom, racing will come to an end in Northern Ireland. That is a fact of life. As the betting shops will tell you, people bet more on athletics, football and other things than they do on horse-racing. The betting shops subsidise the horse-racing industry in Northern Ireland, and that would go.

Those are the facts. People can make their own judgment on whether that is a good thing, but those matters need to be addressed, and they are not addressed through this report. If we bring things into line with the rest of the United Kingdom, those would be the impacts. The big issue is illegal gambling. That has to be addressed, and the sooner it is addressed, the better.

My hon. Friend the Member for Belfast South (Emma Little Pengelly) put her finger on the key point: we have a largely unregulated industry. It is done by voluntary agreement. It is run by 35-year-old legislation. That is completely and totally unacceptable, and it needs to be brought up to date. But there is only one place competent to bring it up to date. It is not this Chamber—look who is interested. Let us not kid ourselves. It is the Northern Ireland Assembly. That is why the Opposition Members who pressed the Government to legislate should have realised how big a mess they were creating, because they are not addressing the real issue. That 1985 legislation is so antiquated that only the Assembly is fit to grapple with it.

That is why we would like the Assembly to be encouraged. That is why I encourage the Minister, as I did in an earlier debate in the House, to call a meeting of the Assembly tomorrow at 10 am and see who turns up. My party will turn up in total and other parties will turn up,
but I bet that not one Member from Sinn Féin will turn up, because they have the Government and this House over the barrel. They do not have to turn up, and that is where the real disgrace lies.

Nationally, as my hon. Friend intimated, the issue is online gaming. Someone drunk can pick up a phone and gamble away to their heart’s content. They can lose their wage by playing with one of these toys or a gaming machine all night. Someone drunk cannot go into a betting shop and cannot be served alcohol in a betting shop, but they can drink away and play on a phone. Where does the money go when they play on this? It goes to Spain and other parts of the world, and the Government reap no benefit from it whatsoever. Unless the Government grapple with this issue, the companies that run online gaming are going to make the most out of gambling, and the taxpayer and the tax collector are going to receive zero.

The report touches on one other absolutely crucial matter, which is that there is no support for people who require treatment. The hon. Member for Congleton (Fiona Bruce) touched on that. It is a disgrace that there is no assistance. The Government are quite happy to lift the levy from betting shops, but put that levy elsewhere. That money should go towards the treatment of people who are problem-gambling. I will leave those thoughts with you, Mr Deputy Speaker.

9.1 pm

Jim Shannon (Strangford) (DUP): I, too, thank the Members here for making the effort to be present. The hon. Member for Swansea East (Carolyn Harris) is always here when a debate on gambling is taking place, and the hon. Member for Congleton (Fiona Bruce) never misses an occasion to comment on these issues. The fact that there may not be as many here tonight does not mean that it is of any less interest to the people in this House. It is important to put that on the record. Those of us who are here are here for a purpose, and we are here to have our voice heard.

I am very grateful for the report on gambling, which has been produced under section 3(11) of the Northern Ireland (Executive Formation etc) Act. The report proves to be a sobering read about the state of the law on gambling, and the support provided for those suffering from gambling addiction.

I have had the pleasure of being with Peter and Sadie Keogh, who are working with a newly formed charity, Gambling with Lives. They were in Westminster earlier this year. I have known them for some time, and I have met them in my office. They are not my constituents; both Pete and Sadie are from Fermanagh in Northern Ireland. Their son Lewis tragically took his own life after a battle with gambling addiction. Therefore, their story is of critical importance. Their experience really brought home to me the dreadful reality of gambling addiction: the damage it can do to individuals and families. They have become diligent campaigners on this issue, seeking to help to ensure that others do not go through the experience they, sadly, went through.

Emma Little Pengelly: I had the pleasure to attend that event to raise awareness. Does my hon. Friend agree that what was really striking was what a slippery slope there is? It very often started with very young people getting access inappropriately to these sites—it is a bit of fun to put £1 on here and £2 on there—and it really consumed their lives and ended up taking their lives in the most tragic of circumstances. Does my hon. Friend agree that we also need to look at how we protect young people with access to social media and the internet—virtually without regulation—from being sucked into these types of initiative?

Jim Shannon: I thank my hon. Friend for that intervention, and I full-heartedly agree with what she says. I think there is no one in this House who would disagree with it, including the Minister.

Mr Robin Walker indicated assent.

Jim Shannon: The Minister agrees very clearly that those issues also need to be dealt with.

People cannot read the report and not realise that we have a significant problem in this area in Northern Ireland, but the past is the past, and there have been various reasons why gambling legislation and the policy have not been updated. We are where we are, and it is evident to me that change is badly needed.

According to the research published in 2017 by the Department for Communities, Northern Ireland has the highest problem gambling prevalence rate in the United Kingdom: 2.3% of the adults surveyed were deemed to be problem gamblers. This equates to some 30,000 to 40,000 adults in Northern Ireland, and it is proportionally over four times the rate in England, which at the time stood at 0.5%. As the Minister in the other place put it, the situation with problem gambling in Northern Ireland is “extraordinary”. What an understatement that word is when we look at the magnitude of the addiction.

I understand that we have no data on the number of children and young people who are addicted to gambling in Northern Ireland, but according to CARE—Christian Action Research and Education—if the figure is equivalent to what it is in Great Britain, according to Gambling Commission research, it would equate to about 2,360 children—the very point mentioned by my hon. Friend the Member for Belfast South (Emma Little Pengelly). Again, facts are facts. Northern Ireland is in a serious place, and that cannot be ignored. Each of those individuals matters. Those adults and young people have families, and they come from the different communities in Northern Ireland. Gambling addiction can wreak havoc on their lives at enormous cost. Despite the significant problem we have, we discover that no figures are collected by the Northern Ireland Health and Social Care Board on the number of individuals seeking help for problem gambling. Only one health and social care trust, the Southern Trust, collects data on the numbers seeking help in its area. Maybe it is time that other trusts did the same.

In addition, England has 14 NHS clinics for adults and children suffering from problem gambling, but Northern Ireland does not have even one. It is time that that was addressed. The Northern Ireland Health and Social Care Board does not commission any gambling addiction-specific services. It should, indeed must, because of the addiction levels in Northern Ireland, and perhaps the Minister could respond on that point.

In addition to the dearth of support coming from the agencies of the state in Northern Ireland, we also discover from the report that the Northern Ireland Turf...
Guardians Association provides only £24,000 in support to Dunlewey, which provides support for individuals suffering from problem gambling. That strikes me as a very low figure considering the enormous profits being made by the gambling industry. It is time to shake the sector’s tree and get the gambling industry’s hands out of its pockets.

I was very glad to hear that five of the biggest gambling operators in the UK have committed to providing £100 million over four years to support individuals suffering from problem gambling and for research in this area. I welcome those steps, which are good news, but I would like to ask the Minister several questions. I gave his parliamentary private secretary a copy of my questions in advance. I do not expect the Minister to have all the answers to hand, but I would like responses to my questions at some point in the future. Considering the fact that a number of those operators provide services in Northern Ireland, will any of that money come to us? We should have the benefit of it, because from what we read in the report it could really help to make a difference.

I had the privilege of playing a role in seeing an option for online gamblers to have a one-stop shop for exclusion from all gambling websites, through the new GamStop service. We debated the need for that five years ago during the passage of the Gambling (Licensing and Advertising) Act 2014. Given the increasing importance of the online gambling sector, now nearly 40% of the market, the need has become more acute. The Gambling Commission said that GamStop would be in place by spring of 2018. Some 18 months later, it is not yet fully launched. I am never critical of the Minister, as he knows, but I have to ask him what is going on. Despite reports last week suggesting that the roll-out of the scheme across the UK, with all gambling companies being required to sign up to GamStop, would take place in a matter of days, a Gambling Commission spokesman subsequently suggested that that reporting was inaccurate. Considering the fact that a number of those operators provide services in Northern Ireland, will any of that money come to us? We should have the benefit of it, because from what we read in the report it could really help to make a difference.

I commend the work of GamStop and the fact that it will be available in Northern Ireland. I hope that the Minister will indulge me in asking a series of questions. Can he tell us when GamStop is expected to be launched nationally? How will GamStop keep track of whether people in Northern Ireland sign up and whether the numbers are in line with expectations? If not, is it not time to set targets? How will people in Northern Ireland be informed of GamStop when it is finally launched?

That brings me to the concerning lack of regulation for online gambling in Northern Ireland. At the time of the 1985 order, the internet did not exist. Today, most of us cannot imagine life without the internet, but the regulatory framework in Northern Ireland completely ignores it. It is unbelievable that, as online gambling has come in, we have not moved on and responded to what is happening in modern society. That does not mean that online gambling is unavailable—far from it—but it means that it is available without regulation of any sort, and that worries me greatly.

The exception is section 5 of the Gambling (Licensing and Advertising) Act 2014, which makes it an offence to advertise unlicensed remote gambling in Northern Ireland. That means that only an organisation that holds a remote gambling licence with the GB Gambling Commission can advertise in Northern Ireland without committing an offence. We were told that:

“As a result, consumers here can be assured that they will continue to have the same protection as consumers in GB from the advertising of remote gambling.”

I hope the Minister will be able to assure us that section 5 has been effective and that there are no unlicensed operators advertising in Northern Ireland. I hope he can respond positively and, if not, I know that he will respond with the truth, as he always does. I appreciate that.

Could the Minister please tell the House how many times section 5 has been used against unlicensed remote operators? Again, I would be interested to know whether it has ever been used at all; I would certainly like to think that it has. The reassurance given previously related only to protections on advertising, but, given the lack of regulation in Northern Ireland, is anybody checking? If they are not, they should be. Tell us, Minister, who is going to check it? Who is going to make sure it is happening? Does the Gambling Commission review whether the advertising protections are the same as for consumers in the rest of the UK? Are we in Northern Ireland following those on the mainland? Maybe we are not. Maybe the Minister can tell us where we are.

It is not clear whether those licensed operators who legally advertise in Northern Ireland consider that they have any responsibilities to the people of Northern Ireland or whether they are required to provide all the responsible gambling protections to Northern Ireland gamblers that they are required to provide to gamblers in other parts of GB under the Gambling Commission’s licence conditions. Are there two rules? What is happening?

For instance, in the rest of GB operators need to conduct age verification of anyone wanting to gamble, and are required to promote self-exclusion and to have policies and procedures for customer interaction where an operator has concerns that a customer’s behaviour might indicate problem gambling, as they should.

Emma Little Pengelly: Does my hon. Friend agree that this is at the heart of the difficulty in Northern Ireland, particularly for young people? These online websites advertise around sport, which many young people watch, but if they do not carry out that verification or do what they are obliged to do in Great Britain in Northern Ireland, there is no mechanism to investigate that breach. The Gambling Commission has no remit in Northern Ireland, and, as far as I can ascertain, there is no body to investigate any breaches of those regulations.

Jim Shannon: I thank my hon. Friend and colleague for that intervention. I believe that that is the case, which is why we are looking to the Minister to see what we are going to do about it. If we do not have the legislation in Northern Ireland that we should, as the hon. Members for Swansea East and for Congleton want and, I believe, every person in this House wants, let us get it in order.

The gambling report we are discussing today cites Northern Ireland industry groups “implementing social responsibility measures” and “adhering to industry codes of practice and protocols”
to protect people who might be experiencing problem gambling. Again, that is a commitment in words if not in deed.

I have five questions for the Minister, and I have asked him some already. Will the Minister clarify whether these are voluntary measures for the industry, which would at the minimum be welcome, or, where we are talking about online gambling, they are a requirement of a Gambling Commission remote operating licence? If it is only the former, I would be grateful if he can be clear about the protections that Northern Ireland online gamblers receive as a result of section 5. What redress do individuals have if they feel they have been mistreated by the online betting companies but live in Northern Ireland? If there are player protections for online gamblers in Northern Ireland under the licensing conditions, are these clear to individuals who may need them? It is important that these questions are asked, and I ask them respectfully of the Minister. My constituents have asked me them, and they see possible legislation that does not do what it should or go as far as it should, as my hon. Friend the Member for Belfast South mentioned.

Much needs to be done to bring Northern Ireland legislation into the 21st century. Bring it forward from 1985—wow!—to today. I welcome the news reported in today’s Belfast Telegraph that the Department for Communities is planning to hold a fresh consultation on gambling law and policy in the near future. I wish the near future was this week or next month—this cannot happen soon enough. I should like to hear greater detail of what the Minister in the other place described as a “high-level strategic review”. What does that mean? Both steps are helpful. Where there is good work done, let us welcome it, and where there is other work that needs to be done, let us ask for it. Of course, we need a Minister in place to execute policy change.

I hope that the Executive and the Assembly will get back up and running, so that they can tackle this important issue. Consumers need to be clear about the law and the help and support they can receive in their communities from betting companies. Whenever I think of Peter and Sadie Keogh from Fermanagh, their lost son and the many others like them, I think we need legislation not tomorrow but today. Although it will not bring the Keoghs’ son back, they and others like them are very worried about gambling in Northern Ireland. Hopefully, I have given the Minister much food for thought and many questions to answer. I know that he is well up to answering those questions. The people of Northern Ireland want to see gambling legislation in place that actually works and controls the online gambling that we are all really concerned about. It cannot happen soon enough.

9.16 pm

Mr Robin Walker: We have heard a range of views in the debate, but I think that everyone has been saying one thing: we want the devolved responsibilities to be fulfilled properly by a devolved Assembly and Administration, and we want Northern Ireland’s legislation to be properly updated. I have listened to the considered views expressed by the hon. Member for Strangford (Jim Shannon) asked myriad questions about steps being taken and enforcement, and I am of course happy to write to him with as many responses as I can give, but not all the answers necessarily lie within the remit of the Northern Ireland Office today; we will need to consult colleagues in other Departments and in the Northern Ireland civil service. He mentioned the work being undertaken by the Department for Communities, which is indeed welcome, but of course the fact remains that the last ministerial decision taken in the Executive was not to go ahead with legislation, so under the terms of the Northern Ireland (Executive Formation) Act 2019, it is difficult to see how civil servants could do much further work on legislation.

It comes back to what the hon. Member for North Antrim (Ian Paisley) was saying: we want these issues to be decided in a Northern Ireland Assembly by a restored Executive. There are important issues to be dealt with. The hon. Gentleman voiced concern about paramilitary clubs and pubs running fixed odds betting terminals. Any evidence of that should be reported to the PSNI. The Department for Communities says it has no evidence of FOBTs in either pubs or clubs, but if that is a concern, clearly it should be taken up with the police. A number of hon. Members mentioned the welcome announcement of 14 gambling clinics in England. Health is a devolved matter in Northern Ireland, and with the extra money going into the NHS and the Barnett consequentials of that, investment in these areas is possible, but I recognise from the debates in the other place the strong feelings about existing pressures in the health system in Northern Ireland. Progress could be made on all these matters by a restored Executive and Assembly, and we want to see them in place as soon as possible.

Ian Paisley: The Minister is making some very relevant points. He was to be in Northern Ireland last week for a walkabout—I was looking forward to welcoming him to Ballymena. I would encourage him on his next visit to Northern Ireland to speak to the police and for them to arrange for him to have an overview of where these illegal activities take place. I would not encourage him to visit those locations—he might be able to walk in, but walking out may be a problem—but I would encourage him to talk to the police about those places and to see and hear for himself the problems that exist.

Mr Walker: I am very happy to take the hon. Gentleman up on that invitation. I was disappointed not to be able to be in his constituency last week, but I look forward to future visits. We have reached a clear conclusion: people would like to see action taken on these issues by a restored Assembly and Executive. We will ensure that all steps are taken to put that Assembly and Executive in place as soon as possible.

Question put and agreed to.

Resolved,

That this House takes note of and approves the Report pursuant to Section 3(11) of the Northern Ireland (Executive Formation etc) Act 2019 - Gambling, which was laid before this House on Wednesday 4 September.
**Maraviroc and Progressive Multifocal Leukoencephalopathy**

*Motion made, and Question proposed.* That this House do now adjourn.—(Mr Marcus Jones.)

9.20 pm

Seema Malhotra (Feltham and Heston) (Lab/Co-op): I am glad to be able to discuss an issue that I have been working on closely with my constituent, Ms Amarjit Rai. This is an urgent matter and I believe it is important to put this issue on public record and to seek greater flexibility in NHS policy on the commissioning of the drug Maraviroc to treat Natalizumab-induced progressive multifocal leukoencephalopathy, and in NHS England’s approach to individual funding requests. I thank Amarjit, her advocate, Kartik, her consultants and Mary Jo Bishop and Neha Soni in my office, as well as the House of Commons Library, for their assistance with this debate.

In my work on this case, I have been struck by parallels with the campaigns by the late Dame Tessa Jowell on the more experimental use of drugs for very rare conditions, for which there will never be the sample sizes in one country, or potentially across the world, for a full clinical trial, but for which the anecdotal evidence is positive and the patient voice should be heard. Some of my contribution today will be slightly technical, but I hope it will be clear.

Ms Rai was sadly diagnosed with multiple sclerosis in 2013 aged 34. She was prescribed Natalizumab, but sadly as a consequence she contracted PML, a highly rare and often fatal viral disease that affects only a handful of people across the UK. She has since been rendered disabled with no functional use of her right arm. She has other debilitating effects. PML affects the brain by damaging the nerves. The symptoms include muscle weakness, visual disturbance, impaired speech and cognitive difficulty.

Jim Shannon (Strangford) (DUP): I thank the hon. Lady for bringing this matter to the House. Does she agree that the treatment of this often fatal viral infection of the brain must be focused on survival rates and that, given that survival rates are better with Maraviroc, it must be available where clinically determined? If it is key to making lives better and halting this disease, we must do everything we can to make it available.

Seema Malhotra: The hon. Gentleman makes a point that I will come on to about how the decisions need to be made on the medical evidence and with the voice of the consultants being clearly heard by those making the decisions.

There is no cure for this condition, but two years ago my consultant’s neurologist advised that Maraviroc had had a positive effect on patients suffering from PML in relation to her condition, immune reconstitution inflammatory syndrome in multiple sclerosis. An individual funding request was submitted by my constituent’s consultant, national expert Professor Ciccarelli at the National Hospital for Neurology and Neurosurgery. The application was refused and a subsequent appeal was also unsuccessful—this process went on through 2017 and 2018—seemingly on the same basis as was given to me in writing in October by NHS England, which was that the “use of Maraviroc for this condition is currently seen as experimental as the current evidence is limited to very small observational studies. NHS England has concluded that there is not sufficient evidence to support the routine commissioning of this treatment for the indications listed.”

The effect on Amarjit was heartbreaking. I met Amarjit and her friend and advocate Kartik. She had a wheelchair and a walking stick, and even the most basic activities were a struggle. She had decided to fund the drug privately from her savings. Maraviroc had remarkable results for her—importantly, that was also the opinion of her consultants—without any side effects. Other treatments that the NHS had sought to prescribe, such as MRIs and monthly steroids, were not just neutral but net negative. Amarjit and Kartik explained the impact that Maraviroc had had on Amarjit’s health and quality of life. I was just staggered when she told me:

“I can talk. I can walk. I can go to the bathroom on my own”—things that we take for granted. Clinically, the PML lesion appeared inactive and there was a reduction in the inflammation around her brain.

The drug costs around £480 a month, but by the end of June this year Ms Rai could no longer afford to pay for it herself, so she has since been without it. Although her health has been stable so far, such is the condition that it could dramatically change at any time.

Aside from the issue of funding, I have been surprised over the past year by inconsistencies in NHS policy and advice. We all believe in an NHS that is free at the point of need. This is a situation where the patient, leading neurologists and all involved in her care agree that she should have the drug. In November 2018, consultant neurologist Dr Michael Gross, who was also supporting Amarjit’s care as an expert advocate, wrote to Kartik:

“Thank you for confirming further information about Amarjit Rai... Professors Johnson and Ciccarelli agree that this is the appropriate treatment for Amarjit. Long term steroids have already generated severe osteoporosis in 2016 and are not her choice. You will have already proved in what is an N=1 trial that her treatment would appear to be effective. There will almost certainly never be the size of trials in this rare disorder that would allow a definitive statement by a funding organisation. I think we have to ask who is making the decision, given that there are now three senior consultants confirming this is the right decision... Quite frankly I am appalled by the lack of humanity that is being demonstrated here.”

In November 2018 I wrote again to the Minister. I received a response from Lord O’Shaughnessy in the other place, who helpfully said the following:

“Maraviroc is not licenced for the treatment of symptoms of PML. There are clinical situations when the use of unlicensed medicines or use of medicines outside the terms of the licence, known as off-label, may be judged by the prescriber to be in the best interest of the patient on the basis of available evidence. The responsibility for that falls on healthcare professionals.”

Sadly, this made no difference.

Following the lack of progress, I wrote again to the Secretary of State in March 2019. I quoted the helpful response that I had received from Lord O’Shaughnessy. The Health Minister in the other place, Baroness Blackwood, responded in May and referred again to the
individual funding request process. She stated that the IFR can be considered only if the patient can be demonstrated to be clinically exceptional. She said that “an IFR can only be considered if the patient can be demonstrated to be clinically exceptional compared to the wider group of patients and is likely to derive greater benefit from the treatment.”

At face value, all of this would appear to be true for my constituent, but the use of Maraviroc is an area where policy appears to be in some confusion.

In response to a parliamentary question I asked in July about the assessment that NHS England has made of the availability of Maraviroc to patients with PML, a third Health Minister, the hon. Member for South Ribble (Seema Kennedy), wrote:

“We are informed by NHS England and NHS Improvement that it does not commission Maraviroc for progressive multifocal leukoencephalopathy. NHS England and NHS Improvement have published a do not commission policy for Natalizumab-induced progressive multifocal leukoencephalopathy in relation to immune reconstitution inflammatory syndrome in multiple sclerosis.”

That response seems to contradict earlier responses and advice. First, “does not routinely commission” is different from “does not commission”. Secondly, it made no reference to the IFR process, which two Ministers had previously mentioned.

I tabled a further parliamentary question last week to ask what assessment the Secretary of State had made of the effectiveness of Maraviroc in patients with PML. A fourth Health Minister, the Under-Secretary of State for Health and Social Care, the hon. Member for Mid Bedfordshire (Ms Dorries), responded to my question. The response I received today was mind-boggling:

“Maraviroc is currently authorised for the treatment of patients who are infected with HIV type 1. The Medicines and Healthcare Products Regulatory Agency which is responsible for the regulation of medicines in the UK is not aware of any application for use in patients with PML and therefore cannot comment on the efficacy of this drug in patients with PML.”

It might be helpful if I highlight for the Minister findings from wider medical journals that the House of Commons Library has helped me to compile. In December 2016, the American Academy of Neurology published an article entitled “Severe early natalizumab-associated PML in MS: Effective control of PML-IRIS with maraviroc”. A summary of a case involving a 55-year-old man with HIV who was admitted with seizures, headaches, and impaired memory, and an MRI scan subsequently confirmed PML. Twelve months after diagnosis with PML and six months after the start of Maraviroc, PML-IRIS lesions were resolved, and no new MS disease activity was detectable.

An article in 2017 by Steiner and Benninger published by the American Academy of Neurology built the medical explanation for why Maraviroc had been effective in cases of PML in MS sufferers. In summary, the condition for which the cause is believed to be the John Cunningham virus, which infects the central nervous system in patients with low immune conditions, became more prevalent and was observed in around 5% of patients with HIV prior to the availability of highly active antiretroviral therapy, or HAART. The article goes on to describe how the era of “monoclonal antibodies for immune-mediated conditions such as Natalizumab for MS and Crohn disease heralded another context for PML. As of November 2016, there have been 698 reported cases of PML under natalizumab.”

The research goes on, and it is true that some research such as that published in The Journal of the Neurological Sciences in July 2017 confirms that it does not work in all circumstances, and steroids may be more effective in some patients. However, an article in Neurology Times in January 2018 states that in PML treatment options are limited. Maraviroc has been used successfully in some PML patients to avoid IRIS, although not all patients respond to Maraviroc. It recommends further research and testing in identifying patients at risk of IRIS and tailoring treatments accordingly.

In that context, let me make reference to the urgent clinical commissioning policy statement on Natalizumab-induced PML, which was published by NHS England in March 2018. It said:

“It has been assessed that the development of a full policy is not needed at this time as there is currently little evidence into its effectiveness for this indication”.

I do not believe that that policy statement takes account of all the research available or indeed that which has appeared subsequent to its publication. The research is more nuanced, the medical benefits for my constituent are undeniably clear, and the denial of funding is inexplicable to her and renowned experts in the country.

Maraviroc, or Celsentri, as defined by the European Medicines Agency—formerly in London, it is now based elsewhere in the European Union—is a medicine that is routinely prescribed for HIV. Although it does not cure HIV infection or AIDS, it may hold off the damage to the immune system and the development of other infections and diseases.

Medical research has identified that the JCV most associated with HIV patients with low immunity has found another context in patients with PML. My constituent’s condition is incredibly rare, affecting potentially, 10 or fewer people in the country. Given that very few options are available, she is not the only patient for whom, in anecdotal studies, the drug Maraviroc has shown remarkable results. With no other options available, my very ill constituent has been paying £500 a month privately for the past year to fund Maraviroc herself, but she can no longer afford to do so. Amarjit’s consultant neurologist and other specialists support her receiving treatment. There is an irony in the fact that more is potentially being spent by the NHS in a month on treatment and tests that do not benefit her as much, and have damaging side-effects. The IFR system in
the NHS should be able to review and respond to that situation on the basis of medical need, and I cannot see how that has been done in this case.

Will the Minister tell me how her Department liaises with and challenges NHS England on cases such as this, and how well-researched the Department’s responses to me have been? Will she tell me with what medical advice the treatment has been refused, although three of the leading experts in the country support it in this rare case, and whether their advice can be shared with my constituent and her consultant, Professor Ciccarelli? Will she also agree to a meeting with me, my constituent and her consultant, and a senior member from NHS England to discuss the IFR process?

This is a matter of £500 a month, and of demonstrable medical benefits to my constituent. I should be grateful for the Minister’s response, and her advice on how we can move forward.

Mr Deputy Speaker (Sir Lindsay Hoyle): I welcome the Minister to the Dispatch Box. I believe that this is her first outing. She is obviously held in high esteem, given that so many Whips are present at once.

9.37 pm

The Parliamentary Under-Secretary of State for Health and Social Care (Jo Churchill): I thank the hon. Member for Feltham and Heston (Seema Malhotra) for raising this matter in the House, and for the comprehensive and sensitive way in which she has set out problems that will certainly be well recognised by many patients—not only her constituent, but people throughout the rare disease community. A number of the issues that she has raised affect what are often very small cohorts trying to put their case for particular drugs.

As we have heard from the hon. Lady, progressive multifocal leukoencephalopathy is a terrible disease which can have devastating effects on patients whose immune systems are already impaired, often as a result of taking medicines. Maraviroc is an antiretroviral drug approved by the Medicines and Healthcare Products Regulatory Agency for the treatment of HIV. In this case, the hon. Lady’s constituent, who unfortunately has multiple sclerosis, has been paying privately for the drug, which I understand she feels has a positive effect on her condition.

The use of Maraviroc for people with MS is “off-label”. Medicines sold and supplied in the UK must, rightly, have a licence, which specifies the medical conditions that they are approved to treat, and also specifies the recommended doses, contra-indications, and special warnings as specified by the MHRA. All that is intended to ensure the safety of the patient. Off-label use, as I am sure the hon. Lady is aware, describes that situation where the licensed medicine is used for an indication other than that for which it is licensed originally. However, as she said, a decision to use a medicine off-label is one for the individual clinician. In each case, it is for that professional to make that decision if they think the treatment is appropriate for a patient and they are satisfied that there is robust evidence to support their prescribing decision.

As the drug in question is a licensed medicine for the treatment of HIV, not PML, it has not been fully tested with PML patients in clinical trials. Therefore, it has not been approved as safe and effective. Crucially, it is important to note that the use of this drug to treat Natalizumab-induced PML currently has an evidence base limited to small observational studies where no conclusive evidence of patient benefit was found. However, I fully appreciate that it is a real challenge to establish a clinical evidence base when the patient population is so small.

In fact, as the hon. Lady mentioned, NHS England and NHS Improvement were asked in 2018 to develop a commissioning policy on the use of Maraviroc for the treatment of Natalizumab-induced PML. They concluded, however, that there was insufficient evidence of benefit and advised against routine commissioning. Maraviroc is not currently appraised or recommended by national bodies for the treatment of PML, because there is a lack of evidence of effectiveness and a lack of any evidence-based clinical support in the treatment of PML. NHS England has therefore concluded that there is not sufficient evidence to support the routine commissioning of the drug—a conclusion that clinical commissioning groups are minded to follow. Of course, that position would be reviewed should further evidence become available.

Despite Maraviroc not being routinely commissioned by the NHS, it remains possible for patients to access the drug through the individual funding request, which, as the hon. Lady has said, her constituent did. An independent panel would have considered the circumstances of the request before making a decision. In this case I understand that the IFR was rejected, which I know would have been upsetting for the hon. Lady’s constituent. Following the outcome of the IFR, the reasons for the decision would, I am sure, have been explained to her constituent. If not, I urge the hon. Lady to ensure that they are explained in full.

Seema Malhotra: I understand that this is a technical matter in some respects, but I am a little surprised that I have not heard the Minister say anything new compared with the responses I have received to parliamentary questions. I have laid out the evidence and shown that there are nuances. In the case of my constituent, the medical benefits have been clear. I am surprised that the IFR was denied, including subsequently on appeal, and, given that I have laid out the evidence, that the Minister is not in a position to give advice on how we can move forward so that we do not keep going around in circles.

Jo Churchill: I think that part of the confusion has come from the fact that the NHSE advice not to commission is different from the independent funding route process. Clinicians can always apply for IFR funding in exceptional circumstances. The MHRA parliamentary question was about availability. One offer I can make is that we will try to unpick those four answers and to understand a little more in the round how we can be of assistance and give the hon. Lady’s constituent clarity, if nothing else.

Seema Malhotra: The Minister is very generous in giving way. Rather than restating the policy, will she support the request for the medical advice that was the reason for the treatment and funding being refused? There must have been some medical input into the decision made by the panel at NHS England. Will she also be able to meet me to review the process and what my constituent has been through? Clearly my constituent
is in a very rare circumstance—she is possibly one of fewer than 10 people in the country—but surely we are able to work a bit faster and with more agility in a situation where, in a sense, the patient and the experts in the field should be leading.

Jo Churchill: I am, of course, happy to meet the hon. Lady, but we must be led by clinicians. As she says, her constituent has been supported by her clinicians, and it is up to them to make clinical judgments and to put the case for the best course of treatment in each particular case. The first thing to do is to seek clarification on where we know we are going, and hopefully we can move forward from there.

As the hon. Lady says, the PML group is around 10 in number, so getting robust evidence is obviously a challenge—that is all part and parcel of the issue. As she knows, another challenge is that the Department of Health and Social Care does not have direct responsibility for what is routinely commissioned. Instead, it is the responsibility of NHS England, NHS Improvement and the CCGs. Faced with an unprecedented level of demand for services, all those involved have to make difficult decisions about commissioning cost-effective care on a daily basis. They make those decisions based on patient need and clinical evidence, which I acknowledge can feel very cyclical for the rare disease community.

Seema Malhotra: Does the Minister agree it is slightly more problematic in this case, because the cost of Maraviroc is arguably a bit less than the MRI scans and the steroids every month that the NHS would otherwise prescribe or suggest to my constituent? The negative health impact of that treatment should also be taken into account.

Jo Churchill: I thank the hon. Lady. Lady, but I return to the fact that it is a judgment for clinicians to make; it is not one for me to make at the Dispatch Box.

My colleague Baroness Blackwood rightly said this summer that we need a national conversation on rare diseases to identify the big areas on which we need to focus so that we can offer the best possible care for rare disease patients and their families, who are often affected by what their loved ones are going through. I could not agree more so, starting this autumn, we will be engaging with patients, researchers and clinicians to gather evidence and identify the major challenges faced in this field.

Jim Shannon: I am pleased to see the Minister in her place. I offer her congratulations; it is well deserved.

Will money be set aside at the end of the consultation to address the medicines that are needed for those rare diseases? If money is not set aside, it will not go anywhere.

Jo Churchill: I am not in a position to say. Although each cohort is small, the overall rare disease community is large. That is why such debates make an important contribution to the broader conversation. I am grateful for how they raise awareness of the rare disease community, which comprises some 3.5 million people in this country.

Seema Malhotra: I will make this my last intervention. I just want to welcome the work that will be done in respect of the rare disease community. May I add to the comments in this House in welcoming the Minister to her place? I know that her experience will be extremely valuable in the work that she does in the Department.

Jo Churchill: I thank the hon. Lady sincerely for that and for speaking so passionately here today about the situation on behalf of her constituent. I know that her constituent may not feel that this is the answer that she wanted, but I cannot emphasise enough the positive effect of bringing this issue to the Chamber. Not only will it raise awareness, to help inform Government strategy, but it will support others in the rare disease community. As the hon. Lady said, allowing their voice to be heard is what is important here.

Question put and agreed to.

9.50 pm

House adjourned.
The Chancellor of the Exchequer was asked—
Economic Effect of No Deal

1. Rushanara Ali (Bethnal Green and Bow) (Lab): What recent assessment he has made of the economic effect of the UK leaving the EU without an agreement.

Sajid Javid: We would prefer to leave with a deal, and we continue to work energetically and determinedly to get a better deal, but the Government are turbo charging their preparations to ensure we are ready to leave without a deal on 31 October. All necessary funds have been made available. The fundamentals of the British economy are strong: real wages are growing; employment is at a record high; and unemployment is at an historic low.

Sir Edward Davey (Kingston and Surbiton) (LD): Is the Chancellor confident that the hedge funds taking those short positions being taken out against the pound. Is the Chancellor confident that the hedge funds taking those short positions, some of which donated to the Prime Minister’s leadership campaign and the Conservative party, have no inside information about the planning or timing of a no-deal Brexit?

Sajid Javid: The Chancellor of the Exchequer was asked—
Economic Effect of No Deal

1. Rushanara Ali (Bethnal Green and Bow) (Lab): What recent assessment he has made of the economic effect of the UK leaving the EU without an agreement.

Sajid Javid: The UNC has made an important point: it is in everyone’s interests—ours and our European friends and partners—that we reach a deal. Intensive negotiations are going on, both with the Irish Government and with other European partners, and there is a very strong recognition that it is in all our interests to reach a deal as it is in ours?

John Stevenson (Carlisle) (Con): Does the Chancellor agree that if we were to leave with no deal, there could be a potential economic impact on our European partners and that therefore it is as much in the EU’s interests to reach a deal as it is in ours?

Sajid Javid: The Chancellor of the Exchequer was asked—
Economic Effect of No Deal

1. Rushanara Ali (Bethnal Green and Bow) (Lab): What recent assessment he has made of the economic effect of the UK leaving the EU without an agreement.

Sajid Javid: That is such a ridiculous suggestion it does not deserve an answer.

Mr Philip Hollobone (Kettering) (Con): If we leave the EU without an agreement, do we get to keep the £39 billion?

Sajid Javid: The figure of £39 billion is based on a deal. If we end up leaving with no deal, that £39 billion number is no longer relevant.

Rushanara Ali: The Government’s Yellowhammer document, or base case scenario, states that there will be job losses, that food supplies will decrease and that financial services and law enforcement data and information sharing will be disrupted. Last night, we heard about customs clearance zones in Ireland and Northern Ireland, and the Brexit Secretary has admitted that there is insufficient time to complete the work. The Government spent £100 million on a PR campaign called “Get Ready for Brexit”. Is it not time that the Chancellor admitted that the Government are 100% ready to leave the EU, and will he agree that if we were to leave with no deal, there could be an economic impact on our European partners and that therefore it is as much in the EU’s interests to reach a deal as it is in ours?

Sajid Javid: My hon. Friend has made an important point: it is in everyone’s interests—ours and our European friends and partners—that we reach a deal. Intensive negotiations are going on, both with the Irish Government and with other European partners, and there is a very strong recognition that it is in all our interests to reach a deal.

Helen Hayes: There is evidence of a rise in short positions being taken out against the pound. Is the Chancellor confident that the hedge funds taking those short positions, some of which donated to the Prime Minister’s leadership campaign and the Conservative party, have no inside information about the planning or timing of a no-deal Brexit?

Sajid Javid: That is such a ridiculous suggestion it does not deserve an answer.

Charlie Elphicke (Dover) (Ind): Is the Chancellor aware that the chief executive of the port of Dover has said that we are 100% ready to leave the EU, and will he help that readiness by bringing forward plans to dual the A2 to the port of Dover?

Sajid Javid: I thank my hon. Friend for drawing the House’s attention to this issue. I am aware of that. I know, for example, that the investment the Government have made through Border Force, including the extra officers, is helping, and I am confident that in all circumstances we can keep trade flowing.

David Linden (Glasgow East) (SNP): We know that a no-deal Brexit would cost up to 100,000 jobs in Scotland and cost each family £2,300 a year. Is that really a price worth paying for the Prime Minister to break the law and go out with no deal?

Sajid Javid: We do not know that at all. That is just scaremongering from the Scottish National party. We know that businesses throughout the UK, including in Scotland, want this uncertainty to end and want us to leave on 31 October.

John Stevenson (Carlisle) (Con): Does the Chancellor agree that if we were to leave with no deal, there could be a potential economic impact on our European partners and that therefore it is as much in the EU’s interests to reach a deal as it is in ours?

Sajid Javid: My hon. Friend has made an important point: it is in everyone’s interests—ours and our European friends and partners—that we reach a deal. Intensive negotiations are going on, both with the Irish Government and with other European partners, and there is a very strong recognition that it is in all our interests to reach a deal.
not unacceptable for a Chancellor in a Government publicly contemplating a no-deal Brexit to fail to tell the truth to the British public that spending on health, schools and police will be slashed in the event of a no-deal Brexit?

Sajid Javid: First, I do not recognise that picture at all. It has been made up by the Liberal Democrats. Secondly, the right hon. Gentleman talks about what is unacceptable. What is unacceptable is for the Liberal Democrats to pretend that the referendum on the European Union never happened.

Kirsty Blackman (Aberdeen North) (SNP): We have heard in the media today that the UK Government will have proposals ready to send to the EU by the end of the Tory conference this week. The Prime Minister’s main negotiating strategy seems to be to convince the EU that we are willing to accept no deal, and hope that it will capitulate at the last minute. Can the Chancellor name one occasion on which the EU has folded at the last minute in international negotiations?

Sajid Javid: Can the hon. Lady name a single negotiation in which we have not had the ability to walk away, out of the room?

Kirsty Blackman: These are supposed to be questions to the Chancellor, not to me.

Businesses are not ready for a no-deal Brexit. They are already losing EU workers, and are closing down as a result. In a no-deal Brexit, they will be hit by tariffs, and many more of them will sink as a result of that. People will lose their jobs. Given that there is now less than a month until Brexit day, does the Chancellor really believe that there is time to negotiate a deal? If not, will he ensure that the Prime Minister respects the law and requests an extension?

Sajid Javid: Significant work is going on to prepare the whole country for a potential no-deal outcome, and that includes helping businesses. I have allocated an additional £2.1 billion on top of the £2 billion that was already there, and that means that we can do much more to help businesses, including sending them more than 750 communications on preparedness and more than 100 technical notices.

Jonathan Reynolds (Stalybridge and Hyde) (Lab/Co-op): The Government’s current policy is that we can have higher public spending, falling debt and a no-deal Brexit, but those three things are impossible to deliver together, so on which of them are the Government not telling the truth?

Sajid Javid: The Government are focused on leaving the European Union on 31 October. We are trying to do that with a deal, but if we do not, we will leave with no deal. The hon. Gentleman talks about the Government’s policy. At least this Government have a clear policy on Brexit; what is the policy of the Labour party?

Loan Charge

3. Mr Peter Bone (Wellingborough) (Con): If he will make it his policy to suspend the 2019 loan charge for the duration of the review of that charge commissioned by his Department.

5. Nic Dakin (Scunthorpe) (Lab): If he will make it his policy to suspend the 2019 loan charge for the duration of the review commissioned by his Department of that charge.

9. Mr David Davis (Haltemprice and Howden) (Con): What (a) support and (b) financial relief he plans to provide to people subject to the 2019 loan charge during the duration of the independent review of that charge.

14. Dr Matthew Offord (Hendon) (Con): If he will make it his policy to suspend the 2019 loan charge for the duration of the review of that charge; and if he will make a statement.

17. Anne Milton (Guildford) (Ind): If he will suspend 2019 loan charge repayments for the duration of the review of that charge.

18. Mr Gregory Campbell (East Londonderry) (DUP): If he will make it his policy to suspend the 2019 loan charge for the duration of his Department’s review of that charge.

The Financial Secretary to the Treasury (Jesse Norman): The Government have listened to concerns expressed across the House about the loan charge, and, as the House will know, an independent review is now in progress under the leadership of Sir Amyas Morse. While it is under way, it is right for the loan charge to remain in force and for the Government to implement legislation on which the House agreed. The review will conclude by mid-November, to let anyone who may be affected know, and to give people time to plan in advance of the January self-assessment filing deadline. To help taxpayers who may need longer to pay, Her Majesty’s Revenue and Customs has confirmed again that there is no maximum time limit for payment plans.

Mr Bone: The loan charge is the worst form of retrospective taxation. It is causing real hardship and distress to law-abiding taxpayers, and this week it was reported that a seventh person had taken their own life because of it. How many more people are going to take their lives before the loan charge is scrapped?

Jesse Norman: Let me correct my hon. Friend on the facts. We have been notified of three suicides that may be connected with the loan charge, and which have been referred to the Independent Office for Police Conduct. In one case there has been a referral back to HMRC, but in all other cases there has been no further development, so I do not recognise the picture that my hon. Friend has described. Let me also remind him that although these effects have been much bruited, there is also the question of collecting the several billion pounds of back tax that is due.

Nic Dakin: What is clear is that the retrospective loan charge is causing huge pain and upset as people’s livelihoods and homes are threatened. Will the Minister ensure that the review hears directly from people who have been so affected, and will he either suspend the loan charge or at least tell HMRC that those who have signed a settlement agreement can pause their payments until the review has been concluded?
Jesse Norman: I am grateful for the question. Of course any injury to individuals from any act of Government or their agencies is to be deeply regretted. I recognise that, and if it has happened here, it is appropriate for the House to feel that way.

I have no powers to direct Sir Amyas Morse. I understand that he is taking evidence from external sources, including the loan charge all-party parliamentary group and the Loan Charge Action Group, which acts as its secretariat. I have met the APPG and the secretariat separately. So the matter is being fully addressed. The details of settlement have been set out on gov.uk.

Mr David Davis: On the issue that my hon. Friend the Member for Wellingborough (Mr Bone) raised with the Minister, the hard fact is that seven people facing challenge or investigation for the loan charge have taken their own lives. He can attribute cause as he wishes. The fact is also that the distress has been caused by the historical incompetence of HMRC and the subsequent willingness of Ministers to use retrospective taxation. Are the Government going to give up on the premise of using retrospective taxation, or does it fall to the House to pass laws that will stop them doing so in future?

Jesse Norman: The legislation is not retrospective. [HON. MEMBERS: “It is.”] There are defined circumstances in which HMRC and the Government may seek to use retrospective taxation, and they do so with extreme care and attention. All that I am doing is referring my right hon. Friend to the facts as reported to the IOPC. As he will be aware, these are immensely difficult cases in which many circumstances and factors may be in play.

Dr Offord: Despite the review, the loan charge remains in place and HMRC continues to pursue people for advance payment notices for which there is no right of appeal. That clearly goes against the spirit of the review. Will the Minister now suspend all activity?

Jesse Norman: The review is designed to assess whether the Government’s policy is appropriate, and it would be wrong to change it until the review has had chance to make a decision on it. The Treasury and the House have a great interest in supporting the provision of public services, which the recovery of tax avoided in this way, in many ways egregiously, is designed to fund.

Anne Milton: I honestly do not think that the Minister is paying attention. These comments are coming from Members behind him, not opposite him. [HON. MEMBERS: “From all sides.”] These people followed professional advice and declared their arrangements to HMRC, which did nothing. Yet it is now going back and taxing them retrospectively, all the way back to 1999 in some circumstances. The Minister cannot stand at the Dispatch Box and just ignore what he is hearing from the Benches.

Jesse Norman: Nothing could be further from the truth. We are carefully attending to concerns that have been expressed. That is why I announced changes in July and have written on two occasions to colleagues to inform them of changes and developments. That is why we have instituted this independent loan charge review, the purpose of which is precisely to scrutinise the extent to which Government policy is appropriate.

Mr Gregory Campbell: The Minister is bound to be aware of the scale of concern across the House and among those who are directly affected. He has outlined a date of mid-November. Immediately upon that date being reached, will he take urgent action to assist those affected?

Jesse Norman: I have no idea what the loan charge review will conclude, but I guarantee that we will look at its findings with all due speed and dispatch.

Justine Greening (Putney) (Ind): Like many Members, I have constituents who have been egregiously affected by the loan charge. The Minister’s response is unacceptable from their perspective. He should suspend all the loan charge activity while the review is under way and until the Government have responded to it. What preparation is happening in HMRC for the policy shift if the review says that the loan charge is unfair and needs to be changed? How will he deal with my constituents who have already had to pay but may be proven to have paid erroneously?

Jesse Norman: I am unable to comment on what the review will conclude. We can certainly look at whether there may be changes that HMRC would take rapidly thereafter. It possesses the capacity to do so quite quickly if necessary, as does Government. We will have to review that moment when it comes.

19. [912467] Carol Monaghan (Glasgow North West) (SNP): Seven needless deaths; seven families tragically left to deal with the consequences, and yet companies such as AML that have promoted the schemes are getting away scot-free. AML and its director, Doug Barrowman, appear to have moved away with no consequences whatever. In fact, they are boasting that HMRC is not pursuing them for any assets or unpaid taxes. Will the Minister detail the efforts that are being taken against such companies, which have caused so much pain and tragedy?

Jesse Norman: The hon. Lady is absolutely right to focus on the activity of the promoters. They are extremely ingenious in operating within the framework of law, but doing some very nasty and duplicitous things. They often operate offshore and it is extremely difficult to close them down when they are constantly mutating from one company to another. I assure hon. Members that we are looking at the problem extremely closely, and I hope to return to the House at some point fairly soon with some thoughts.

Mr Dominic Grieve (Beaconsfield) (Ind): I worry that the Government characterise those who are suffering from the loan charge as in some way egregious tax avoiders, when it is abundantly clear that in the case of my constituents they acted on advice, openly, and in the belief that the scheme was approved by HMRC. I also worry that HMRC is behaving towards taxpayers in a fashion that is new, and in many cases, tax advisers say, unprecedented. I also think that the retrospective is deeply questionable.

Jesse Norman: I must say, I am surprised to hear a man of my right hon. and learned Friend’s legal standing call this as retrospective, because it plainly
Several hon. Members rose—

Mr Speaker: Order. We must speed up.

Mr Speaker: Order. The matter in hand is the effect of fiscal policies on living standards.

Sajid Javid: The hon. Gentleman should know that the Bank of England is independent, and therefore monetary policy decisions are independent. I know that his friends on the Opposition Front Bench do not recognise or respect that, but it is a very important part of our economic system.

Sir Mike Penning (Hemel Hempstead) (Con): The Chancellor will know that one of the Government’s fiscal policies that is fundamentally wrong is the loan charge retrospective taxes on our constituents. Whether it is one death, no deaths or seven deaths, families are being destroyed because of the retrospective charge. Surely we should put a stop to it now.

Mr Speaker: Order. The best way to improve living standards is to reduce tax burdens. Does the Chancellor share my view?

Peter Dowd (Bootle) (Lab): The effects of the Government’s fiscal policies on living standards have been devastating, especially for vulnerable people, so is it still Government policy to remove the benefits freeze in April 2020?

Sajid Javid: The hon. Gentleman talks about the Government’s fiscal policy, which is a core part of our overall economic policy, and it is that policy that has led to a jobs boom, with 3.7 million more people in work since 2010, and over 1 million fewer working households in our country living in poverty. The real threat to the living standards of working people is the agenda of the Labour party.

Peter Dowd: It would have been helpful to get an answer to the question. We have a Prime Minister who cannot be candid even with the Queen, a Health Secretary who claims there will be 40 hospital rebuilds when in fact it is just six reconfigurations, and a Chancellor who worked at a senior level for a bank that a US Senate Committee found had caused “material damage to ordinary people and the wider global economy”. Why would anyone believe a word that this self-serving Government say? They are led by a Prime Minister who, many claim, believes that telling the truth is an illness to be avoided.

Sajid Javid: I do not believe that I detected a question.

Free-to-use Cash Machines

Mrs Sharon Hodgson (Washington and Sunderland West) (Lab): What assessment he has made of the effect of the reduction of free-to-use cash machines on high streets on people’s access to cash.

Peter Dowd: It would have been helpful to get an answer to the question. We have a Prime Minister who cannot be candid even with the Queen, a Health Secretary who claims there will be 40 hospital rebuilds when in fact it is just six reconfigurations, and a Chancellor who worked at a senior level for a bank that a US Senate Committee found had caused “material damage to ordinary people and the wider global economy”. Why would anyone believe a word that this self-serving Government say? They are led by a Prime Minister who, many claim, believes that telling the truth is an illness to be avoided.

Sajid Javid: I do not believe that I detected a question.
The Economic Secretary to the Treasury (John Glen): The UK has an extensive and internationally enviable free ATM network. We know that many people still use cash day to day, and we have committed to safeguarding cash for those who need it. I am delighted that UK Finance and LINK are leading industry efforts to protect free cash access. That culminated in UK Finance launching the Community Access to Cash initiative just yesterday.

Mrs Hodgson: The Minister says that, but news that NoteMachine is to convert 3,000 of its 7,000 free-to-use cash machines to pay-to-use machines is of great concern to my constituents. According to Which?, we have lost 15% of our free-to-use ATMs over the past year alone. The previous Labour Government formed an agreement with ATM operators and the Treasury to plug gaps in financially deprived areas where people had to pay to access their cash, so what are this Government going to do to prevent people being charged just for trying to access their own money?

John Glen: Use of cash has reduced significantly faster than expected over the past 10 years. I am meeting UK Finance and LINK tomorrow to ensure that their mechanism is good for the current situation. The new initiative to which I referred in my previous response will give communities up and down the country the opportunity to engage with UK Finance on better and new solutions.

Several hon. Members rose—

Mr Speaker: We will hear from a Devon knight, I think. Sir Gary Streeter.

Sir Gary Streeter (South West Devon) (Con): Is not the closure of ATMs linked to the decision by high street banks to close their branches left, right and centre? Will the Minister, in his regular meetings with the chief executives of high street banks, remind them that they do have some duty to elderly customers and small businesses?

John Glen: I do that regularly. We are also trying to ensure that the transfer of responsibility to the Post Office runs smoothly, because 99% of people live within 1 mile of a post office, so it is a very good alternative for the vast majority of their banking services.

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): Hull’s high street is still very cash-reliant, and I am really worried about the blow that this reduction will give to an already struggling high street. Will the Economic Secretary please speak directly to the Payment Systems Regulator about what further measures can be taken to prevent the reduction in free-to-access cash machines?

John Glen: Yes, I am very happy to continue to engage with the regulator, and I noted the hon. Lady’s urgent question application earlier today. Digital payment alternatives improve local cash recycling and support cashback initiatives. Mastercard and Visa have a number of initiatives under way, and I am determined to see progress in this area.

Mr Philip Dunne (Ludlow) (Con): With a third of banks, many of which had ATMs, closing in rural areas, and with very poor mobile connectivity in those areas meaning that digital payment schemes are not possible, I was very pleased to learn of yesterday’s announcement by UK Finance on Community Access to Cash, to which the Economic Secretary referred. That is the way forward, but what can he do to reassure business providers that if they provide ATMs, they will be safe from break-in?

John Glen: We have to ensure that there is a wide range of options in rural areas. A number of trials are under way to provide solutions, underpinned by the investment in gigabit infrastructure that my right hon. Friend the Chancellor announced yesterday, which will ensure that we have even better connectivity in remote rural areas.

Rough Sleeping

7. Neil Coyle (Bermondsey and Old Southwark) (Lab): What recent discussions he has had with the Secretary of State for Housing, Communities and Local Government on the adequacy of funding allocated to tackling rough sleeping.

The Chancellor of the Exchequer (Sajid Javid): The Government remain committed to ending rough sleeping. That is why I announced £54 million of new funding to reduce homelessness and rough sleeping in last month’s spending round, following on from discussions with my right hon. Friend the Housing Secretary, which will take total resource funding to £422 million next year.

Neil Coyle: It has been revealed today that two rough sleepers died on the streets every day last year. The Government committed to halving rough sleeping by 2022, but their own estimate is that it fell by only 74 people last year, not the 500 required for them to be on target. That puts them three decades behind schedule, so when will the Treasury provide councils and homelessness charities with sufficient funds to properly tackle this national shame?

Sajid Javid: This is an important issue, and I am glad that the hon. Gentleman has raised it today. He will know that there are multiple causes of rough sleeping, which means that we need action across Government. That is why the Government have set out a rough sleeping initiative to deal with the causes, such as mental health, family breakdown and addictions. I think he will appreciate that we need cross-Government work. That needs to be properly funded. The £422 million that I referred to a moment ago is a 13% real-terms increase, and it will end rough sleeping by 2022.

Lyn Brown (West Ham) (Lab): Many people going to work today, not just in London but in cities and towns across England, will have seen at least one fellow citizen sleeping rough. Eight thousand beds have been lost, universal credit has cost tenants their homes, and as we have heard, 726 people died on the streets last year. Charities say that the funding gap is £1 billion. The Chancellor has said that ending rough sleeping is in our gift, but how many more of our fellow citizens will have slept on our streets before he delivers?
Sajid Javid: I hope that the hon. Lady welcomes the extra resources being put into fighting homelessness and rough sleeping—as I said, a 13% real-terms increase. She might recall that when I was Housing Secretary, we introduced new programmes to deal properly with rough sleeping, for example the Housing First pilots that are taking place in three parts of our country and showing real resource. We are starting to see falls in rough sleeping for the first time in a number of years, and I think the British people would appreciate cross-party co-operation on this very important issue.

**NHS Hospital Projects**

8. Robert Halfon (Harlow) (Con): What progress he has made on the allocation of capital funding for new NHS hospital projects.

The Chief Secretary to the Treasury (Rishi Sunak): The Government have just announced the largest hospital building programme in a generation, with £2.7 billion of investment in six new large hospitals. I am delighted that one of those is the Princess Alexandra in my right hon. Friend’s constituency, and I pay tribute to him for his years of campaigning for his constituents on this issue.

Robert Halfon: Does my right hon. Friend agree that the hundreds of millions of pounds pledged for a new hospital for Harlow will mean not only that we have a building fit for purpose for the 21st century, but we will continue to attract the best and brightest staff, including through healthcare apprenticeships?

Rishi Sunak: My right hon. Friend is absolutely right about that. May I take this opportunity to congratulate all the hard-working staff in his trust for their efforts in campaigning for this. They do a wonderful job serving their community, and I am delighted that with this support they will have the resources they need to keep doing that for years to come.

Mr Ben Bradshaw (Exeter) (Lab): This is just a fraction of the hospital building programme that took place under the last Labour Government. Why on earth should anyone believe a single word this Government say, given that they themselves admit that a no-deal Brexit will damage the economy and the public finances? So there will be less money for hospitals and everything else, will there not?

Rishi Sunak: The legacy of the last Labour Government’s hospital building programme is that we are left with £10 billion in private finance initiative payments every year, rather than this being spent on people’s healthcare. This Government are investing in hospital upgrades up and down the country, with 20 announced on the steps of Downing Street, six more announced this past weekend and business plans for another 20 more—and diagnostic equipment. This Government are committing to the NHS, and we will ensure that every patient gets the care and consideration they deserve.

Dame Caroline Spelman (Meriden) (Con): I welcome the announcement of the makeover of the out-patient facilities at Heartlands Hospital, which serves some of the most deprived wards in east Birmingham and in my constituency. Does the Minister agree that it is possible to put this additional capital spending into the health service only because a Conservative Government have repaired the nation’s finances?

Rishi Sunak: I welcome my right hon. Friend’s comments. She is absolutely right: the only way we get strong public services is with a strong economy, and the only way we get a strong economy is with a Conservative Government.

Several hon. Members rose—

Mr Speaker: Oh very well. I call Tim Farron.

Tim Farron (Westmorland and Lonsdale) (LD): You are very kind, Mr Speaker. In his announcement this week, the Chancellor chose not to invest a single penny in the Westmorland General Hospital in Kendal, but will he at least end the Treasury’s 3% deficit tax on our local hospitals trust, which has cost £4 million from hospital spending in the past three years? That is money that should have been spent on a new radiotherapy centre for local cancer patients.

Rishi Sunak: On cancer treatments, I am delighted that survival rates are at the highest they have ever been. On diagnostic treatments, the recent announcement of £200 million to upgrade diagnostic equipment up and down the country will make an enormous difference to early screening and testing. On funding in general, we are in the first year of a record five-year investment in the NHS—£34 billion more promised by this Government.

Student Funding: 16 to 19-year-olds

10. Daniel Zeichner (Cambridge) (Lab): What recent discussions he has had with the Secretary of State for Education on raising the per student rate of 16 to 19 funding.

The Chancellor of the Exchequer (Sajid Javid): Treasury Ministers regularly engage with Secretaries of State on all aspects of public funding, including 16 to 19 education funding. At the spending round, we chose to invest £400 million more in the sector next year, which will mean that the base rate of funding will rise to £4,188 and be growing at a faster rate than core school funding.

Daniel Zeichner: Away from the fantasy figures being peddled in Manchester this week, college heads and principals are struggling to work out whether to continue to raise their class sizes or to restrict subject choice. Will the Chancellor therefore tell Cambridge Regional College and the excellent sixth forms and sixth-form colleges in Cambridge whether they are going to be getting the extra £760 that the Raise the Rate campaign has calculated is necessary or the meagre £188 per pupil per year he is offering?

Sajid Javid: The hon. Gentleman might call these fantasy figures, but this is the biggest increase in funding for 16 to 19-year-olds in a decade, and it has been hugely welcomed by the sector. It includes £212 million of targeted interventions, on the courses that are the most costly to deliver, such as engineering and construction. I would have thought he would have welcomed that.
Several hon. Members rose—

Mr Speaker: Order. If the hon. Member for Shrewbury and Atcham (Daniel Kawczynski) wishes to shoehorn his Question 20, which will not be reached, into this Question 10, which has been, he is free to do so. If he takes me up on his generous offer, we will have a double dose of Daniel.

Daniel Kawczynski (Shrewsbury and Atcham) (Con): Question 20, Mr Speaker.

Mr Speaker: No, no, your moment is now, Sir. Your opportunity has arrived—expatiate.

20. [912468] Daniel Kawczynski (Shrewsbury and Atcham) (Con): The Chancellor will know that in Shropshire we have received a fraction of schools funding compared with inner-city metropolitan areas. This has a significant impact on the fabric of our school buildings and the opportunities for helping children with special educational needs. What steps is he taking to ensure that more money is provided for the Department for Education to support rural schools such as my local schools in Shropshire?

Sajid Javid: My hon. Friend will know that in the spending round I announced a £4.6 billion increase in school spending. I know that he has campaigned on funding for his local schools and can tell him that 80% of the secondary schools in his area will see their funding level go up to at least the new minimum level of £5,000 per pupil.

Small Businesses

12. Huw Merriman (Bexhill and Battle) (Con): What fiscal steps he is taking to encourage small businesses to expand. [912459]

The Exchequer Secretary to the Treasury (Mr Simon Clarke): A new business starts in the UK every 75 seconds. Following the patient capital review, we announced a £20 billion action plan to finance growth in innovative firms. To support that, we have established a new business finance council to ensure that Government, banks and other lenders work together to help small and medium-sized enterprises to access the finance that they need.

Huw Merriman: I welcome all of the Treasury team to their places and thank the former Chancellor, my right hon. Friend the Member for Runnymede and Weybridge (Mr Hammond), for letting me work so closely with him. It was an amazing privilege.

I spent an amazing day with my constituency businesses in the village of Beckley. They are concerned about business rates, on which I support their call for reform, as well as about the VAT threshold and lack of taper. They will also now be writing to me about the welcome increase to the national living wage. Can we do more to support small businesses? They are the backbone of rural economies and without them we will not have employment.

Mr Clarke: I thank my hon. Friend for his question and take this chance to thank him, on behalf of the Government, for the work he did with the former Chancellor. He is quite right to talk about tax reform. Of course, since 2016 we have announced business rates reforms and reductions worth more than £13 billion by 2023-2024. On VAT, in the run-up to the 2018 Budget we consulted on the threshold, which is the highest in the EU and the OECD. We have committed to keep that in place until 2022, but I am genuinely always interested in suggestions that I can discuss with colleagues.

Mr Jim Cunningham (Coventry South) (Lab): When is the Minister going to do something about the delays in payment to small businesses that often affect their cash-flow? We have debated the issue for many years; is it not about time that the Minister did something about it?

Mr Clarke: Responsibility for this issue falls between the Treasury and the Department for Business, Energy and Industrial Strategy. A late-payment regulator has been set up. I talked about this issue with businesses at the Conservative party conference on Sunday; I take it very seriously and they highlighted it as an ongoing concern. It should come out loud and clear from the House that all businesses, particularly larger ones, have a responsibility to meet their payment terms, because that is crucial for small businesses. I think everyone in the House can unite around that common principle.

Several hon. Members rose—

Mr Speaker: East Yorkshire knight—Sir Gregory Knight.

Sir Greg Knight (East Yorkshire) (Con): Is the Minister aware that one of the main difficulties facing small rural businesses is the non-availability of fast and reliable broadband? In the light of the announcement that the Chancellor made yesterday in Manchester, can we now assume that the days in which a geographically isolated business is also digitally isolated really are numbered?

Mr Clarke: My right hon. Friend is of course absolutely right that broadband connectivity lies at the heart of a modern economy. It was so welcome to hear my right hon. Friend the Chancellor of the Exchequer yesterday set out how £5 billion of investment is going to be devoted to making sure that we can deliver on the Prime Minister’s pledge to ensure full fibre broadband access by 2025.

Jim Shannon (Strangford) (DUP): Will the Minister outline whether he has considered tax incentives for businesses to take on apprentice staff in administrative roles, with special reference to young people from learning difficul...
Moray Growth Deal

13. Douglas Ross (Moray) (Con): What recent discussions he has had with Cabinet colleagues on the Moray growth deal.

Mr Clarke: I discuss matters of importance regarding the Scottish economy with Government colleagues on a regular basis. In July, £32.5 million was allocated for the Moray growth deal.

Douglas Ross: The £32.5 million investment that the Minister has just mentioned, which was also matched by the Scottish Government, made the Moray growth deal the highest funded per head of population anywhere in the country. The next key milestone will be the signing of the heads of terms, so can he update us on the progress made towards that?

Mr Clarke: I thank my hon. Friend for his question. He has been a great champion for the growth deal, which will unlock huge benefits for the people of Moray. We hope to settle the heads of terms this month to allow this whole project to move forward quickly.

Several hon. Members rose—

Mr Speaker: I think that we are about to hear the prodigious knowledge of the hon. Member for Blaenau Gwent (Nick Smith) on the Moray growth deal. Wonders never cease.

21. Nick Smith (Blaenau Gwent) (Lab): Thank you, Mr Speaker. Local growth deals like Moray’s would greatly help regional development. The shared prosperity fund would greatly help with improvements to the Ebbw Vale to Cardiff train line, so will the Minister please meet me to consider that possibility?

Mr Clarke: That was a truly ingenious question. Of course, the UK shared prosperity fund is really important. We continue to make good progress on its design. Ministry of Housing, Communities and Local Government officials have so far held 26 engagement events across the UK with over 500 representatives from a breadth of sectors. This is something that, obviously, has massive implications for Wales, and we are very happy to ensure that we engage everyone in that process.

Luke Graham (Ochil and South Perthshire) (Con): The Moray growth deal, like the Clackmannanshire and Tay Cities growth deals, is bringing unprecedented investment into Scotland. Are the Minister and the Treasury considering reprioritising the investment over 10 years, as opposed to 15, as the local councils are asking me to do, so that we can get this investment and this transformational change in our communities?

Mr Clarke: I thank my hon. Friend for that question. Clearly, we want to see this investment move forward as quickly as possible. If he wants to raise that matter with us and indeed with the Secretary for Scotland, we can certainly talk about it, but I obviously cannot make any commitments here today.

Ben Lake (Ceredigion) (PC): On the subject of growth deals, may I ask the Minister, in addition to discussions on the Moray growth deal, what discussions has he had with Cabinet colleagues on the progress of the Mid Wales growth deal?

Mr Clarke: We are committed to bringing forward growth deals across the UK. Obviously, in the devolved Administration areas, we want to bring forward money from our side, but with effect from the Welsh and Scottish Governments as well. We want to see progress across the UK; it is not restricted to Scotland.

Free Ports: Foreign Businesses

15. Melanie Onn (Great Grimsby) (Lab): What (a) tax incentives and (b) regulatory changes he plans to introduce to encourage foreign businesses to use free ports in the UK.

The Chief Secretary to the Treasury (Rishi Sunak): We are developing an ambitious and attractive UK free port offer to create hubs that will attract inward investment, create jobs and boost trade. Typically, free ports only offer customs benefits, but we are looking to go further than that to ensure that these turbo-charged areas can drive growth for their community.

Melanie Onn: I thank the Minister for that answer and for his speculative phone call earlier trying to tease out the nature of my question to him. The Conservative Mayor for Tees Valley, a member of the Government’s very carefully selected free ports advisory group, says that he hopes to see reduced corporation tax and exemption from employers’ national insurance contributions. Has the Minister made an assessment of the impact of these Tory proposals on the Exchequer and the state pension fund?

Rishi Sunak: I pay tribute to the Conservative Mayor, Ben Houghton, in Teesside for championing his community. He has been advocating a free port because he believes that such a phenomenon will create jobs in his area, drive inward investment and boost trade. I hope that the hon. Lady would welcome that for her community in Grimsby, where the seafood industry and Associated British Ports, the port employer, has loudly called for such free port status for her area. I hope that, when the opportunity comes, she will support her community in applying for that.

Michael Tomlinson (Mid Dorset and North Poole) (Con): My right hon. Friend is truly a champion of free ports, but will he agree to meet me to discuss the potential benefits for ports such as the port of Poole and the advantage for the wider region as well?

Rishi Sunak: I would be happy to meet my hon. Friend. I believe that it is his birthday today, so I wish him a happy birthday. I am happy to meet him and his colleagues from Poole to discuss free ports. We believe that these should be opportunities for the entire country to take advantage of.

Mr Speaker: The unadulterated charm of the Chief Secretary has, in my experience, not been surpassed—at any rate among Treasury Ministers.
Tax Thresholds

16. Janet Daby (Lewisham East) (Lab): What assessment his Department has made of the effect of increases in income tax thresholds on income distribution in the last 10 years. [912463]

The Financial Secretary to the Treasury (Jesse Norman): That was a cruel blow for my right hon. Friend, Mr Speaker, if I may say so.

In answer to the hon. Lady’s question, the House will I am sure rejoice that between 2010 and 2019 the personal allowance has been increased by more than 90%, so that those on the lowest incomes do not pay any income tax, and since 2015-16 alone 1.74 million people have been taken out of income tax altogether. We will publish a full distributional analysis of the recent spending round alongside the next Budget, and it will also capture the effect of any budgetary announcements made at that time.

Janet Daby: Can the Minister explain how it is fair that a small handful at the very top have run into the distance, making up the top 10% of the population and owning 44% of the nation’s wealth?

Jesse Norman: The hon. Lady may not be aware that at the moment the top 1% of the country pay 29% of all tax. That is up from the 25% in 2010-11.

Topical Questions

T1. [912472] Christine Jardine (Edinburgh West) (LD): If he will make a statement on his departmental responsibilities.

The Chancellor of the Exchequer (Sajid Javid): I have three clear priorities as Chancellor: to ensure a strong economy, to get Brexit done and to deliver on the British people’s priorities. That is why I am pleased to confirm that this Government will bring an end to low pay. We are setting two new targets for the national living wage over the next five years: raising it to two thirds of median earnings and extending it to workers aged 21 and above. That will give 4 million workers an average pay rise of £4,000. I will set out further details in the next Budget. This Government are proving again that they are on the side of working people. Thanks to the hard work of the British people, we are moving from a decade of recovery to a decade of renewal.

Christine Jardine: When the Chancellor was Home Secretary, he told me and other More United MPs that officials were looking into the potential economic benefits of lifting the ban on asylum seekers working, which the Lift the Ban coalition says would bring £42 million into the economy. Now that he is Chancellor of the Exchequer, will he lift that ban in order to allow asylum seekers such as those in my constituency to contribute to the economy and to have the dignity that they deserve?

Sajid Javid: The hon. Lady makes an important point, and I am glad that she has brought my attention to it again. As Chancellor, I want to ensure that across Government every Department is doing its bit for the economy. Some of the people she is talking about will be vulnerable people and the current rules are worth looking at again. It is something that the Home Office is taking very seriously.

T5. [912477] Stephen Metcalfe (South Basildon and East Thurrock) (Con): As my right hon. Friend knows, those affected by the devastating loan charge have welcomed the independent review, but feel that it would be better conducted by a tax judge. Does the Minister agree? Does he also agree that a suitable outcome of the review would be to apply the loan charge only from when it was introduced, in 2016, not retrospectively?

The Financial Secretary to the Treasury (Jesse Norman): I thank my hon. Friend for that question. I have addressed the substance of it, but let me make a point about Sir Amyas Morse. I think that Sir Amyas is a superb choice. As my hon. Friend may be aware, in a debate in the House of Commons on 6 March 2019, the Chamber united across the parties in praise of Sir Amyas. The Chair of the Public Accounts Committee, the hon. Member for Hackney South and Shoreditch (Meg Hillier), called him “a fearless advocate for what is good in the public sector and for challenging Governments of whatever party”. The Liberal Democrat spokesman, the hon. Member for Oxford West and Abingdon (Layla Moran), said that he was not only “unfailingly courteous”, but had “an intelligence of steel. He has a knack for calling out obfuscation, fudge and imprecision”, and “a reputation for being completely fair.”—[Official Report, 6 March 2019, Vol. 655, c. 1004-05.]

He is a very good choice to lead this review.

John McDonnell (Hayes and Harlington) (Lab): Will the Chancellor give the House a quick fact-check of his speech yesterday? The Conservatives have cut funding for buses by £640 million a year. Yesterday, he announced nothing new; he simply reannounced £220 million from the spending review. His Government have cut £900 million a year from annual youth services budgets. Yesterday, he offered £500 million, possibly as a one-off. The National Infrastructure Commission says that we need £33 billion to roll out full-fibre broadband. Yesterday, he offered £5 billion. All of those promises will count for nothing if there is a no-deal Brexit. Has he not just followed the Cummings code: grab a headline, possibly wrap it around a bus and ignore the truth? But there is one figure that I would like to ask him about: 120,000. What significance does the figure 120,000 have for him?

Sajid Javid: The right hon. Gentleman knows that the last time his party was in office, we had the biggest budget deficit in our peacetime history and the biggest banking collapse this country has ever seen, and our country was virtually bankrupt. Now our economy is strong, with the lowest unemployment rate in 45 years, and it is because the economy is strong that yesterday I could make the announcement of investments in buses, roads, youth facilities and full fibre. If he wants to see that kind of investment continue at the next general election, he should vote Conservative.
John McDonnell: I did not ask about the Chancellor’s record at Deutsche Bank. I never asked about the products he was selling that brought about the financial crash.

Let me tell the Chancellor what the figure 120,000 means. It is the number of deaths linked by the British Medical Journal to the Conservatives’ cuts since they came to power in 2010. No amount of spin will wash away the memory of nine years of this scale of human suffering.

He claimed yesterday: “We believe in a society where everyone knows that if they work hard, and play by the rules then they will have every opportunity to succeed.”

But isn’t it true that the Conservatives have broken the link between people working and being able to lift themselves out of poverty, when 70% of our children living in poverty are in households where someone is at work? And isn’t it the case that, despite the Chancellor’s pathetic attempt yesterday at playing catch-up to Labour party policy, under the ‘Tories’ plans no one will reach the Tories’ target minimum wage until five years from now? And isn’t it the truth that, with this Chancellor and Prime Minister in charge, the Conservatives will always be the party of tax avoiders, bankers and the super-rich?

Sajid Javid: Let me tell the right hon. Gentleman a fact: the Labour party no longer represents working people and it is no longer the party of working people. That stopped a long, long time ago. He should reflect on his own policies of renationalisation; mass confiscation of private property, including the shares and homes of individual investors; protectionism; and state control.

He calls business the real enemy, but the fact is that the individual investors; protectionism; and state control.

Sajid Javid: I share the hon. Gentleman’s desire to ensure that all parts of our great country are benefiting from our strong economy. We have seen a jobs boom since 2010, after the deep recession under the previous Labour Government. Of the 3.7 million jobs that have been created, 65% are outside London and the south-east, which will be benefiting his communities and so many more.

Andrew Jones (Harrogate and Knaresborough) (Con): One of the ingredients of economic growth—we have talked about boosting small businesses—is improving the productivity within the economy. What are the ministerial team doing to boost productivity?

The Exchequer Secretary to the Treasury (Mr Simon Clarke): I thank my hon. Friend for his question; he was obviously responsible for this when he was Exchequer Secretary. Last week I met Charlie Mayfield for a very good discussion about the Be the Business fund that the Government have set up to support business-led movement to improve small business productivity. This includes running pilots in Cornwall to support the hospitality sector and in the north-west to support family businesses. There are other schemes, such as Made Smarter, which is a good pilot, in addition to a £31 million package announced at conference 2018 to improve SME management through peer-to-peer networks.

T3. [912474] Jessica Morden (Newport East) (Lab): The Cogent Power steel plant in my constituency is threatened with closure by Tata Steel but is the only plant in the UK that, with investment, could be capable of supplying electrical steels for the UK electric vehicle industry. If this Government are serious about building this new industry in the UK, will Ministers work with the Department for Business, Energy and Industrial Strategy to ensure that the plant has a future?

Sajid Javid: I will make certain that the Business Secretary is aware of the hon. Lady’s concerns. The Treasury obviously takes an interest in this issue but she will know that the Department for Business is taking the lead on it. Obviously, and rightly, she is concerned about jobs in her constituency. She would welcome the fact, I hope, that because of the policies of this Government more generally since 2010, we have seen in her constituency a 50% fall in the headline unemployment rate.

Greg Clark (Tunbridge Wells) (Ind): As we leave the EU, we need to reinforce our international reputation as a powerhouse of scientific excellence. In 2017 we spent 1.7% of national income on research and development, while Germany spent 3% and Israel 4.3%. So will the Chancellor use his next Budget to make substantial progress towards our 2.4% target and recommit to the medium-term target of 3% of national income going into research and development?

Sajid Javid: First, may I thank my right hon. Friend for his excellent work as Business Secretary, including in this hugely important area of research and development? He set some ambitious targets. We intend to stick to those targets, if not go even further, which I am sure he would welcome. Obviously I will not set out the Budget now, but I absolutely share his ambition, and I think he will be pleased with what we eventually do.
Rachael Maskell (York Central) (Lab/Co-op): Last week, it was 75 jobs at Portastor and jobs have been lost at Nestlé. This morning I heard about the loss of 60 more skilled jobs across my constituency. Week after week, I am hearing of skilled job losses in the constituency. Instead of the Government talking about outplacement schemes, my constituents want their jobs. So how is the Chancellor investing in economies such as York’s?

Sajid Javid: We are investing in York and investing throughout the country by creating a dynamic, free enterprise economy that is creating jobs. We have the lowest unemployment rate in our country in 45 years. I would think that a party that calls itself Labour would actually welcome that. In the hon. Lady’s own constituency, since 2010—since the Labour Government were kicked out—we have seen a fall of 12,300, or 64%, in the unemployment numbers. That is something she should welcome.

Kevin Hollinrake (Thirsk and Malton) (Con): I welcome the introduction of the new business banking resolution service that will start to hear cases of historical problems later this year. In the previous Chancellor’s letter of 19 January, he stated that that scheme should carefully consider all cases that come before it. How is that possible when the research of the all-party parliamentary group on fair business banking determined that 85% of cases are excluded?

The Economic Secretary to the Treasury (John Glen): I thank my hon. Friend for his question. He is a powerful advocate for this redress scheme and I thank him for the work that he has done. In our conversation on 10 September, I reiterated the Government’s position that the scheme should not reopen complaints that have sometimes gone multiple times through the courts, but I welcome the fact that the new scheme will give access to 99% of those claims going forward, and I will continue to engage with him where I can to provide solutions on individual cases.

Sarah Jones (Croydon Central) (Lab): Westfield and Hammersmton are due to build a new shopping centre in my constituency. Westfield has been bought by Unibail-Rodamco, which is a large French developer, and it has concerns about the state of retail and Brexit, obviously. The previous Chancellor had just agreed to meet the chief exec of Unibail-Rodamco. Will the current Chancellor honour that commitment and meet them?

Sajid Javid: I can see that this is an important issue, and I will ensure that a meeting takes place with the appropriate Minister.

Several hon. Members rose—

Mr Speaker: The hon. Member for Solihull (Julian Knight), the House will want to know, is a former money and property editor of The Independent and a very distinguished fellow, I am sure.

Julian Knight (Solihull) (Con): I am sure whatever cachet I had has now been completely ruined; thank you, Mr Speaker. There are reports that the Government are looking at bringing forward the date of the banning of diesel and petrol cars. Does the Chancellor share my concerns about the fiscal damage of lower new car sales, the lack of electric car infrastructure and the negligible impact that such a virtue-signalling move will have on emissions?

Mr Simon Clarke: I thank my hon. Friend for his question. He is a tireless champion of the motor industry, which we all take very seriously. The Government have made a commitment to delivering net zero emissions by mid-century; that is hugely important and has cross-party support across the House. We will not be making any precipitate moves that would concern him without proper consultation fully across Government about the ramifications of any change in that date.

Stephan Timms (East Ham) (Lab): In June, HMRC said that at least 20% of the 10,000 trucks reaching Dover on day one of a no-deal Brexit will not comply with French customs, leading to very long delays and causing shortages of fresh food and medicines. How many non-compliant trucks does HMRC currently project at Dover on day one?

Jesse Norman: I do not have the number to hand, but I would be glad to write to the right hon. Gentleman with it.

David Duguid (Banff and Buchan) (Con): I welcome the Chancellor’s commitment yesterday of £5 billion to support gigabit broadband across the whole of the United Kingdom. He will be aware that, historically, the Scottish Government have been responsible for the roll-out of superfast broadband, which is way behind what they promised, and not a penny of the £600 million that they announced in 2017 has been spent. Will my right hon. Friend confirm that future broadband funding will be paid directly to local authorities, bypassing the Scottish Government, who have failed rural constituents such as mine more than most?

Sajid Javid: The investment that I announced yesterday is hugely important for the entire country, including Scotland. My hon. Friend is right to point to the abysmal record of the Scottish Government in delivering broadband for their people, so we should certainly look at whether there is a much better way to deliver it.

Paula Sherriff (Dewsbury) (Lab): The real wages of working people are lower than they were before the global financial crisis, and while many Tory shires are better off, areas and residents like those in my constituency have been left behind by this Government. Is it not about time that this Government stopped lining the pockets of corporations and Tory shires and invested in people in communities like mine?

The Chief Secretary to the Treasury (Rishi Sunak): This Government passionately believe in helping those at the bottom end of the pay scale, which is why the Chancellor announced yesterday an increase in the national living wage, to abolish low pay in this country once and for all. Our track record over the last few years in this area has been exemplary. The fastest growth in incomes has been for those at the bottom end of the pay scale. Today, someone earning the national living wage...
is £3,500 better off than they were when we came into office. This is a Conservative Government on the side of those who are working hard.

Sarah Newton (Truro and Falmouth) (Con): I very much welcome the Prime Minister’s announcement of pound-for-pound replacement through the shared prosperity fund of the EU funding that Cornwall receives. We are really ready in Cornwall to drive our economy forward. Will the Chancellor meet the local enterprise partnership and all Cornwall’s MPs, so that we can make rapid progress in designing that fund?

Mr Simon Clarke: My hon. Friend is right that we need to ensure that the UK shared prosperity fund works for all the regions and nations of our country. I would be delighted to meet her, to ensure that we get all the suggestions from Cornwall as part of the process of designing that new fund.

John Cryer (Leyton and Wanstead) (Lab): Can the Minister answer the question asked earlier by the right hon. Member for Hastings and Rye (Amber Rudd): what is the reason for not suspending the loan charge scheme until the inquiry is completed? It is a request not for a change of policy, but just to suspend the scheme.

Jesse Norman: The reason is that the inquiry is designed to test the policy, and the policy remains in place until the inquiry is over. If the policy were ended now or suspended, all the potential confusion would occur if the inquiry took the view that, ultimately, the Government were in the right.

Fiona Bruce (Congleton) (Con): I thank Ministers for providing funding to help evidence and establish the business case for reopening Middlewich railway station—a key priority for my constituents. What wider fiscal steps are they taking to support my constituency by supporting the northern powerhouse and midlands engine?

Sajid Javid: I thank my hon. Friend for working tirelessly on behalf of her constituents to ensure that more infrastructure, including rail and road, is delivered locally. She will know that one of the first commitments of the new Administration was to Northern Powerhouse Rail and further funding for the midlands engine. She may also know that yesterday I announced a White Paper on further devolution, which I think she will welcome too.

Marsha De Cordova (Battersea) (Lab): The social security benefits freeze has led many children and families into poverty and destitution. The Chancellor failed to answer the question from my hon. Friend the Member for Bootle (Peter Dowd), so I ask him again: yes or no, will he lift the social security freeze next year?

Rishi Sunak: Announcements on welfare will of course be for the Budget, but it is important to note that this Government have done the most important job in lifting people out of poverty, which is getting them into work. Today, a million fewer people are living in workless households as a result of the actions taken by this Government.

Several hon. Members rose—

Mr Speaker: So many shining stars in the parliamentary galaxy and so little time. Which star shall shine? Justine Greening.

Justine Greening (Putney) (Ind): Thank you, Mr Speaker. The Government seem to be making pre-election spending pledges with all the velocity of a high-power water jet. I wonder whether the Chancellor will point it in the direction of Hammersmith bridge. It has been closed for several months, but even its repair plan would not enable it to take double-decker buses. Will he look at whether his bus pledge can extend to the capital required to enable it to be successful?

Sajid Javid: I know that this is a very important issue for my right hon. Friend and her constituents. I share some of her concerns, which is why it has troubled me that the Mayor of London is not taking this issue seriously. Why is that? He has the funding available if he chooses to deploy it. He can make a difference immediately, but he refuses to do so.
Irish Border: Customs Arrangements

12.41 pm

Hilary Benn (Leeds Central) (Lab) (Urgent Question):
To ask the Secretary of State for Exiting the European Union if he will make a statement on the Government’s proposals for checks and customs arrangements on the border between Northern Ireland and the Republic of Ireland to replace the current backstop.

The Parliamentary Under-Secretary of State for Exiting the European Union (James Duddridge): We are committed to finding a solution to the north-south border that protects the Belfast/Good Friday agreement. We can best meet those commitments if we explore solutions other than the backstop. The backstop risks weakening the delicate balance embodied in the Belfast/Good Friday agreement, which was grounded in agreement, consent and respect for minorities. Removing control of the commercial and economic life of Northern Ireland to an external body over which the people of Northern Ireland have no control risks undermining that balance. Any deal on Brexit on 31 October must avoid the whole or just part—that is, Northern Ireland—being trapped in an arrangement where it is a rule taker.

The Government intend to set out more detail on our position on an alternative to the backstop in the coming days. In the meantime, I assure the House that under no circumstances will the UK place infrastructure, checks or controls at the border. Both sides have always been clear that the arrangements for the border must recognise the unique circumstance of the island of Ireland and, reflecting that, be creative and flexible.

The Prime Minister’s European Union sherpa, David Frost, is leading a cross-Government team in these detailed negotiations with taskforce 50. We have shared in written form a series of confidential technical non-papers, which reflect the ideas the United Kingdom has been putting forward. Those papers are not the Government setting out their formal position. These meetings and our sharing of confidential technical non-papers show that we are serious about getting a deal—one that must involve the removal of the backstop.

Hilary Benn: I am grateful to the Minister for his reply, but we are not much the wiser. Today, there are no border posts or checks on goods crossing the border between Northern Ireland and the Republic, and the backstop is there to ensure that remains the case after Brexit. That is what the joint declaration of December 2017 committed to. The Government’s position now, however, is that the reality of Brexit will require customs checks on the island of Ireland. That is the inexorable logic of the Prime Minister’s statement this morning that a “sovereign united country must have a single customs territory.”

Whatever proposals have in fact been put to the EU taskforce, the Tánaiste, Simon Coveney, has described them as a “non-starter”, an Irish Government spokesman says the taskforce has indicated that the UK’s non-papers “fall well short of the agreed aims and objectives of the backstop”, and the Secretary of State for Northern Ireland has told the BBC that “it’s not possible to put anything like a customs facility in Newry, Fermanagh or many other locations away from the border”.

I have the following questions to put to the Minister. Are the Government proposing customs clearance sites or zones anywhere in Northern Ireland? Does the Minister understand the risks that any such sites would create for the peace brought by the Good Friday agreement, and have the Government taken legal advice on the compatibility of their proposals with that agreement? Do the Government’s proposals comply with section 10(2)(b) of the European Union (Withdrawal) Act 2018, which rules out regulations that “create or facilitate border arrangements between Northern Ireland and the Republic of Ireland after exit day which feature physical infrastructure, including border posts, or checks and controls, that did not exist before exit day”? Are the Government proposing to track lorries cleared at any such sites using GPS? How can an alternative to the backstop be built on systems and technology that are not currently in place? Finally, when exactly will the Government share with this House and with the people of Northern Ireland their proposals for a replacement to the backstop? I ask because it is unacceptable for us to be kept in the dark about what is being proposed in our name on such an important matter.

James Duddridge: There were eight or nine questions there, and I will try to cover them all, but if I do not, perhaps we will pick them up in questions. I think it is completely reasonable that the Government can use non-papers to have those technical discussions. The Government are seeking to have a good discussion with the Commission, rather than disguising anything. The previous Government shared more, and actually it led to proposals being rubbish before they were properly worked through. These technical papers are not even our final proposals to the Commission—they are very much working documents—but we will be giving proposals to the Commission shortly.

Clearly, the Government will want to comply with subsection (2)(b). The right hon. Gentleman asked about legal advice. I think he will understand that I am not going to get into whether legal advice has been taken, or what legal advice has been given; for normal reasons, those things are not shared with the House. He asked about the impact of physical checks. There is no intention to have physical checks at the border. I am not choosing my words carefully there; there are no plans to do that, I can reassure him. Perhaps he was thinking about some of the reports in the Northern Ireland press suggesting there might be checks near the border. That is not the intention. Those reports simply are incorrect. The right hon. Gentleman also referred to GPS and technology. I am afraid I cannot get into the detail of the proposals at that level now, because they are subject to ongoing negotiations and discussions at the Commission.

Steve Double (St Austell and Newquay) (Con): In his discussions with businesses, is the Minister finding the same as I am, which is that the real challenge businesses are facing is the prolonged uncertainty of kicking the can down the road? Of course, all businesses would rather leave with a deal, but when faced with the choice of leaving at the end of October with no deal or prolonging the agony for many months to come, businesses simply want this done and for us to leave at the end of October.

James Duddridge: I thank my hon. Friend for that, and he makes a very good point. The British public do want us to get on with this, and the best way we can get
a deal is continuing serious discussions, through use of these technical papers, with the EU and coming forward with more concrete proposals shortly.

Tony Lloyd (Rochdale) (Lab): Let us return to the question of the Irish border, because it matters. The Good Friday agreement was a guarantor that we had moved beyond the period of conflict. What we are risking now is not only a dangerous time in the history of this country, but our relationships across the island of Ireland and the world. We are 70 days into the premiership of Prime Minister Johnson and there are 30 days until the Brexit date. It is now time that the House had clarity from this Minister or from other Ministers about what the Government intend to do to deliver on the Irish border.

Everybody in the House knows that the backstop was there to guarantee that there would be no hard border across the island of Ireland. That is fundamental to delivering on the Good Friday agreement. We all know that while the European Union has said that it is prepared to negotiate around the words of the backstop, it is not prepared to compromise on the spirit of it—that Northern Ireland should be part of the customs union and the single market regulatory standards of the European Union. When the Prime Minister says that “the reality” of Brexit is that there will need to be customs checks on the island of Ireland, it is in stark contrast to the words of the Secretary of State for Northern Ireland this morning that there would be no checks five or 10 miles into Ireland. That would be in breach of the joint declaration of 2017, and importantly, as my right hon. Friend the Member for Leeds Central (Hilary Benn) pointed out, would be in breach of section 10 of the European Union (Withdrawal) Act 2018, which made it clear that any arrangements for Northern Ireland after exit day that featured border posts or customs controls would not be acceptable.

The Minister has to come clean to the House about what the future holds for us. The Good Friday agreement is far too important for us to put it at risk by fooling around. If this were just farce, we might all laugh at the high-wire tricks of the Prime Minister, but this is dangerous. It puts the Good Friday agreement and its hard-won gains in jeopardy. It is not just Northern Ireland and Ireland that deserve better, as the Irish Foreign Minister said, but this House and the whole country. The Minister has got to do better.

James Duddridge: I agree with the hon. Gentleman: the Good Friday/ Belfast agreement is essential. Where we differ is on where we feel conflicts may be brought about on that agreement. He feels they will be brought about by removing the backstop; I think there is a greater risk of leaving the backstop there and ending up in a situation in which Northern Ireland is part of the customs union in perpetuity and takes a different direction. I think that is the greater risk, and I remind him that the alternative arrangements are not a solution to the backstop. The alternative arrangements would always have to be there. What we are doing is putting a date on when we will get that sorted out, rather than leaving an indefinite period.

Justine Greening (Putney) (Ind): The country is facing no deal precisely because the Government have not published a Brexit plan, yet. The key protagonists who sold Britain Brexit are now in charge, and all we are asking is for them to get on with it and tell us what the plan is to deliver what they promised. Back in April 2016, the then Secretary of State for Northern Ireland—now Secretary of State for the Environment—said:

“There is no reason why we have to change the border arrangements in the event of a Brexit”.

Clearly, what is being discussed now is something very different from what voters were told during the referendum campaign. The House is simply asking what the plan is to deliver what was promised. I do not understand why the Government will not just get on with it and tell us what their plan is.

James Duddridge: The Government are actively getting on with it, and that is what the negotiations are about. I would gently say that revealing the detail of our negotiating position—the technical papers and emerging proposals—would actually deliver what the right hon. Lady and I do not want. We do not want no deal: we want a deal—

Justine Greening: You’ve given it to them!

James Duddridge: To be clear, we have given technical non-papers. We will give the proposal to the Commission shortly.

Peter Grant (Glenrothes) (SNP): The future of peace and normality on the island of Ireland will critically depend on the actions of the Prime Minister over the next few weeks, and I for one am deeply concerned that he shows every sign of not understanding or not caring, or both, about the potential implications of the course that he is following.

What discussions have the Government had with the Government of our co-guarantors of the peace process, the Government of Ireland, before lodging this non-plan? What discussions did the Government have with the political parties that represent a significant majority opinion in Northern Ireland before lodging this non-plan? Is the Minister even mildly concerned that the director of the CBI in Northern Ireland has said that the proposals suggest that the “U.K. govt doesn’t take NI’s economy or peace process seriously”? Does that comment cause any concern to the Government?

Through various Ministers at the Dispatch Box, the Government have sworn blind that they are negotiating hard for a better deal, but the Minister let the cat out of the bag—there is not even a detailed proposal on which to negotiate. Will the Government now own up to the fact that there is no detailed proposal, there have been no proper negotiations and the Government’s strategy is to look for a no-deal Brexit while blaming everyone but themselves for the problem?

Will the Minister unequivocally repeat the comments of the previous Prime Minister that there will be no customs controls at the border or anywhere else, as required by the Good Friday agreement? Given that this Prime Minister has unilaterally reneged on a promise that he personally signed up to as Foreign Secretary in December 2017, is it any wonder that this side of the House, the other side—increasingly—and an increasing number of Governments in the European Union are coming to the conclusion that he simply cannot be trusted?
James Duddridge: Northern Ireland is key to the Government and the Prime Minister. In fact, it is the principal discussion point with the Commission. The Prime Minister has said that we want to get rid of the backstop and this is “the most important thing”. Far from Northern Ireland being on the side as part of the negotiations, it is at the centre of them.

The hon. Gentleman asks about discussions: clearly, extensive discussions have been had with the Irish Government and other entities in Northern Ireland. He says that I have let the cat out of the bag by saying there are no proposals: there are technical papers in the non-papers, and the final proposal will come shortly. It is very much actively being discussed with the Commission on a daily basis. He asked me to confirm on behalf of the Government that there will be no customs control at the border, and I am happy to say that that remains unchanged.

Andrew Griffiths (Burton) (Con): Will the Minister confirm that it is the Government’s position that they want to leave with a deal if possible? Will he also confirm that should the European Commission and European leaders decide not to accept the proposals, the Government will leave with no deal? My constituents voted 63% to leave. They have been waiting three years for Brexit. Will the Minister tell the Prime Minister that they are behind him and to make sure that we get on and deliver Brexit on 31 October?

James Duddridge: I thank my hon. Friend and his constituents who overwhelmingly supported Brexit. I can confirm that plan A is to get a deal, and that is what we are working towards and why there is so much focus on the proposal that will come shortly. It makes no sense to share the detail of the negotiation with the House if it makes getting a deal done less likely. Collectively, the House wants a deal and the strategy that we are taking forward makes it more likely that we get a deal while being fully prepared for no deal.

Mr Gregory Campbell (East Londonderry) (DUP): As a Member who lives in the non-customs zone that has not been discussed, and given that we will, I hope, get definitive proposals in the next few days, can the Minister at least draw a little comfort among the negativity that has pervaded the EU that they are no longer talking about no reopening of the withdrawal agreement, that it is sacrosanct and there is no possibility of ever going back to it? At least now there is a glimmer of light.

James Duddridge: I thank the hon. Gentleman for his question because it gives me the opportunity to say how things have changed. There was a time when Michel Barnier was saying, “No more negotiations”, and that he did not have a mandate to negotiate on issues that are important in Northern Ireland and across the United Kingdom. Now the Prime Minister’s sherpa is regularly in Brussels and there are regular discussions at prime ministerial level and between the Secretary of State and Michel Barnier.

Stephen McPartland (Stevenage) (Con): Many people speak on behalf of the communities affected in Northern Ireland, but what have the Government done to speak directly to those communities on what ideas they have for alternative arrangements that would be acceptable to them?

James Duddridge: Specifically on alternative arrangements, there is an architecture that supports these discussions. There is a technical-level group, which is chaired by the Secretary of State, and which includes industry experts, and there is also a business consultative group working towards alternative arrangements under a deal that will come after exit day.

Tony Lloyd: You don’t believe that.

James Duddridge: The hon. Gentleman says he does not believe it. I chaired the group last time, along with the Secretary of State for Business, Energy and Industrial Strategy. There is constructive agreement and frank discussion within that group, and that happens outside the consultative group forum as well—I have set up several bilateral meetings with businesses since.

Ms Angela Eagle (Wallasey) (Lab): Section 10(2)(b) of the European Union (Withdrawal) Act 2018, on the Irish border, says there can be no hard border that undermines the Northern Ireland Act 1998, which enacted the Good Friday agreement. It also makes illegal an agreement that creates or facilitates border arrangements between Northern Ireland and the Republic that feature physical infrastructure that was not there before. Can the Minister explain how on earth what we learned overnight is compatible with the law?

James Duddridge: I am unclear what the hon. Lady means by “what we learned overnight”. If she means the press report on RTÉ in Ireland, I can tell her that it simply is not true. I can categorically say to her that there are no plans and never have been any plans for any physical checks. This is not a right to reply, but I will be more than happy to take that up with her in more detail, in relation to the Act and more generally, particularly when everything else has come out in the wash.

Craig Mackinlay (South Thanet) (Con): Does the Minister agree that this whole Northern Ireland-Republic border issue is confected nonsense designed to derail Brexit? Has he considered the Jameson lorry that goes from the south to the north and the Bushmills lorry that goes from the north to the south—different currencies, different excise duties and different tax rates? These are trusted traders. They are trusted now and will be in the future. Does he consider that the current VAT system of Intrastat returns and quarterly accounting could form the basis upon which a proper border arrangement can be easily made?

James Duddridge: There are different people in this Chamber: some have a legitimate desire for Brexit not to happen; equally, some Members have genuine concerns and recognise the legitimate decision of the general public and the need to get on with Brexit. It is unhelpful to conflate the two. My hon. Friend refers to a specific solution. There are many solutions being considered that were in the non-papers, but I do not want to comment on those until the proposal is formally made to the Commission.
Tom Brake (Carshalton and Wallington) (LD): On the “Today” programme this morning, the Prime Minister said that he would like to “veil” the Government’s proposals on the Irish border in “decent obscurity”. Can the Minister explain how individuals and businesses are supposed to prepare for Brexit if it is veiled in decent obscurity? For clarification, could he say how much he expects these proposals will cost small and medium-sized enterprises in Northern Ireland and how many of those businesses he expects to fail as a result of the Government’s proposals? Will he finally admit that there is no version of Brexit that works for Northern Ireland?

James Duddridge: The point of the business consultative group that met in Belfast a few weeks ago was to share ideas in confidence so that the UK Government could develop their position and feed that into the consultative papers, so there is structurally a process in place to involve businesses. Under the terms of reference, that is purely to look at deal relationships. In many ways, deal and no deal could be similar in terms of the crossover of systems that could be used, but those discussions are very much ongoing.

Paul Masterton (East Renfrewshire) (Con): Given that we cannot know what is needed to make the Irish border work until we have sketched the outline of our future relationship, and regardless of the shortcomings of the backstop, is not this fixation on trying to find an alternative permanent solution to the border now a complete waste of time, energy, money and, ultimately, political capital?

James Duddridge: We need to find a solution to the border issue, and the original withdrawal agreement gives us extra time beyond exit date to do so. We are trying to bring forward those issues, work on them closely now and get more of the work done before a deal and exit day in order to avoid ending up in a long-term and complicated situation that causes problems in Northern Ireland, for the integrity of the UK and for our relationship with the EU.

Mr Pat McFadden (Wolverhampton South East) (Lab): I want to take the Minister back to the question asked by my hon. Friend the Member for Wallasey (Ms Eagle) about the Government’s obligations to obey the law and abide by legislation passed by the House. Section 10 of the European Union (Withdrawal) Act 2018 says that Ministers must “have due regard to the joint report from the negotiators...during phase 1”—in December 2017—and that nothing in the Act “authorises regulations which...create or facilitate border arrangements...which feature physical infrastructure, including border posts, or checks and controls, that did not exist before exit day”.

He has told us to discount reports from RTÉ overnight that suggest that the Government were planning infrastructure a few miles from the border. Would he regard such physical infrastructure a few miles back from the border as incompatible with the legislation this House has passed?

James Duddridge: I am tempted to give a simple answer to a straight question, but, because it relies on detail, I will write to the right hon. Gentleman and confirm what I think is the bleeding obvious. Given what he says, it seems to me that there is an obvious answer—[HON. MEMBERS: “Give it!”] I have said I will give him a good answer and make sure it is proper in relation to that Act.

Mr Peter Bone (Wellingborough) (Con): The British Government are not going to build a hard border in Northern Ireland, the Irish Government say they will not allow a hard border in Northern Ireland, and the EU cannot build a hard border in Northern Ireland, so who is going to build this hard border?

James Duddridge: My hon. Friend eloquently makes a point. We have said that we will not put a border in place, the Irish do not want to put a border in place, and the EU do not want to put one in place along the north-south line.

Tonia Antoniazzi (Gower) (Lab): The Secretary of State for Northern Ireland told BBC Radio Ulster this morning:

“I’m clear that we can’t have customs facilities in the places mentioned in the reports” overnight, but Parliament needs to know; we need clarity. The people deserve to know what the Government’s plans are. Can the Minister tell us who is speaking for the Government on these matters—the Prime Minister or the Secretary of State?

James Duddridge: Both.

Mr Philip Dunne (Ludlow) (Con): Will my hon. Friend, with his customary good grace, take this opportunity at the Dispatch Box to confirm the seriousness with which the Government are seeking to respect the Good Friday agreement, in contrast to the unworthy characterisation by the Labour Front Bench that this is part of some great big game? Secondly, can he alert the House to whether there are existing procedures in the north and south of Ireland by which companies import and export to countries outside the EU using existing customs clearances and checks?

James Duddridge: The answer to the second part of my right hon. Friend’s question is that there are established systems that can also be used.

The issue of Northern Ireland is incredibly important. It is central to the delivery of a deal on Brexit. One of the first things that I asked to be able to do was visit the border. It is sometimes difficult to get down to the border: there is a certain resistance to allowing Ministers out of Whitehall, or, if they do get into Northern Ireland, allowing them out of Belfast. However, I went down to Newry and insisted—although I think that some people were not too keen—on visiting the border and criss-crossing and talking to people about the issues. I think that that is the responsible thing to do, to understand the problems at least broadly, so that we can develop solutions as much as possible.

Hywel Williams (Arfon) (PC): A significant proportion of the exports of the Northern Ireland food industry, particularly ready meals, goes through the Republic, through Holyhead and then on to the UK home market. What assessment has the Minister made of the effects of
James Duddridge: We are prioritising free flow across the border rather than customs revenue in the case of no deal, but we want as much free flow as possible in either scenario. There is detailed thinking on the ports at a thematic level, and also specific thinking port by port.

Charlie Elphicke (Dover) (Ind): As the Minister will know, in a deal or a no-deal Brexit, the use of the transit convention will mean that there will be no need for any infrastructure checks or controls at the Dover border. Could that not be applied to Northern Ireland as well? May I also ask whether the Minister agrees that all that the House really needs to know is what discussions Members of the House who are not members of the Government have been having with the European Union?

James Duddridge: I thank my hon. Friend for all his work on the short straits. I understand that the Chancellor of the Duchy of Lancaster has visited both the Dover and the Calais sites, and I thank my hon. Friend for the support that he has been giving to the Cabinet Office, particularly in looking at no deal. I think that Dover was ahead of the game; other ports can learn from that, and have indeed done so, as has the Department.

As for my hon. Friend’s second question, I do not really want to get into the weeds when it comes to how people took advice on other Bills in the House. I will limit myself to the nature of the question asked by the right hon. Member for Leeds Central (Hilary Benn).

Caroline Lucas (Brighton, Pavilion) (Green): Does the Minister accept that any new infrastructure or surveillance at or near the border carries serious risks? The Northern Ireland journalist Dearbhail McDonald has said:

“It’s hard to explain to those who have not lived through a conflict that claimed more than 3,500 lives, in a region with a smaller population than most large UK cities, how the border permeated every aspect of our lives.”

Should the Government spend a bit more time talking to those communities?

James Duddridge: As I have said, I went to the border. It does not take long to feel the pain, the fear and the uncertainty. That is part of daily life, separate from Brexit in many ways, and I take it incredibly seriously. I discussed it while I was there, and reflected on it throughout the day and subsequently.

May I add, on a more light-hearted note, that the hon. Lady has still not taken me up on the kind offer that I made when responding to my last urgent question? I look forward to having a cup of tea with her.

Luke Graham (Ochil and South Perthshire) (Con): During my time in the Cabinet Office, some colleagues and I produced a paper based on customs collaboration, which meant using existing ports and airports and enabling EU and UK customs officials to work together in undertaking checks to ensure that there was no border infrastructure. It also involved leveraging existing VAT and cross-border accounting systems, again to ensure that there was no requirement for a border. Can my hon. Friend give us any more details of the current proposals, and tell us whether they run along similar lines?

James Duddridge: I thank the hon. Gentleman for all the work that he is doing. There are themes in which I have seen him very much engaged. I am not sure that I have seen the specific paper that he has mentioned, but I would welcome a briefing from him—with officials—so that it can be fed into the Government’s thinking.

Lady Hermon (North Down) (Ind): Ministers regularly refer to their commitment to the Belfast/Good Friday agreement. Even the Prime Minister trots out the words that he is “committed to the Belfast/Good Friday agreement”, but I wonder whether he has any idea of what that actually means. It means the Prime Minister standing up and defending the agreement, not only in his words but in his actions. Will the Minister take the opportunity to rule out the suggestion, contained in a UK Government document, that there will be a string of border posts, not at the border but some miles from it? That would represent a physical infrastructure, which this Government must know is contrary to both the spirit and the letter of the Good Friday agreement. Will the Minister accept and confirm that?

James Duddridge: Obviously I recognise the importance of the Belfast/Good Friday agreement. As for the specific terminology “a string of border posts” being in a Government document, I have certainly not seen it. I can say to the hon. Lady that I do not think it is in any Government documents, and that I can refute the contents of the RTE article. If she wants to pick out bits of the article, or any document that she thinks it refers to, I shall be more than happy to look at them, but that is not Government policy, that is not what we are doing, that is not the intent, and as far as I am aware, the report is incorrect.

Mr Philip Hollobone (Kettering) (Con): Given that 95% of cross-border trade on the island of Ireland is engaged in by trusted traders who want to comply with whatever the new arrangements will be, and given that the Republic of Ireland’s own no-deal planning assumes controls away from the border even at the point of destination, what is the problem?

James Duddridge: It is a complex situation, but one to which we think we can find an answer. A category of “trusted traders” is certainly something that any competent Government would be looking into, but I do not want to go into the details of the proposals, for reasons that I have already given.

Mr Ben Bradshaw (Exeter) (Lab): Let us try again. Can the Minister simply confirm that any new physical checks or infrastructure, whether at the border or away from it, would be illegal under the Good Friday agreement and the withdrawal Act passed by the House last year?

James Duddridge: I think I have already answered that question in part. I have agreed to write in response to the part that I have not answered, and I will copy the right hon. Gentleman into my response.
Greg Clark (Tunbridge Wells) (Ind): Does my hon. Friend agree that at this stage of the negotiations, it is not unreasonable to be able to share proposals before they are definitive and to be able to probe a response, and does he agree that the best course—before we reach the stage at which a formal submission is made—is for the confidentiality on both sides to be reflected, to provide the maximum space for the progress that is required?

James Duddridge: I recognise that as a potential way forward. I think it would limit the Government’s negotiating capacity, and there will clearly be opportunities for the House to interact in that way at some point in the future, but I will reflect on my right hon. Friend’s comments and discuss them with the Secretary of State.

Angela Smith (Penistone and Stocksbridge) (LD): The House is being asked to take it on trust that the Government have credible proposals for alternatives to the backstop, so let me put the Minister to the test in a slightly different way. Is he confident that this border that is not going to be a border will be fully developed and ready for operation, and in compliance with the Good Friday agreement, at one minute past midnight on Friday 1 November 2019?

James Duddridge: That is certainly our intention. While on my feet, may I take the opportunity to say that I think I misheard the right hon. Member for Tunbridge Wells (Greg Clark) and may have answered the question that I thought he asked rather than the question he actually asked? I apologise. I will look at Hansard and get back to him properly.

Stephen Metcalfe (South Basildon and East Thurrock) (Con): Anyone with any business experience knows that complex and sensitive negotiations are not best conducted in public or with the input of those who may want an entirely different outcome to the purpose of those negotiations. Anyone claiming otherwise is in my view motivated by a desire to undermine Brexit rather than a desire for greater detail.

James Duddridge: I know it to be true because, before my hon. Friend came to this House, I had to negotiate the cost of my printing requirements at elections, and I know that he is a very canny negotiator who knows all the tricks. I listen to him carefully when he says what happens in business negotiations. I have great respect for his position.

Stephen Timms (East Ham) (Lab): I think that the Minister is seeking to assure us that there will not be any customs posts, checks or controls anywhere at or near the border.

James Duddridge indicated assent.

Stephen Timms: But the Prime Minister has said this morning that Irish customs checks will be the reality after Brexit. So where will the checks envisaged by the Prime Minister take place?

James Duddridge: The right hon. Gentleman is right in his first statement. I am entirely trying to reassure the House on behalf of the Government of the first point. I had the pleasure while getting changed this morning of listening to my right hon. Friend the Prime Minister on Radio 4. I did not have the pleasure of tuning into Radio Ulster, but I will hot foot my way back to the Department and ask for a transcript of what I presume the right hon. Gentleman is referring to.

Michael Tomlinson (Mid Dorset and North Poole) (Con): Is it not the case that whatever is put forward as the solution to the Irish border will not be sufficient for some in this Chamber; it will not be good enough for those who want to revoke and remain; and it will not be good enough for those who want more dither and delay? May I urge my hon. Friend to press on with his determination and with his clarity and to ensure that, come what may, we leave on 31 October?

James Duddridge: I thank my hon. Friend for that supportive comment. We are resolved. We will press on. We will try to get a deal. That is our preference, and we will do so and leave on 31 October.

Alan Brown (Kilmarnock and Loudoun) (SNP): Governments are notorious for getting IT projects wrong in terms of both cost and time for implementation. Can the Minister confirm that one of these non-papers states that this mythical off-the-shelf technological solution that could be implemented in the event of a no-deal will be able to be adapted to any future arrangements and will answer the question posed by Michel Barnier about how a virtual solution can check cows?

James Duddridge: As tempting as it is, I have been clear that I will not get into the detail of those proposals or non-papers.

Wera Hobhouse (Bath) (LD): May I remind everybody that this Government are creating a new customs border because they want to leave the European customs union and they do not want to accept the backstop. Customs checks are primarily there not for loads that are compliant and have the right documentation, but for goods that enter a country illegally. How do the Government intend to deal with non-compliant cargo and stop widespread illegal activity?

James Duddridge: That is clearly a very important issue. It is one of the issues that I looked at when I was on the border.

I am not sure that I used exactly the right words in the House. I should have said that the Government will never put in place infrastructure checks or controls at the border between Ireland and Northern Ireland. Just to be very clear, that is what I meant to say.

Chris Ruane (Vale of Clwyd) (Lab): Has the Minister read the non-papers? If he has not, how can he say what is or is not in the non-papers?

James Duddridge: First, I have not said what is or is not in the non-papers. As a Minister, I see all the papers I need to see. I am not going to list papers that I have seen, papers that I have read, papers that I have had input into, drafts or versions. I am not going to get into that.
Emma Little Pengelly (Belfast South) (DUP): Despite the fact that border checks or infrastructure are not mentioned in the Belfast/Good Friday agreement, this Government have committed to avoiding a hard border, which this party agrees with. The Minister will be aware of the surprise and dismay among many in Northern Ireland at this leaked RTÉ proposal. What engagement does the Minister intend to undertake with businesses, which are particularly impacted by this? Will he repeat to them what he has said here today—that this is not Government policy, and nor will it ever be Government policy, because such a proposal would for many constitute a hard border?

James Duddridge: I thank the hon. Lady. It is important that, as well as my saying it, Government communications rebut the inaccuracy. I will make sure that that happens rapidly and in the right forums across Northern Ireland and the rest of the United Kingdom. I thank her for that. I will do that. It is not something I was immediately going to do, having said it in the House, but it is certainly something I should do, and it is a helpful suggestion.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): Can we just be clear here? The Minister said earlier that there would be no customs checks at the border, which obviously suggests that they will be done elsewhere, yet he suggests that what RTÉ is reporting is untrue. He has now just had to correct himself. The Prime Minister said that there would be customs checks in Ireland. So who are we to believe in this process? None of those things are compatible and none of them appear to be compatible with section 10(2)(b) of the European Union (Withdrawal) Act 2018, let alone the Belfast/Good Friday agreement.

James Duddridge: To clarify, the Government have no plans to put in those checks. We clearly cannot compel the Irish Government to do or not do anything.

Jim Shannon (Strangford) (DUP): There has been much talk of a 10-mile buffer zone on the border. Can the Minister outline the stage that discussions are at as they pertain to where the Republic of Ireland intends to carry out its checks and in what form? The United Kingdom of Great Britain and Northern Ireland has said clearly that it will not put up any border controls at all, so how ironic is it that, in the event of a no deal, it will be the Republic of Ireland and the Taoiseach that will have to erect and man hard border controls?

James Duddridge: I thank the hon. Gentleman for his continued support and thoughts on this issue. He and other colleagues feeding into the process have added great value, and I hope that we will continue those discussions as we move through the process, as the Commission are given proposals and the House debates these issues more fully.

Carol Monaghan (Glasgow North West) (SNP): I crossed the border several times this weekend, and what was remarkable about the crossing was that it was utterly unremarkable. So it should remain. To me, there are three options available to us. There is a border in the Irish Sea; there is a hard border on the island of Ireland—which of course puts at jeopardy the Good Friday agreement—or we all remain in the customs union. The Minister has said that remaining in the customs union is a greater risk than jeopardising the peace brought about by the Good Friday agreement. Can he explain why?

James Duddridge: Unlike the hon. Lady, I do not want to put a border in Northern Ireland or in Scotland. I believe full-heartedly in the Union. It creates a risk in terms of the Belfast/Good Friday agreement because it puts Northern Ireland into a different position if alternative arrangements are not dealt with, and that is unacceptable. The Government believe that that would cause problems in relation to the Good Friday agreement.

Geraint Davies (Swansea West) (Lab/Co-op): The Minister will know that the Good Friday agreement provides for a referendum for the people of Northern and southern Ireland on reunification if they so want. He will also know that 58% of the people in Northern Ireland voted to remain. Given that we have this problem with an open border with open migration, and with a closed border in breach of the Good Friday agreement, would it not be best for the Prime Minister to come forward with his agreement, which I assume will be the backstop within Ireland itself, and put it to the people in a public vote so that we can get Brexit done by finding once and for all whether we want this Brexit mess or not—as opposed to his divided kingdom?

James Duddridge: The hon. Gentleman accused me of dividing the kingdom, but he asked specifically in the same sentence for a vote on parting the United Kingdom. The United Kingdom, as one—the Union—has voted, and it voted for Brexit. That is what we are going to deliver.

Martin Docherty-Hughes (West Dunbartonshire) (SNP): In order to make a proposed border solution work, there will have to be an element of Northern Ireland Executive control over the implementation of any putative agreement. With no extant Northern Ireland Executive, the only solution for that would be imposition on the people of Northern Ireland through direct rule. One does not seek to address democratic issues on one part of these islands by taking democracy away from another, so will the Minister tell the House what his Government are doing to address this democratic outrage?

James Duddridge: We are trying to get Stormont back up and working.

Mr Clive Betts (Sheffield South East) (Lab): The Minister said there would be no hard infrastructure at the Irish border. Does the term “hard infrastructure” include cameras?

James Duddridge: I do not want to get into the detail of the actual proposal, but I will say that while there are not cameras across the whole of the border, there are cameras on parts of the border. However, the hon. Gentleman should not infer anything from that; I do not want to get dragged into the detail, but clearly it would have been one of the options that were looked at.

Dr Sarah Wollaston (Totnes) (LD): Will the Minister accept that customs clearance sites would involve physical infrastructure, and that it would not matter whether they were at the border or some miles distant from it?
James Duddridge: I have been very clear that there will be no infrastructure on the border. I have also been clear that the proposals are currently under negotiation, and I will not go into the detail of those proposals in the House.

Ruth Jones (Newport West) (Lab): The Irish Government stated last night that these non-papers are a non-starter. With just 30 days to go until exit day, when does the Minister propose to put forward credible proposals that can be negotiated with the EU?

James Duddridge: The Prime Minister has been very clear: that will happen before this weekend.

Matthew Pennycook (Greenwich and Woolwich) (Lab): Over the last 15 minutes, the Minister has been at pains to stress the distinction between technical non-papers and final papers which are forthcoming. On the basis of that distinction, may I therefore ask him a simple question: without going into the detail, can he give the House an assurance that any final proposals that relate to the Irish border will not row back in any way from any of the solemn commitments signed up to in December 2017 in the joint report between the UK and the EU?

James Duddridge: First, may I thank the hon. Gentleman genuinely for his service on the Front Bench? When I took over this role, my predecessor said how much he respected the full team, and now that he is on the Back Benches, perhaps we can have a fuller and more honest discussion than we might have had when we were both Front Benchers.

Rachael Maskell (York Central) (Lab/Co-op): The Prime Minister has said that there will be checks, so whether at a border or a non-border, that does create a border. Whether in a non-paper or a paper, the reality is that there will be checks if the leader of our country has said so. However, the European Commission has said that it has not received any proposals from the UK that meet all the objectives of the backstop, as we have been reiterating and demanding. When will the EU see these proposals?

James Duddridge: Before the weekend.

Gavin Newlands (Paisley and Renfrewshire North) (SNP): So far, we have had nonsense and non-answers on these non-papers, so can we have a clear answer on this question? Can the Minister rule out direct rule being imposed to implement any of these alternative arrangements on the border?

James Duddridge: Is the hon. Gentleman asking whether the Minister will rule out imposing direct rule?

Gavin Newlands: Temporarily, for the border arrangements.

James Duddridge: That is not the Government’s plan. The Government’s plan is to get Stormont going.

Gavin Robinson (Belfast East) (DUP): I thank the Minister for acknowledging that the Belfast agreement is not a one-dimensional document—that it is concerned not solely with north-south relations, but with east-west relations as well. Given the noises that we have heard from Dublin last night and this morning, will he reflect on the comments made by Shane Ross, the Irish Transport Minister, in the summer, who talked of border checks and customs checks in the Irish Republic until he was told that it was politically inconvenient to talk about that, or even those made by the European Commission, which at the start of September recognised, and spelt out very clearly, that it would require customs checks on the Irish side?

James Duddridge: I thank the hon. Gentleman for that question because it gives me the opportunity to note how much work has already been done. That which was unacceptable and unresolvable, we are now discussing actively and moving forward on. We are at a snapshot between now and next Friday, with those proposals being delivered to the Commission. So we really are moving forward.

It was always going to be the case that some of the negotiations happened nearer the end of the time limit, but progress has been made consistently, from what was quite an entrenched position, which was particularly disappointing given the sensitivities around Ireland and Northern Ireland and the border and the Good Friday agreement. It would have been nice to have done this in a slightly more deliberative way, and earlier; but we are trying to set up the negotiations in such a way that we will get the best possible result for the United Kingdom and Northern Ireland, and that is getting a deal.
Deaths of Homeless People

1.36 pm

John Healey (Wentworth and Dearne) (Lab): To ask the Secretary of State for Housing, Communities and Local Government to make a statement on his Government’s action to prevent the deaths of people who are homeless.

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Luke Hall): Every single death on our streets is a tragedy. Today’s statistics have provided us all with a stark reminder that there is so much more to be done. Every death on our streets is one too many, and this Government will work tirelessly to ensure that lives are not needlessly cut short. The fact that 726 people—mothers, fathers, siblings, all somebody’s loved one—died while homeless in 2018 will concern not just every Member of this House, but everybody up and down our country.

As you know, Mr Speaker, this Government are committed to putting an end to rough sleeping by 2027 and halving it by 2022; and we have changed the law to help make that happen. In April 2018, the Homelessness Reduction Act 2017—one of the most ambitious pieces of legislation in this area for decades—came into force. We now have a year’s worth of evidence, which is showing that more people are being supported earlier, and this is having a clear impact on the prevention of homelessness.

The Government last year published the first rough sleeping strategy, underpinned by £1.2 billion of funding, which laid out how we will work towards ending rough sleeping for good. Indeed, last year we saw a small change—a reduction in rough sleeping. A key element of that was the rough sleeping initiative. A total of £76 million has been invested in over 200 areas. This year, that initiative will fund 750 additional staff and approximately 2,600 new bed spaces. We know that next year, we must go further. Today’s statistics demonstrate that. We will be providing a further £422 million to tackle homelessness and rough sleeping. That is a £54 million increase in funding on the previous year—a real-terms increase of 13%.

The cold weather is a particularly difficult time for those sleeping rough, so the Government have launched a second year of the cold weather fund. We are making available £10 million to local authorities to support rough sleepers off the streets. That will build on last year’s fund, which helped relieve more than 7,000 individuals from rough sleeping over the winter.

These statistics have reminded us starkly of the fateful impact of substance and alcohol misuse. We know that the use of new psychoactive substances is rising. These are dangerous drugs with unpredictable effects, and that is why it is so important that people get the support that they need. In 2019, we brought forward new training for frontline staff to help them engage with and support rough sleepers under the influence of such substances.

We are working with the Home Office to ensure that rough sleepers are considered in the forthcoming alcohol strategy, which will focus on vulnerable people.

There is so much more to be done. Our work is continuing, our funding is increasing, our determination is unflagging and we are committed to making rough sleeping a thing of the past.

John Healey: Seven hundred and twenty-six people died homeless last year. Wherever we sit in this House, wherever we live in this country, that shames us all in a nation as decent and well-off as Britain today. Every one—in shop doorway, in bedsit, on park bench—has been known and loved as someone’s son or daughter, friend or colleague. We have heard from the new Minister today, but this demands a response from the Prime Minister himself, tomorrow, in his party conference speech. It demands that he leads a new national mission to end rough sleeping and the rising level of homeless deaths.

The official statistics released today confirm a record high total and a record high increase—up by a fifth over the past year alone. This record high has been 10 years in the making: investment in new social housing has been slashed; housing benefit has been cut 13 times; 9,000 homeless hostel places and beds have been lost as a result of Government funding cuts; and Ministers have refused to step in and protect private renters. There is the widest possible agreement, from homeless charities to the National Audit Office and the cross-party Select Committees of this House, that Government policy has helped cause the rise in homelessness every year since 2010.

Will the Minister therefore acknowledge that high levels of homeless deaths and homelessness are not inevitable? Will he accept that, just as decisions by Ministers have driven the rise in rough sleeping, Government action now could bring it down? Will he back Labour’s plans for £100 million for cold weather shelter and support to get people off the streets in every area, starting this winter? Will he tackle the root causes of this shocking rise in deaths with more funding for homelessness services, more low-cost homes and no further cuts in benefits?

These high and rising homeless deaths shame us all, but they shame Government Ministers most. This can and must change.

Luke Hall: I thank the right hon. Gentleman for his questions. There is no shying away from the statistics, which are heartbreaking. He is absolutely right that every person who has died on our streets is somebody’s brother, mother or sister. He will find no complacency in this Government. We are increasing funding next year by £54 million, which is a 13% real-terms increase. It is important to note that in the areas where we piloted the rough sleeping initiative we saw a direct fall of 19% in rough sleeping in the first year. Next year we are delivering 750 more staff and 2,600 more bed spaces.

The right hon. Gentleman is absolutely right to raise these issues. While visiting homeless hostels and shelters across the country over the past few weeks, I have been struck by the welfare issues that people have raised with me, especially those with complex and difficult needs, and by the complexity of navigating the system in order to get the right support. That is why we have designed a number of safeguards, including individualised support from Department for Work and Pensions frontline staff. It is important to note that we have also allocated £40 million next year for discretionary housing payments. There is a huge amount more to be done on affordable social housing. He is right to highlight the importance of the issue, which has been raised with me by homelessness charities time and again. We have made £9 billion available through the affordable homes programme, to deliver 250,000 new affordable homes.
The right hon. Gentleman is also right to raise the role of health services. We see in today’s statistics the impact of the high prevalence of drug and alcohol abuse. That is why the support that we are putting forward as part of the rough sleeping strategy, including £2 million to test community-based health models to help rough sleepers access services, including mental health and substance abuse support, is vital. I look forward to working with him, and indeed with every Member of the House, as we try to tackle this hugely challenging issue for our country.

Richard Benyon (Newbury) (Ind): The number of rough sleepers in Newbury has dropped from the mid-30s to nine as of last week. That is nine too many, but that drop has been achieved by an enormous effort from local community groups, but also by statutory bodies such as West Berkshire Council using Government money, for example from Housing First and Making Every Adult Matter, to really bring down the numbers. The Minister will know that dealing with the hardest to reach—that is really what we are talking about in this urgent question—is about trying to get them the medical attention they need. Will he make every effort to work with his colleagues in the Department of Health and Social Care to ensure that GP surgeries and other health bodies are as open as possible to receiving rough sleepers and ensure that they are directed to where their serious problems can best be dealt with?

Luke Hall: Absolutely, and I thank my right hon. Friend for raising these important matters. I pay tribute to the local organisations and voluntary bodies in his community that are working so hard to support homeless people and rough sleepers. Housing is part of the solution, but he is quite right to highlight that health services have a hugely significant role to play, alongside other public services. It is right to highlight the £30 million that NHS England is providing for rough sleeping over the next five years, specifically to tackle some of the high instances we have seen in today’s statistics. He is absolutely right and we will continue to make that money available.

Alison Thewliss (Glasgow Central) (SNP): Every death of a homeless person is preventable. Although housing is a devolved matter, in many ways the policies that are causing those deaths are reserved to Westminster. The Guardian reports that drug-related deaths in England and Wales have gone up by 55% since 2017, and that is directly related to failing Home Office policy. In Glasgow we are facing the twin risks of so-called street Valium flooding the city and an ageing population of intravenous drug users. They run the risk of being put out of their accommodation for drug use and are extremely vulnerable. Will the Minister ask his Home Office colleagues to lay the statutory instrument that would amend the Misuse of Drugs Act 1971 to allow drug consumption rooms, as they have in countries around the world, including the incredibly successful Quai 9 in Geneva, which I visited recently?

People are also being plunged into debt and eviction due to universal credit, so will the Minister end the five-week wait, which makes it so hard for people to get out of that cycle and get their lives back on track? Will he also look at amending advance payments, because this only keeps people in debt for longer, rather than resolving the issues? Will he work with the Scottish Government, whose “Ending Homelessness Together” action plan is helping to ensure that those facing homelessness are supported into a permanent settled home and that their needs are met as quickly as possible? Will he look across Government, as I have asked, particularly to the DWP and the Home Office, and ask his colleagues to take action now on the issues that are causing the deaths of so many homeless people in England and Wales and also in Scotland?

Luke Hall: The hon. Lady started by stating that every death of a homeless person is preventable, and I absolutely agree. There is so much more that we can do. She talked specifically about the importance of cross-departmental working, both with the Home Office and the Department of Health and Social Care, and I completely agree. We are continuing to work with colleagues in those Departments on the forthcoming independent review of drugs policy, led by the hugely respected Dame Carol Black. We will study her findings extremely carefully. The hon. Lady also talked about universal credit. It is important to put on the record that housing benefit will remain outside universal credit for all supported housing, including homeless shelters, until 2023. She raised a number of extremely important issues, and of course I am happy to work with her colleagues in the Scottish Government and to meet her to discuss how we can take these issues forward.

Kevin Hollinrake (Thirsk and Malton) (Con): Fundamentally, we will deal with this only by providing many more truly affordable homes of secure tenure. Does my hon. Friend agree that we should consider changing the rules that currently require us to get the best price for public land, and that really we should make that land available to provide many more ultra-low-cost homes?

Luke Hall: I thank my hon. Friend for that question. He is an expert in the field and I take what he says extremely seriously, along with all the recommendations of the Communities and Local Government Committee, of which he is a member. I look forward to meeting him to discuss his proposal in more detail.

Mr Clive Betts (Sheffield South East) (Lab): I welcome the Minister to his new post. Does he accept that two of the main drivers of the increase in homelessness are the shortage of social housing and the impact of the Government’s welfare policies? On housing, he said that the Government are making money available for affordable homes, but does he not accept that the Government’s definition of affordable homes, at 80% of market rates, means that they are simply unaffordable for most homeless people? On welfare, has he read the National Audit Office’s report, which draws a direct link between welfare policies and the rise in homelessness? Will he now accept that there is a need for a review of that link and then for a commitment to change the welfare policies to ensure that they do not drive homelessness up even further?

Luke Hall: I thank the Chairman of the Select Committee on Housing, Communities and Local Government for his questions, and I look forward to working constructively with him in the weeks and months ahead.
I would note that we have raised borrowing caps for local authorities so that they can borrow to build, and I say again that we are putting £24 billion a year into housing benefit, which will remain outside universal credit for all supported housing, including homelessness shelters, and making £40 million in discretionary housing payments available for 2020-21. I come back to the point about the difficulty of navigating the system and the importance of ensuring that people are provided with the support they need to do so.

Mrs Pauline Latham (Mid Derbyshire) (Con): Can the Minister confirm that as part of the rough sleeping strategy, special training is being provided to frontline staff to help people under the influence of narcotics, to ensure that such tragic deaths can be prevented in the future? We have had this problem in Derby, and I know that the police have had real difficulty in dealing with it.

Luke Hall: I can absolutely confirm that, and my hon. Friend is right to highlight the importance of that training, which is going directly to the frontline. It is also worth pointing out that the rough sleeping strategy has created a specialist rough sleeping team made up of rough sleeping and homelessness experts with specialist knowledge across a wide range of areas, including addiction and alcohol issues. It is working with local authorities to reduce rough sleeping. I absolutely take board what she says.

Mike Amesbury (Weaver Vale) (Lab): Cuts have consequences. Quite clearly, if we take £37 billion a year out of social security, there are consequences. It is time to end the benefits freeze and build genuinely affordable housing, especially social and council housing—does the Minister agree?

Luke Hall: There is absolutely no shying away from today’s figures, so I take what the hon. Gentleman says head-on. The local housing allowance freeze is, of course, due to end in March 2020, and the Government are considering options for after the freeze. We are having continuing conversations about that issue.

Maria Caulfield (Lewes) (Con): Will the Minister join me in congratulating Lewes District Council, which along with Wealden and Rother managed to secure £120,000 earlier this year from the £46 million rough sleeping initiative? Does he agree that it is this Government who, for the first time, have got serious about tackling the causes of homelessness by introducing the Homelessness Reduction Act 2017 and providing £1.2 billion of support for tackling all the causes of homelessness?

Luke Hall: I thank my hon. Friend and congratulate her local authority. One of the important points about the Homelessness Reduction Act is that for the first time, we have a year’s worth of data showing the importance of the early intervention that she talks about. She is right that it is backed up with £1.2 billion of funding, but of course today’s statistics show that there is so much more to be done.

Chuka Umunna (Streatham) (LD): The fact that, in this city—arguably one of the wealthiest on the planet—110 people lost their lives last year is a complete outrage. I am afraid that the fact that the figure has increased by 20% year on year is a damning indictment of the Minister’s Government.

Why are we continuing to criminalise people who are sleeping rough on our streets and begging? Is it not time that we got rid of the Dickensian Vagrancy Act, which is criminalising people instead of giving them the support that they need?

Luke Hall: I thank the hon. Gentleman for that question. We have of course been reviewing the Act, and I take what he says extremely seriously. We are engaging with the police, local authorities and community groups to see what the most effective method of both support and enforcement is, but he is right that these are heartbreaking statistics, and the number of people who lose their lives on our streets is completely unacceptable.

Tim Loughton (East Worthing and Shoreham) (Con): I welcome the Minister to his position, and I welcome the assured way in which he has dealt with his debut performance on this difficult subject.

In Worthing, we have an innovative project whereby Roffey Homes, a developer, bought a nurses’ home and has given it to Turning Tides, a homelessness charity, to use for the next five years, before it wants to develop it. With the support of Worthing Council and with Government funding, it has taken more than 30 people off the streets, providing not just accommodation but mental health support, training support, benefits advice and everything else. It is not without problems, not least the constant complaints and undermining by local Labour councillors, but does the Minister agree that we need this sort of innovative approach if we are to find sustainable solutions for people living and sleeping rough?

Luke Hall: I thank the right hon. Gentleman for that example of good practice in his constituency. I was not aware of that project, but I would be happy to visit it. Of course, that good practice does not disguise the fact that there is so much more for us to achieve as a Government to tackle rough sleeping by 2027.

Frank Field (Birkenhead) (Ind): How many of the homeless people who have died were in receipt of benefit, and how many were not, and why not? If the Minister does not know the answer, will he undertake to write to me and place the answer in the Library so that we can all know the truth?

Luke Hall: I thank the right hon. Gentleman for that question. I do not have that information on me today, but if we have it, I absolutely give that undertaking.

Stephen Metcalfe (South Basildon and East Thurrock) (Con): The causes of and solutions to rough sleeping are never simple. I welcome the action that the Government have taken and encourage them to work with local authorities and the extraordinary range of charities and voluntary organisations, such as Churches Together in Basildon, which works tirelessly to tackle homelessness and get people off our streets, giving them a warm and dry place to sleep and a hot meal and, more importantly, helping them to access the support systems that are available but that they seem to have fallen out of.
Luke Hall: I am absolutely delighted to place on record my thanks to Churches Together, both in his constituency and across the country. He is right that there is a vital role for community groups and charities around the country in the prevention of homelessness.

Ms Karen Buck (Westminster North) (Lab): My local authority, Westminster, has the highest number of rough sleepers in the country. Its rough sleeping strategy found that a third of rough sleepers had been discharged on to the streets from prison, and of course others are ex-servicemen. Can the Minister tell us how many deaths have occurred among people who have been released on to the streets from prison? If he does not know, will he place that information in the Library, and can he tell us how on earth that is allowed to happen?

Luke Hall: I completely understand the importance of this issue to the hon. Lady’s constituency and in Westminster. If we are to end rough sleeping, we need to ensure that people leaving prison are supported into accommodation—I say that as both a Minister and someone with three prisons in his constituency. It is important to note the offender accommodation pilots that are under way at HMP Bristol, Leeds and Pentonville, but I am happy to meet her and the local council again to see how we can take this further.

Michael Tomlinson (Mid Dorset and North Poole) (Con): I had the privilege of serving on the Public Bill Committee on the Homelessness Reduction Bill, which was piloted through by my hon. Friend the Member for Nuneaton (Mr Jones) and passed on a cross-party basis. In welcoming the Minister to his place, may I too invite him to pay tribute to local organisations that support the homeless? In my areas there are organisations such as Routes to Roots, in Poole. What more can we do to support such organisations?

Luke Hall: My hon. Friend is right, and I thank him for his work not just on the Bill Committee on the Homelessness Reduction Act but in working with charities in his constituency. I absolutely pay tribute to them for their work, and I hope to visit them with him soon to hear more about their work.

Hilary Benn (Leeds Central) (Lab): Leeds City Council, through its very impressive street support team, which brings together all the agencies working with the street homeless in our city, is making effective use of funding under the Housing First programme. That enables people who might not be able to comply with the conditions that hostels reasonably require, because of their drug and alcohol problems, to get into permanent accommodation with support. May I urge the Minister to increase the support that he is making available to local authorities such as Leeds through that programme? I have seen from that team that it is being put to extremely good use.

Luke Hall: I welcome the tone of the right hon. Gentleman’s question. He is right that the Housing First pilots are working very well. In a lot of instances they are backed up by international evidence that supports the programme, and we are building a strong evidence base to see how it can be continued and expanded. I thank his local authority for the work that it is doing.

Stephen McPartland (Stevenage) (Con): I welcome the Minister’s passion for tackling this shameful situation. Stevenage Borough Council has had a terrible track record in tackling homelessness while I have been a Member of Parliament over the past 10 years. It still tells my constituents that they are intentionally homeless, which is unacceptable. Will the Minister meet me and local homelessness charities to work out what we can do to support the homeless in my community?

Luke Hall: I am absolutely happy to meet my hon. Friend and perhaps hold a roundtable with his local authority to ensure that we are all working together to tackle this issue. There is no getting away from the difficulty of today’s news and today’s figures, and I will work with anybody who can help bring this scourge to an end.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): Since 2010, homelessness in Newcastle has risen dramatically, visibly and tragically, with deaths in our city centre. Under the Minister’s Government, rough sleeping has been normalised, but it will never be normal to us. I have spoken extensively to Northumbria police, local housing associations, charities and public health officials, and it is clear that the cuts to public services are a prime cause. Will he acknowledge that austerity has caused this problem, and does he agree that it must be reversed?

Luke Hall: First, let me put on the record my thanks to Crisis, which I know does so much work in Newcastle, and highlight the success so far of the rough sleeping initiative, which is in the hon. Lady’s constituency and where we saw a 19% reduction in rough sleeping. She is right to highlight the importance of health services and other services available to people who are rough sleeping and homeless. This is why we have committed £30 million from NHS England to address rough sleeping over the next five years and £2 million in health funding to test models of community-based provision.

Andrew Jones (Harrogate and Knaresborough) (Con): No one should have to sleep rough, but there are people sleeping rough on the streets of Harrogate. Yet I have been told by those at the Harrogate homeless hostel, which is run by a fantastic local charity that has been doing great work for many years, that it has empty beds each night. So we have to work harder to understand the reasons why people feel that sleeping rough is their only option. Will the Minister join me in praising the joint initiative between Harrogate Borough Council and that hostel, whereby the council funds an outreach worker whose role is to go out and work with rough sleepers to help to address the underlying causes and make sure that the most vulnerable in our community get the support they need?

Luke Hall: I thank my hon. Friend for that question. I pay tribute to that work and to outreach workers around the country. I have spent many evenings with outreach workers in the past few months, listening to the stories they have to tell and hearing some of the difficult facts being relayed to me as the Minister responsible. I am happy to pay tribute to the work that his local authority is doing.
Luke Hall: The hon. Gentleman is right to highlight this issue. We are having constant discussions with Ministers about these issues. Both that issue and the one about the local housing allowance are raised most often with me, and I am having constant discussions with my colleagues on the Front Bench about the way forward.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): May I praise the work of organisations such as the Welsh Veterans Partnership in my community, which works to support veterans and ensure they are adequately housed, and the Salvation Army, which has Ty Gobaith in my patch? I visited it recently and its Bridge programme does fantastic work with those who have serious drug and alcohol addiction issues. What is the Minister doing to ensure that intensive programmes such as that are properly available to all who need them across the UK? Without that, people are not going to get the support they need.

Luke Hall: I thank the hon. Gentleman for raising that example of positive work in his constituency, and I am happy to look at how such initiatives can be expanded more widely. Of course we have the rough sleeping initiative, which is being expanded, and see the funding and services made available. I am happy to go away and look at the example he has raised.

Mr Philip Hollobone (Kettering) (Con): I congratulate the right hon. Member for Wentworth and Dearne (John Healey) on tabling this urgent question and thank you, Mr Speaker, for granting it. The figure of 726 deaths of homeless people shames our nation. In an urgent question such as this, several issues inevitably become conflated, for the best of reasons, but “homelessness” is different from rough sleeping and from the number of people who die while homeless. The causes of homelessness are incredibly diverse and affect a very diverse range of people. The number of people who are rough sleepers is rather less diverse and the number of people who die through being homeless is even less diverse; the biggest cohort of people who die while homeless are men who have a drug problem, an alcohol problem, or both. Specifically, what are we doing to prevent the deaths of men who have drug problems and/or alcohol problems and are homeless?

Luke Hall: I thank my hon. Friend for that question. The Homelessness Reduction Act was genuinely a groundbreaking piece of legislation. For the first time, we now have some proper evidence about the importance of prevention. We see that the biggest group that has been helped by that Act is single men, because they can often end up on the streets. As we have seen, 88% of the 726 people who died last year were men. The Act is helping us to make substantial progress, but he is right about the importance of focusing on this issue.

Steve McCabe (Birmingham, Selly Oak) (Lab): I understand that there have been a mere 180 transactions under the ludicrous housing association right-to-buy lottery. Why does the Minister not just admit that was always a daft idea, divert the remaining £190 million to an emergency winter programme and spare us a spate of people freezing to death on the streets?

Luke Hall: It is genuinely important to note the raising of the housing revenue account borrowing cap, so that local authorities have the ability to borrow money to build properties themselves. I take what the hon. Gentleman says extremely seriously. We should make sure that in areas such as his we have the rough sleeping initiative, as we are seeing progress, with a 19% direct fall. I am happy to have further discussion with him on this matter.

Caroline Lucas (Brighton, Pavilion) (Green): Behind one of the shameful homeless death statistics is Jake Humm, a 22-year-old from Brighton who took his life last year, despite trying so hard to access support from local services such as Room to Rant, a brilliant project that helps young people find peer support through music. The Government have slashed local authority services and funding, which means that grassroots projects such as Room to Rant do not necessarily have the funding they need to support people such as Jake. When will the Minister reverse those cuts to funding so that those grassroots projects, which are literally a lifeline for so many, can continue in the future?

Luke Hall: I thank the hon. Lady for her question. We are doing a huge amount in Brighton with local partnerships, and Dame Carol Black has visited Brighton as well. It is an area covered by the rough sleeping initiative, but I know that there is a huge amount more progress to be made. I am happy to speak to the hon. Lady or go to Brighton to look at what more can be done to make progress on an extremely challenging issue in her constituency.

Clive Efford (Eltham) (Lab): Under the last Labour Government homelessness came down, partly because we made beds available for those who were on the streets so that those who wanted to move into accommodation could do so and those who were working with the hardest to move could focus their attention on those people. Does the Minister intend to return to that sort of strategy? How many of these deaths would have been avoidable had those beds still existed?

Luke Hall: I thank the hon. Gentleman for raising that question. Part of the rough sleeping strategy and rough sleeping initiative is about delivering both the 2,600 new bed spaces next year and the 750 staff to provide support in tackling the sort of issues he is talking about.

Jim McMahon (Oldham West and Royton) (Lab/Co-op): If every seat, aisle and step in this Chamber was full, we still could not fit in every person who has died in the streets in this country, and that is actively at the door of the Government. We have had the cuts to housing and support services, particularly drug and alcohol services, and those chickens are coming home to roost. This cannot be fixed with the Housing Minister changing
every few months, and by coming and making excuses. We need proper action and proper funding, and the Government need to take responsibility for the impact of welfare reform.

Luke Hall: The hon. Gentleman should bear in mind the £1.2 billion that is going in to provide homelessness support through the rough sleeping strategy. He makes an extremely valid point; there is no shying away from a hugely difficult set of statistics, and we should all pause for thought. He paints a vivid image. It is right to point to the fact that we are continuing to invest in our health services, with £30 million made available from NHS England for rough sleeping over the next five years, and £2 million in health funding to test these community-based models of provision, but he is right: there is no shying away from and no complacency about the fact that this is an extremely difficult issue affecting our whole society. We will strain every sinew to make this happen.

Kerry McCarthy (Bristol East) (Lab): It is right that we should get homeless people off the streets, but I also have real concerns about the unregulated supported housing sector. I have discussed that with the Minister’s officials and his predecessor. The Charities Commission has just reported on Wick House in my constituency, where several people have died, and there seems to be consensus that we need regulation of this sector, to prevent exploitative landlords from moving into it. Will the Minister follow up on my conversations? Can we see some action on this, please?

Luke Hall: It is absolutely unacceptable that vulnerable people—indeed anybody—should have to live in poor-quality housing. She raises the issue of Wick House, which we both know about, as west of England Members of Parliament. I have been having those conversations this morning and I will be happy to update her as soon as I can.

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): First, will the Minister thank all those charities that help out the homeless and have brought down the number of deaths in this country? Recently, on 9 September, I joined a rally on the homelessness campaign just outside Parliament. The message was clear from people who are homeless: all they seek is a roof over their head. No one wants to be homeless. There are many reasons for it, and many cities, towns and rural villages now have homelessness problems. Will the Minister therefore join in Labour’s plans for funding to ensure that we have emergency cover during the winter months and that no one should be allowed to die on our streets?

Luke Hall: This year we have doubled the cold weather fund, to which local authorities can apply now, and I encourage his local authority to do so. He made a really intelligent and correct remark about the complexity of the different reasons why people end up on the streets. One positive that has come out of the 2017 Act is that for the first time we have some evidential data about why people end up on the streets, who is most at risk and how we can support them best. I absolutely take the points he makes to heart and will absolutely follow them up.

Paula Sherriff (Dewsbury) (Lab): Every evening, as we leave this opulent building, we see a growing number of homeless people—in the tube station, outside the buildings, in shop doorways and anywhere else where they can seek shelter. It is clear that the Government are not doing enough. Homelessness has at least doubled since 2010; why does the Minister think that is? Does he recognise that swingeing cuts to the welfare budget and substance-misuse services have contributed to that rise?

Luke Hall: I say again that there is absolutely no shying away from the extremely difficult and upsetting set of statistics released today that shows that we need to do more. That is absolutely right, and that is why we are increasing the budget by £54 million next year—a 13% real-terms rise. The hon. Lady raises some extremely important issues. We have increased the welfare budget, but I understand the importance of the issues she raises, especially the numerous concerns relating to the LHA freeze. We are of course continuing to consider options for after that freeze next year.

Chris Ruane (Vale of Clwyd) (Lab): The number of rough sleepers declined under the Labour Government, which left office in 2010. Since 2010, the number has doubled. What was the reason for the change in fortune of rough sleepers since 2010? Why have those figures increased?

Luke Hall: The importance of the 2017 Act is that now we are really going to have some evidential information about why. If Members look at the information we have from the first year, they will see the progress that has been made, especially on supporting single men, and the importance and priority of early intervention. The hon. Gentleman raises an extremely important point, though, and there is no shying away from the hugely difficult set of statistics released today. We will strain every single sinew going forward. We are increasing the funding, with £54 million more next year, £30 million from NHS England to support health projects and £2 million for urgent intervention in community health services.

Anneliese Dodds (Oxford East) (Lab/Co-op): There have been some groundbreaking projects to help with the rapid rise in rough sleeping in Oxford, but they have really suffered from being short-term funded. Most of the money the Minister is talking about is just for the short term. The stamp duty surcharge on overseas property buyers is sustainable funding that is meant to last over the long term, but his Government decided that it was going to be set at a third of the level they originally committed to. Will the Minister explain why his Government apparently decided to prioritise the wealth of overseas property investors over the needs of vulnerable rough sleepers? I just do not understand it.

Luke Hall: I am grateful to the hon. Lady for raising that point, which I am happy to look into in more detail. In Oxford, as in so many other areas throughout the country, the rough sleeping initiative is reducing rough sleeping—it is down by 19% directly since 2017 and there has been a 32% reduction compared with where we would have been had it not been introduced—but I absolutely take seriously the points that have been raised from all parts of the Chamber.
Peter Grant (Glenrothes) (SNP): I do not think anyone can question the sincerity of the Minister’s answers, but I am disappointed that he did not answer possibly the most important question that my hon. Friend the Member for Glasgow Central (Alison Thewliss) asked from her position of substantial knowledge of the impact that drug misuse is having among her constituents. The specific question was about the Government allowing, even on a trial basis, the establishment of a consumption room, under medical supervision, to see what difference that makes to the awful death toll that drug use is causing in Glasgow and elsewhere. Will the Minister at least commit to go back to his Cabinet colleagues and ask them to consider seriously the fact that drug misuse should be treated as a public health crisis, not as a criminal justice matter?

Luke Hall: I am sure the hon. Gentleman will agree that Dame Carol Black is absolutely the right person to lead the independent review of drugs policy. All these issues are being considered and I look forward to reading the recommendations.

Neil Coyle (Bermondsey and Old Southwark) (Lab): As chair of the all-party group on ending homelessness, I agree with the Minister that this is a challenging issue, but the simple truth is that this was not happening on this scale in 2010, before the cuts to mental health services, to drug and alcohol cessation services, to councils and even to benefits for some of the most disabled people with mental health conditions in our country. Does the Minister regret the lost decade of cuts and the loss of life that we now know it has directly contributed to?

Luke Hall: I regret every single life lost on our streets. It is heartbreaking that those 729 people died on our streets last year. That demonstrates the need as clearly as ever—there is so much more to do. I am happy to meet the hon. Gentleman and come to the all-party group to discuss this in much more detail.

Melanie Onn (Great Grimsby) (Lab): The Minister is before us to convince us of the Government’s seriousness in taking forward this issue. Back in March, the UK Statistics Authority urged the Government to improve the quality of their homelessness figures, because if the Government do not know exactly how many people are homeless, how can they possibly expect to deal with the issue? What action have the Government taken on that advice?

Luke Hall: One important thing in the rough sleeping initiative and the impact evaluation that we published a couple of weeks ago was the work on looking at the method we used to carry out the counts. The information and data that we have clearly proves that changing from a count to an estimate, or vice versa, did not have any impact on the reduction figures. Lots of different authorities represented by different political parties have made changes back and forward, but we have to be led by the evidence.

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): In 2010, the annual count of homeless rough sleeping in Brighton was 500; it is now 1,200. Deaths on the street were a rarity; now, they come more than once a month in Brighton and Hove. What policy has changed between 2010 and now? Surely we need to understand the policy failure before we can fix it.

Luke Hall: As I said to the hon. Member for Brighton, Pavilion (Caroline Lucas), there are absolutely issues in Brighton, as there are throughout the country. The rough sleeping initiative is having an impact: in the places where we are trialling the rough sleeping initiative, there has been a 19% direct fall since 2017 and a 32% reduction compared with where we would have had it not been introduced. There is no shying away from it, though: there is much more to do in Brighton, as there is in other cities, towns and villages all around our country.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): Every winter, the pretty village of Altnaharra in the epicentre of my vast far-northern constituency is the coldest place in the UK. As has been said already, the cold kills so many people sleeping rough. Have the Government looked at best practice in northern countries such as Norway, Sweden and Finland, to see how they are tackling this issue?

Luke Hall: Yes, absolutely, and we continue to have those conversations. I would be happy to keep in close contact with the hon. Gentleman and to have conversations as we move towards the winter. He should of course note that the cold weather fund has opened and we have doubled the money available since last year. I encourage his local authority to apply. I am more than happy to keep him updated as and when we look at the matter further.
Yemen

2.17 pm

Stephen Twigg (Liverpool, West Derby) (Lab/Co-op) (Urgent Question): To ask the Foreign Secretary to update the House on the latest developments in Yemen.

Mr Speaker: Well, it is not the Foreign Secretary but a substitute for said Minister. He will do his level best, we feel sure.

The Minister for Africa (Andrew Stephenson): The UK is deeply concerned by the ongoing conflict and humanitarian crisis in Yemen. We fully support the peace process, led by the UN special envoy, Martin Griffiths, and urge all parties to engage constructively with that process. A political settlement is the only way to bring long-term stability to Yemen and to address the worsening humanitarian crisis. A nationwide ceasefire will have effect on the ground only if it is underpinned by a political deal between the conflict parties.

The UK has been at the forefront of international efforts to bring a peaceful solution to the appalling conflict in Yemen. On 26 September, the UK co-hosted a political event at the UN General Assembly to co-ordinate the international community’s support for the UN-led peace process and to endorse UN special envoy Martin Griffiths’ plan to begin wider political discussion. My right hon. Friend the Minister for the Middle East and North Africa visited the region from 25 to 29 August, in support of the United Nations’ efforts to make political progress and alleviate the humanitarian situation.

Yemen remains the world’s largest humanitarian crisis, with nearly 80% of the entire population—more than 24 million people—requiring some form of humanitarian assistance. The UK has shown extensive leadership in responding to the crisis, committing £770 million of assistance. The UK has shown extensive leadership in responding to the crisis, committing £770 million of assistance. The UK has been at the forefront of international efforts to find a political solution to the conflict in Yemen. We are committed to using our resources to ensure that these life-saving programmes are restored.

The Minister for Africa: Martin Griffiths’ plan to begin wider political discussion. My right hon. Friend the Minister for the Middle East and North Africa visited the region from 25 to 29 August, in support of the United Nations’ efforts to make political progress and alleviate the humanitarian situation.

Stephen Twigg: I thank the Minister for that response. As he says, the humanitarian consequences of the Yemen conflict are devastating. The United Nations has estimated that, by the end of this year, the combined death toll from the fighting and disease will be 230,000. I pay tribute to the Department for International Development for its response, which, as he rightly reminded us, has been one of the most generous in the world, but, as he said, humanitarian efforts remain critically underfunded.

The United Nations programmes on vaccination, cholera prevention and malnutrition have been forced to close. We are now looking to the 2020 humanitarian response plan. May I ask that the UK works with other donors to ensure that these life-saving programmes are restored? The previous Foreign Secretary provided real leadership on Yemen, and there is a concern that Yemen is no longer the Government priority that it was before July. Did the Prime Minister raise Yemen in his meeting with Iran’s President Hassan Rouhani last week? What is the United Kingdom doing to engage coalition members to move towards a full ceasefire? The Minister welcomed the very positive meeting that was held at the UN General Assembly, but will he update the House on the outcomes of that meeting?

I welcome the decision at the UN Human Rights Council last week to extend the mandate of the Group of Eminent Experts on Yemen. Those experts have found evidence of grave violations of international humanitarian law by all sides in the conflict. Does the Minister agree that all alleged violations of international law, by whichever side commits them, must be independently investigated and the perpetrators held fully to account? There can be no peace if we do not have justice.

Finally, there are reports of ceasefire discussions from both Saudi Arabia and the Houthis. These are encouraging reports, but the reports that I hear are about a partial ceasefire. Surely a ceasefire must cover the whole of the country. As we have seen since the Stockholm agreement last year, a ceasefire in one part of the country can simply result in increased fighting and civilian suffering elsewhere. Will the Government do everything in their power to bring about a full nationwide ceasefire in Yemen?

Andrew Stephenson: Let me start by thanking the hon. Gentleman for his tireless efforts as Chair of the International Development Committee in raising awareness of the humanitarian crisis that is going on following the conflict in Yemen. I am grateful for his sustained work supporting the UN-led peace process and the work of the UN special envoy. Yemen, as he rightly said, is the world’s worst humanitarian disaster, and it is crucial that we continue to do everything we can to enable a peaceful solution to end the cycles of violence, and I share his statement about the chronic underfunding of the humanitarian relief at the moment. The British Government, our new Prime Minister and our new Foreign Secretary remain committed to keeping Britain at the forefront of efforts to find a political solution to this conflict. We are committed to using our resources to address the humanitarian crisis.

I had to leave the UN General Assembly early because of the recall of Parliament, so I am not fully briefed on what the Prime Minister discussed with the Iranians, but I am more than happy to take that away and find out whether Yemen was discussed with the Iranian Government.

The hon. Gentleman raises the Human Rights Council and the Group of Eminent Experts on Yemen. He will be aware that the UK voted in favour of the UN Human Rights Council resolution to renew the mandate of the UN Group of Eminent Experts. Although we welcome the renewal of that mandate, it is disappointing that a single consensus resolution was not possible. We continue to support investigations into allegations and incidents that have happened in this conflict and we continue to push for a ceasefire. It is important, as the hon. Gentleman said, that that covers all parts of the country and that we get as much buy-in as possible.
There is no military solution to this conflict; there has to be a political solution. For that to work, everybody must sit round the table and discuss the best way forward.

Tom Tugendhat (Tonbridge and Malling) (Con): My hon. Friend is making a very expert defence of the Government’s policy in Yemen, but I wonder whether he could perhaps go even further in celebrating the work that Martin Griffiths has done as the special representative there. Will he also tell us a little bit about the work that his Department and other Departments in Government have done with Governor David Beasley of the World Food Programme? The work of the United Kingdom and others in opening up the port of Hodeidah to ensure that food aid is getting in, and the work that is being done with the Emirates and the Saudis in various other areas, is incredibly important in making sure that we have a coalition that works to relieve suffering in that country. Perhaps the Minister can say what more he and his colleagues will do to ensure that the UK’s voice is indeed the voice of reason and peace in the area.

Andrew Stephenson: I thank my hon. Friend for his question and for his support for the UN special envoy and his work. We all need to support Martin Griffiths, and to ensure that everybody gets behind the UN-led peace process. In my own portfolio of sub-Saharan Africa, I have been impressed—really impressed—by the World Food Programme’s ability to deliver aid to some of the most conflict-affected countries. I have seen at first hand its work in South Sudan and Somalia since my appointment and I am more than happy to look further into what it is doing in Yemen. I know that it is doing an incredible amount of work there. At this point, I should add my apologies for the fact that my right hon. Friend the Minister for the Middle East and North Africa is not in his place. He is undertaking some of his duties as an army reservist, and that is the only reason he is not taking this urgent question.

Emily Thornberry (Islington South and Finsbury) (Lab): Thank you, Mr Speaker, for granting this urgent question. I thank my hon. Friend the Member for Liverpool, West Derby (Stephen Twigg), the Chair of the International Development Committee, for securing it and for being one of Yemen’s great champions.

I am sorry that the Foreign Secretary himself has not seen fit to answer this question, but then again this is a Foreign Secretary who made a 1,300-word speech in Manchester this weekend and chose not to mention Yemen once, yet on his watch the cycle of indiscriminate violence in Yemen and the scale of the humanitarian crisis are growing worse every day. This weekend, we had unconfirmed reports of a major Houthi strike against Saudi forces inside Saudi Arabia. On this day a month ago, we had the attack by Saudi planes on a Houthi detention centre in Dhamar, killing at least 100 innocent captives. In Aden, we had the ridiculous situation of forces supported by the UAE fighting soldiers loyal to the Hadi Government, which the UAE is supposed to be trying to reinstall, and all the while the toll of innocent children killed by malnutrition and cholera continues to mount. As things stand, there is no end in sight to the conflict and no end in sight to the suffering of the Yemeni people.

This is not only a humanitarian disaster, but a failure of politics. The UK really must pull its finger out and do its duty in the Security Council. As the penholder, the Security Council, it is supposed to table a UN resolution demanding an immediate ceasefire by all parties everywhere in the country. We on the Labour Benches have been calling for that resolution for three and a half years. Can the Minister of State tell us how many more months and years we will have to wait?

Finally, tomorrow will mark exactly one year since Jamal Khashoggi was butchered in the Saudi embassy in Istanbul, in large part for his criticism of the war in Yemen. A full 12 months on, this House has still not been presented with the results of the Government’s investigation into who ordered his murder, let alone “the serious consequences” that we were promised from that Dispatch Box would follow. Again, can the Minister tell us how many more months, and now how many more years, we will have to wait?

Andrew Stephenson: I thank the shadow Foreign Secretary for her comments. The UK continues to call on all parties to the conflict in Yemen to exercise restraint and to engage constructively with the peace process led by the UN special envoy. We are monitoring claims of attacks in Saudi Arabia and are in contact with our partners to understand exactly what has happened there. We are also deeply concerned about reports of civilian deaths, following recent air strikes—our thoughts are with those who have been affected—and we are working with our partners to try to establish exactly what has happened. We welcome the coalition’s referral of both recent incidents to be investigated by the Joint Incidents Assessment Team. The UK continues to call on all parties to the conflict in Yemen to exercise restraint, and to comply fully with international humanitarian law and to engage constructively with the peace process led by the UN special envoy, which is the only way to end this cycle of violence.

Sir Henry Bellingham (North West Norfolk) (Con): I thank the Minister and his Department for their work in helping to alleviate this appalling humanitarian crisis. They have set a superb example to other countries.

What does the Minister make of the recent clashes between the Yemeni Government and the UAE-backed Southern Transitional Council, which recently seized control of Aden? Surely everything possible must be done to prevent a civil war emerging within a much bigger civil war.

Does the Minister also agree that the Gulf initiative is probably now no longer valid? May I push him a bit on the need for another UN Security Council resolution, which I think is imperative? Will he comment on the recent outreach by his opposite number, US Assistant Secretary David Schenker, who is trying to speak to the Houthi rebels to bring them into a wide-ranging peace process?

Andrew Stephenson: We are working closely with the US as a member of the Quad, and we work well with a number of our international partners. To go back to my original point, I urge restraint on all sides. I read, as I am sure my hon. Friend did, the in-depth article in The Guardian this morning about factional fighting in Yemen, which is obviously of concern. We are trying to
establish the facts of these situations. The most important thing, however, is to realise that there is no military solution to the conflict. We urge restraint on all sides. Everyone has to follow the UN peace process.

Stephan Gethins (North East Fife) (SNP): I, too, thank the Chair of the International Development Committee, the hon. Member for Liverpool, West Derby (Stephen Twigg), for securing this urgent and important question.

As the Minister and others have pointed out, this is one of the great humanitarian crises of our age, and one that is not only having a particularly detrimental effect on children but is man-made. I pay tribute, as I am sure we all do, to the extraordinary work of humanitarian organisations in Yemen, in some of the most difficult circumstances. The Minister was right to point to the humanitarian aid from the UK, but it has been eclipsed by the money coming in from arms sales since the start of the war. Surely that should be the other way around. I ask the Minister to address that. In particular since the Secretary of State for International Trade was forced to apologise, what additional measures have been put in place by the Foreign and Commonwealth Office, because there were allusions to the failings of the Minister’s Department? Also, will the Minister update us on whether there is anything else of which this House should know or be made aware? Will he suspend any existing licences? We have asked about independent investigations—it was right to bring that up—and will the Minister investigate the alleged bombings of Oxfam water projects? That is incredibly important.

Finally, the UK is the penholder. As the penholder, the UK must be seen as an honest broker. Selling arms to one side while being seen as an honest broker just does not cut it. Will the Minister respond to that?

Andrew Stephenson: The hon. Gentleman mentioned the UK contribution to humanitarian assistance. The UK is one of the biggest donors to reconstruction in Yemen and in helping to deal with the immediate humanitarian concerns. Since the Yemen conflict began in 2015, our partners have reported two incidents to us in which UK-funded assets incurred damage as a result of the conflict. We urge all air strikes in which there are civilian casualties, in particular those that hit NGOs, to be fully investigated. We work with our partners to ensure that there are investigations into such matters.

As my right hon. Friend the Secretary of State for International Trade said in her statement to the House last week, the Government unreservedly apologise for the export licences that were issued in error. She has taken immediate action, including informing the Court of Appeal and Parliament, putting in place immediate interim procedures to ensure that the errors do not happen again, and instigating a full internal review of all licences granted to Saudi Arabia and its coalition partners since 20 June.

Rehman Chishti (Gillingham and Rainham) (Con): My right hon. Friend the Prime Minister’s special envoy for freedom of religion or belief involves engaging with international partners multilaterally and bilaterally to promote freedom of religion and belief. The UN has said that Baha’is living in rebel-held territory in Yemen have faced a persistent pattern of persecution, including harassment and arbitrary detention. Will the Minister ensure that freedom of religion is a key priority in all our discussions internationally?

Andrew Stephenson: I congratulate my hon. Friend on his appointment. This is something that he has long championed, and I look forward to working with him on this in the coming weeks and months. Freedom of religion and belief in all countries around the world is very important to the Foreign and Commonwealth Office. In particular, I am keen to see how we can work together on the situation in Yemen.

Ann Clwyd (Cynon Valley) (Lab): Unless there is an immediate ceasefire, by the end of this year 233,000 people will have died in Yemen, including 150,000 children under the age of five. What are we doing to try to get a ceasefire through a UN resolution? What are we actually doing? Tell us.

Andrew Stephenson: There were conversations about that at the UN General Assembly, which was attended by a number of Ministers. Unfortunately, we all had to cut our programmes short to return to the United Kingdom, but we will continue through the United Nations Security Council and other forums to ensure that the needs of Yemen are always discussed. We will see what we can do. We are leading efforts in support of the UN peace process in this area.

Mrs Pauline Latham (Mid Derbyshire) (Con): I congratulate the Government on the amount of humanitarian aid that they have given to Yemen. Many NGOs and other organisations are trying to get food to the people in Yemen who desperately need it. Women who are pregnant desperately need that food, because if their children are born stunted—which they will be if they have malnutrition—they will never catch up, impoverishing the whole future of Yemen. Will the Minister please persuade other countries to do their bit just as Britain is doing?

Andrew Stephenson: I thank my hon. Friend for her pertinent question. So far this year in Yemen UK aid has helped to admit 250,000 children to health facilities and mobile clinics for malnutrition. UK aid supported 900,000 children to gain access to primary care in Yemen in the past year but, unfortunately, 2.5 million children in Yemen have irreversible stunted growth. We need to continue to work with international partners to ensure that more money is dedicated to that, because it is irreversible when it happens.

Richard Burden (Birmingham, Northfield) (Lab): Does the Minister share my horror at the air strike that took place last week on a civilian area in Qataba, which killed 15 people, five of them children, and injured 13, seven of them children? Does he know that Save the Children has been calling for an independent investigation into that attack, so that the perpetrators can be held accountable? Will he support the call for an independent investigation and, if so, how will he help to bring it about?

Andrew Stephenson: We remain deeply concerned about reports of civilian deaths from any air strikes, in particular the case that he cited. Our thoughts are of course with all those affected. We are working with our
partners to establish exactly what happened—that is the most important thing for us to do as a first step—and we welcome the coalition’s referral of two recent incidents for investigation by the Joint Incidents Assessment Team. The UK continues to call on all parties to the conflict in Yemen to exercise restraint, to comply fully with international humanitarian law and to engage constructively with the UN peace process.

**Maria Caulfield (Lewes) (Con):** Hezbollah has been involved in Yemen since the start of the conflict, providing training and weapons for the Houthis. When this Government decided to proscribe Hezbollah as an organisation, Opposition Members did not support them. Will the Minister condemn the role of Hezbollah in prolonging the conflict, and what words does he have for the Opposition?

**Andrew Stephenson:** The situation in Yemen is complex. There are a range of different actors in different parts of the country. All I would say is that we need restraint on all sides. There is no military solution to this conflict. A lasting solution can only be achieved through the UN-led peace process.

**Jane Dodds (Brecon and Radnorshire) (LD):** Would the Minister agree that the UK has earned eight times more from sales of arms to Saudi Arabia and other members of the coalition in Yemen than it has spent on aid to help civilians? Right now, 10 million people are on the brink of famine. Some £770 million has been spent on aid to the region, and we are grateful for that, but there has also been £6.2 billion of arms sales to the coalition. We do not want thoughts or words; we want action to stop the war in Yemen and people dying.

**Andrew Stephenson:** As the hon. Lady will know, the UK has some of the most stringent arms exports licences in the world. [Interruption.] I know that some Members across this House would be happy to sacrifice our defence industry and jobs, but we work with countries around the world. We ensure that we are exporting defence equipment only to countries that are in compliance with international humanitarian law and, as has been so shown by the recent Court case, we are immediately stopping a supply of new licences and are investigating incidents where licences have been granted contrary to the Court judgment.

**Tim Loughton (East Worthing and Shoreham) (Con):** I welcome the appearance of the Minister of State at the Dispatch Box, Mr Speaker, even if you do not.

As the Chair of the Select Committee has mentioned, the humanitarian situation in Yemen remains horrendous, but the impact falls disproportionately on women and girls. Since the beginning of the conflict, there has been an increase of more than two thirds in reported incidents of gender-based violence. Maternal death rates have also doubled in the past four years, as only a third of maternal and early years health services remain intact. What more can we do to help the most affected part of the Yemeni population for future generations, for the perfectly good reasons mentioned by my hon. Friend the Member for Mid Derbyshire (Mrs Latham)?

**Mr Speaker:** I enjoyed the hon. Gentleman’s question. However, as colleagues will know, I always welcome Ministers to the Dispatch Box to answer urgent questions that I have granted. That point is so blindingly obvious that only a very, very, very clever person could fail to grasp it.

**Andrew Stephenson:** The UK has supported 1,700 survivors of gender-based violence since 2017 through our £13 million of funding to the United Nations High Commissioner for Refugees and the International Organisation for Migration. My hon. Friend is correct, though, to raise this issue as one of the most pressing in the conflict, with the number of incidents of gender-based violence reported to have risen by more than 60% since the start of the conflict.

**Dr David Drew (Stroud) (Lab/Co-op):** One action that the Government could take immediately would be to tell the Government of Sudan to withdraw their Rapid Support Forces from Yemen and to tell the Saudis to stop paying them.

**Andrew Stephenson:** We call for restraint on all sides in this conflict. As I said in my opening response to the urgent question, there is no military solution. The only solution is to follow the UN-led peace process.

**John Redwood (Wokingham) (Con):** Given Iran’s involvement in the conflict, what actions are the United Kingdom Government taking to try to get an agreed effective policy towards Iran between the United States and other NATO allies?

**Andrew Stephenson:** The Government have long-standing concerns about the Iranian involvement in Yemen which we have raised with the Iranian Government. Iran’s provision of weapons to the Houthis contravenes UN Security Council resolution 2216 and the Security Council’s embargo on exports of weapons to Iran. We are deeply concerned by the findings of the UN panel of experts on Yemen that missiles and related military equipment of Iranian origin were introduced into Yemen after the imposition of the targeted arms embargo.

**Patricia Gibson (North Ayrshire and Arran) (SNP):** The UK Government’s multiple breaches of the Court order preventing the issuing of new licences for arms sales to Saudi Arabia has made a mockery of the UK Government’s claims that they have a rigorous and robust control of arms export controls. These arms are being used to cause untold suffering in Yemen. Does the Minister not agree that it really is time for the UK to do the right thing and stop all arms sales to Saudi Arabia for good, as it is a brutal regime with scant regard for international law, or will the UK Government continue to be complicit in the atrocities in Yemen?

**Andrew Stephenson:** As my right hon. Friend the Secretary of State for International Trade said in her statement to the House last week, the Government unreservedly apologise for the export licences that were issued in error. She has taken immediate steps, including informing the Court and Parliament, and has put in place further steps and interim procedures to ensure that these errors do not happen again.

**Mr Philip Hollobone (Kettering) (Con):** Is not the truth of the matter that the conflict in Yemen is not going to end until Iran stops using the conflict as a
proxy for its conflict with Saudi Arabia? Rather than engaging in a direct assault on Saudi Arabia, Iran prefers to use and fund the Houthis to do just that. Other Iranian proxies such as Hezbollah are directly involved in providing the Houthis with missile technology. I know that the Minister says there is no military solution to this conflict. If that is right, the Iranians have to be persuaded to withdraw.

Andrew Stephenson: We encourage Iran to demonstrate that it can be a constructive part of the solution through promoting stability and showing commitment to the unity, sovereignty, independence and territorial integrity of Yemen. We hope that Iran can use its influence with the Houthis to encourage de-escalation of the current crisis, end their attacks on coalition countries and support a return to a political dialogue.

Mike Gapes (Ilford South) (IGC): In his speech at the United Nations General Assembly two days ago, Yemeni Foreign Minister Mohammed Abdullah Al-Hadhrami attacked and criticised Iran for its support of the Houthis, but also strongly criticised the United Arab Emirates for its support for the Southern Transitional Council in Aden. What is the position of the British Government as regards the positions taken by the UAE, and what contact have we had with the Southern Transitional Council?

Andrew Stephenson: We are in regular dialogue with representatives of the UAE. I referenced in one of my previous responses the rather concerning report in The Guardian today about some of the incidents that have happened. I am in regular discussion with the UAE, but I will more than happily write to the hon. Gentleman on this specific matter.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): Considering that the Saudi National Guard has been militarily active in Yemen, what can the Minister tell us about Sangcom, the 10-year £2 billion Saudi Arabia National Guard Communications Project that is a collaboration between the Saudi regime and the British Government and is reportedly led by the Ministry of Defence?

Andrew Stephenson: I may also have to write to the hon. Gentleman in response to that question. We do have a defence relationship with Saudi Arabia and work closely with the country on a number of projects, but I am not fully abreast of the details of that specific programme.

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): In answering my hon. Friend the Member for North East Fife (Stephen Gethins), the Minister spoke about the need to investigate the shocking attacks on aid facilities in Yemen, yet Oxfam says that it has never so much as been interviewed about bombings of its water projects and water warehouses there. Are those investigations really happening, and why should we take them seriously if even those interviews have not occurred?

Andrew Stephenson: A large number of investigations have taken place. The Saudi Foreign Minister has been to this House in the past and has answered questions from Members about some of those investigations, and I know that more than 100 have now been brought to a conclusion. Of course we want damage or incidents involving civilian casualties to be investigated very thoroughly, particularly when NGOs or partner organisations are involved, and we ask searching questions about what has gone on in such incidents.

Toby Perkins (Chesterfield) (Lab): What the Minister says about the UK calling on all sides to cease the fighting would be more convincing if he was able to tell us whether the Prime Minister mentioned Yemen in his meeting with President Rouhani. I appreciate that the Minister has stepped into the breach somewhat, but that would have been rather a key piece of information to bring to a statement about this conflict. I expect our Government to have relatively limited power with the Houthis and with the Iranians, but we should expect more from the Minister and from this Government in terms of our relationship with the Saudi Arabians. Given that the UK is continuing to trade weapons with the Saudis, can the Minister tell us a little bit more about what success we have had in terms of getting these investigations into breaches of humanitarian law and what actual influence we are having?

Andrew Stephenson: There is a range of questions there. I am sure that our Prime Minister raised this in his UN discussions, although I will have to come back to the House on the details. I know that the Foreign Secretary also met his Iranian counterpart at the UN. Between those discussions, I am sure that the situation in Yemen was of course discussed. The UK hosts regular meetings on this between Foreign Ministers in the Quad. We are taking a lead in ensuring that the needs in Yemen are never off the agenda.

Nick Thomas-Symonds (Torfaen) (Lab): The Houthi rebels have been, quite rightly, roundly condemned for their use of child soldiers. Is the Minister as concerned as I am by reports that it now seems that the Saudi-led coalition might be trying to use child soldiers originally from Sudan? What more can the Government do to stop this terrible use of children in conflict?

Andrew Stephenson: The UK is committed to ending the recruitment and use of child soldiers and protecting all children from armed conflict. We condemn in the strongest terms all grave violations and abuses committed against children in Yemen and urge all parties to the conflict to immediately cease all violations of applicable international law, including these grave violations.

Alison Thewliss (Glasgow Central) (SNP): I was glad to see that the International Committee of the Red Cross had facilitated the release of 290 detainees yesterday. They are among many people in Yemen who have been arbitrarily detained and whose families do not know where they have gone. What more is the Minister doing and his Government doing, because it was one of the planks of the Stockholm agreement that prisoners would be released? What more can be done?

Andrew Stephenson: The UK offers full support to Martin Griffiths’ UN-led process as well as the work of the International Committee of the Red Cross. In April, the Yemen Quad reaffirmed its endorsement of the
agreement reached in Stockholm by Yemeni parties in December 2018. We have previously seconded an individual to the UN to support the work of the executive mechanism for agreement on prisoner exchange. Obviously we welcome the very welcome news of the release of prisoners that we have seen in the past few days, but there is clearly more that needs to be done on all sides.

Brendan O’Hara (Argyll and Bute) (SNP): I have lost count of the number of times in the four years that I have been here when we have discussed Yemen in this Chamber, yet little or nothing has changed, so let me ask again a question I first asked in 2016 and is sadly still relevant: what does a regime have to do—how many breaches of humanitarian international law does it have to commit—before this Government deem it an unacceptable partner with which to deal arms?

Andrew Stephenson: The UK takes its exporting licence obligations extremely seriously. We operate one of the most robust export control regimes in the world.

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): The Guardian report yesterday that the Minister mentioned reveals that motor parts made in the Goodrich factory in Wolverhampton were found in fragments of illegal cluster bombs dropped by the Saudi coalition in Yemen. Can he please explain how UK components found their way into a bomb that is banned under international law, why on earth our allies—supposedly—are using such deadly weapons in Yemen, and what the Government are going to do about it?

Andrew Stephenson: I cannot comment on the specifics of what the hon. Gentleman has said, but in terms of recent licences we very much regret the licences that were issued in error. The International Trade Secretary commissioned a full and urgent investigation into those breaches as soon as they were discovered. Throughout the investigation, all decisions made on export licences to Saudi Arabia and its coalition partners will be subject to additional compliance checks, including closer collaboration between Departments so that no further licences are issued in error.

Points of Order

2.54 pm

Grahame Morris (Easington) (Lab): On a point of order, Mr Speaker. I wonder if I might seek your advice. My understanding is that Ministers should not knowingly mislead the House. However, during Treasury questions this morning the Chief Secretary to the Treasury implied that the UK was performing well in the cancer survival league tables. This is not correct and creates a false impression. I have checked in the Library and I have the latest article in The Lancet which has a comparative study, and unfortunately the United Kingdom is bottom in all seven categories: cancers of the oesophagus, stomach, colon, rectum, pancreas, lung and ovary. So I really think it is important that the record is corrected, Mr Speaker.

Mr Speaker: I am grateful to the hon. Gentleman for his attempted point of order. I recognise, as many other Members will, that he speaks with very considerable personal knowledge and authority on this subject. If memory serves me correctly, the Chief Secretary to the Treasury said that cancer survival rates were improving. I think that is what he said. The hon. Gentleman has made the point that in respect of the seven most common cancers, the UK is at, or close to, the bottom of a league table. I say with no pleasure that those two statements are not mutually exclusive. However, I recognise that in the context of what is a point of debate, he was very concerned to put his thoughts on the record. He has done so, and that record is there to be studied by people within the House and outside it. I thank him for what he has said.

Toby Perkins (Chesterfield) (Lab): On a point of order, Mr Speaker. We are aware that the Government’s major attention at the moment appears to be a couple of hundred miles to the north of where we are, but I do think that if Parliament is sitting and we are going to have urgent questions on matters as crucial as today’s, it is beholden on the Government to ensure that if the Secretary of State is unable to attend, the Minister is given the relevant information to be able to ensure that the exchanges can be performed in a way that actually provides information to people watching these proceedings and, crucially, to Members of Parliament. I do not blame the Minister himself, but on the key factor about what the UK has done either with the Iranians or with the Saudi Arabians, he has not been in a position to respond, and I do think that that diminishes these proceedings. I wonder if you are able to get a message to the Government to ensure that people who come to the Dispatch Box are in a position to be able to respond on the key factors that they are going to be asked about.

Mr Speaker: I thank the hon. Gentleman for his attempted point of order. The Minister has signalled an interest in responding, and of course I will hear him.

The Minister for Africa (Andrew Stephenson): If I could clarify, Mr Speaker, I said before that the Minister for the Middle East and North Africa was undertaking Army reserve duties, but it was actually Navy reserve duties. It is not the Conservative party conference that is the reason why the responsible Foreign Office Minister is not at the Dispatch Box today.
Mr Speaker: That is a helpful clarification and I thank the Minister of State for it. There is no rule on the matter. I say this as much for the intelligibility of our proceedings to observers as for the interest of Members. Who the Government field to respond to an urgent question granted by the Speaker is a matter for the Government. The natural desire and, I think, greater expectation on the part of colleagues that a Minister will be able to oblige is noted by the Chair, and more widely, I think, understood across the House. I think the point will convey itself to Government Whips, the Leader of the House and so on. Meanwhile, the Minister has courteously explained the position, and he did respond to all questions as fully as he felt able to. I genuinely thank him for that.

Mike Gapes (Ilford South) (IGC): On a point of order, Mr Speaker.

Mr Speaker: Yes, indeed—a point of order from Mike Gapes. He certainly knows about Foreign Office matters.

Mike Gapes: Thank you very much, Mr Speaker. It is a genuine point of order. The Minister, in response to me and to some others, said that he would write to us. My question to you, Mr Speaker, is that if there were to be a Prorogation in the next few days, and a Queen’s Speech, what happens in the case where there has been no answer and we have been told that the Minister will write?

Mr Speaker: The answer to that is that Prorogation should not affect the moral obligation to keep a promise to send a letter, so if the Minister has volunteered written replies, which in a number of cases he did, the obligation to provide those replies continues to apply, and I am sure that he would expect to do so. As long as a Minister is in office—and one fully expects that he will continue to be in office; one has to work on that assumption as there is absolutely no reason to think otherwise—he will expect to redeem his commitment. I think we will leave it there for now. I hope that is satisfactory to the hon. Gentleman.

Exiting the European Union (Agriculture)

3 pm

The Minister of State, Department for Environment, Food and Rural Affairs (George Eustice): I beg to move,

That the draft Common Organisation of the Markets in Agricultural Products (Transitional Arrangements etc.) (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 24 July, be approved.

The shadow Minister, the hon. Member for Stroud (Dr Drew), and a number of other Members may, in the case of this statutory instrument and two others that we will consider this afternoon, have a sense of déjà vu, not for the first time in issues relating to EU exit. I will explain why these further statutory instruments are necessary, but I do not envisage that we will need to take up the full time allocated for them, unless the shadow Minister feels that he did not rehearse these issues in the detail he would have liked to last time. This particular instrument concerns the common organisation of the agricultural markets, more commonly referred to as the CMO in EU parlance. The CMO sits in pillar 1 of the common agricultural policy alongside direct payments, and it was set up as a means of meeting the objectives of the CAP, in particular with regard to stabilising markets, ensuring a fair standard of living for agricultural producers and increasing agricultural productivity.

Mr Jim Cunningham (Coventry South) (Lab): How does that impact subsidies to farmers, which must affect the markets? Where are we in terms of the continuation of subsidies to stabilise those markets?

George Eustice: Retained EU law means that the existing basic payment scheme will continue. The hon. Gentleman will be aware that the Agriculture Bill, which has been before the House, outlines a plan to evolve that policy over a period of seven years, but that is not the issue before us today. This particular instrument relates to the CMO regulations.

In March this year, six EU exit operability SIs concerning the CMO were debated in the House, approved and made. Those SIs sought to make retained EU law operable in the domestic UK context. The instrument under debate amends one of those existing EU exit SIs: the Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments) (EU Exit) Regulations 2019. The existing SI, which was passed in March, ensured the operability of certain provisions relating to the reserved policy areas of regulation of anti-competitive practices, international trade, imports and exports and intellectual property law. Among other things, it establishes transitional periods for the import documentation for hops, certificates of conformity for fruit and vegetables and imports ofveal.

The original statutory instrument obviously envisaged a departure date of the end of March, but, as Members are fully aware, a decision was taken to delay our departure to 31 October. The primary aim of this statutory instrument is to make simple corrections to the existing EU exit SI, to ensure that, where provisions refer to a transitional period, those periods are realised as was intended.

Current EU legislation requires hops imported from third countries to be accompanied by an attestation certifying compliance with EU marketing standards.
For fruit and vegetables, EU legislation permits the inspection authorities of specified third countries to certify that imports originating from that country comply with EU marketing standards, so that they may benefit from lower inspection burdens in the EU. That legislation will be rolled over into UK law, and we are providing for a transitional period of two years for forms and certificates that we accept from third countries attesting that a product meets marketing standard requirements, during which both the new UK forms and certificates and their equivalent EU versions shall be accepted, provided that the EU standards remain at least as high as the UK standards. That will allow importers time to transition to using the new forms of documentation.

This instrument also concerns imports of veal. Under EU law, third countries wishing to import bovine meat into the EU must maintain an identification and registration system of the bovine animals they intend to import, starting from the day of birth of the animals. This is to ensure that imported meat has traceable origins and meets the EU’s standards and that the age of animals whose meat is marketed as veal can be verified. The name and address of the body in charge of the system, with a list of operators for whom the body is carrying out checks, must be notified to the Commission before the first consignment of veal is imported.

These rules are being retained in our own EU exit SIs, with a requirement for third countries—including EU member states, which will become third countries when we exit—to notify this information to the Secretary of State. To safeguard the continuity of veal imports from the EU into the UK after EU exit, we have allowed a three-month transitional period, to allow the EU time to gather and submit the required information to the UK. The end dates for these transitional periods were explicitly stated as 29 March 2021 for hops and fruit and vegetables and 30 June 2019 for veal.

Toby Perkins (Chesterfield) (Lab): It is important that the standards are maintained as we head towards 31 October, and many of my constituents will be concerned about not only the maintenance of those standards but also pricing. Can the Minister clarify the Government’s policy on what tariffs the UK would place on EU agricultural goods coming into the UK if, in the event of no deal, the EU placed tariffs on UK agricultural goods?

George Eustice: The hon. Gentleman raises a point that is somewhat outside the scope of these regulations.

Madam Deputy Speaker (Dame Eleanor Laing): Order. For clarity, it is totally outwith the scope, and we must remain within the scope.

George Eustice: Thank you, Madam Deputy Speaker.

As I was saying, the end dates of these transitional periods were explicitly stated as 29 March 2021 for hops and fruit and vegetables and 30 June 2019 for veal. However, the extension of article 50 to 31 October would render those transitional periods significantly shorter, or in the case of imports of veal, completely redundant. This statutory instrument preserves the original transition period that was intended.

The instrument makes further amendments to the Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments) (EU Exit) Regulations 2019 in order to correct inconsistencies in the drafting and minor inoperabilities. The instrument under debate relates to reserved policy areas, so that they may benefit from lower inspection burdens in the EU. That legislation will be rolled over into UK law, and we are providing for a transitional period of two years for forms and certificates that we accept from third countries attesting that a product meets marketing standard requirements, during which both the new UK forms and certificates and their equivalent EU versions shall be accepted, provided that the EU standards remain at least as high as the UK standards. That will allow importers time to transition to using the new forms of documentation.

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Dr David Drew (Stroud) (Lab/Co-op): It is just like old times—we are back considering SIs, and it is good to see the Minister back in his place. I see Ministers rather like basketball players: they come and go, and they keep substituting for one another. On the Opposition Benches, there is a bit more consistency, and we tend to stick it out.

It is important that we have this opportunity to revisit the legislation. I do not know whether this is the amendment of the amendment, or the amendment of the amendment of the amendment—we have had so many of these SIs, and we have amended them and debated them thoroughly. It would be interesting to know where and when these mistakes arose, who found them and why we did not get it right earlier; perhaps the Minister will be able to say a few things about that.

It would also be interesting to know whether this SI is part of the process of evolution we warned there would be. Clearly, the EU does not stand still; some of these changes are inevitable, because the EU has made policy developments and we need to amend our legislative framework so that, when and if we drop out, we have clarity about the basis on which our law will be taken forward. Although this is secondary legislation, it matters, because this sector will be the most affected by no deal and, more particularly, whatever happens as a result of what goes on at the end of this month.

I have some specific questions for the Minister, but first let me say in passing that it would be nice if we were spending this time on the Agriculture Bill, which disappeared in November 2018. We have now spent nearly a year waiting for it to come back. I see these debates as like sticking the tent poles up in a gale when someone has forgotten the canvas. It would be nice to know where the canvas is, because we are going to get rather wet without it, given what has been happening outside with our weather and so on. It is important that we know where that Bill has got to.

I was impressed by some of the amendments tabled to that Bill by the Minister, along with the hon. Member for Richmond Park (Zac Goldsmith). We thought they were excellent. Sadly, they seem to have disappeared. It would be nice to know whether the Minister still believes in those amendments. Certainly, if he and his colleague do not want to move them, we will, because they would provide actual protections. That is highly relevant to this SI, which is the most straightforward—dare I say it: we have some more difficult ones to come. We have rather a lot of time to spend on it, so we might as well spend it creatively and appropriately.

I am not sure in which debate I said this, because we have taken part in so many and we conflated a number of SIs, to the benefit of the Government. We did not have to do that, but clearly, with 500 Brexit-related SIs,
of which more than 120 were DEFRA related, we had to do something to address the time restraints we faced and to do the job as well as we could. We warned that mistakes would be made because of the hurried way in which we went through this process—and mistakes were made. It is not without concern that farmers still face a great deal of uncertainty.

Clearly, this is the least contentious of the four SIs we will consider this afternoon. The other three are fairly straightforward, but we nevertheless have some concerns about them. This one is less of a concern, although I raised some worries about it previously and I will raise them again, because I am not sure we got the answers we would have liked to hear.

It is interesting to know that the regulations correct minor details, although the Minister rightly mentioned the impact on both the meat trade and vegetables. With that specifically in mind, a lot of the changes are about giving the Secretary of State all responsibility. It is important that we understand that. It is deliberately aligned, with the Government and the Minister being directly responsible. However, I do not understand why some of the references have been changed in the way that they have been. The Minister may want to explain that. Clearly, if the changes are purely to correct drafting errors, I will accept that, but some seem to change the responsibility even more, so that the Minister, and the Minister alone, is the responsible agency.

I have one very specific question, which I hope the Minister is able to answer. I am interested in why the olive oil and table olives sector, and likewise the silkworm sector, and interbranch organisations in the olive oil and table olives sector and the tobacco sector, were removed from this piece of secondary legislation. I do not understand why they were in the first or second draft—I think we are now on to the third draft.

On funding, although this is all about pillar 1, it has an impact on pillar 2. We had those debates; I just wonder where the Government are in terms of their philosophy on direct payments, which they want to remove. We do not yet have an Agriculture Act in place to do that, so no doubt we will have to fall back on the current funding arrangements, presumably for the whole period of the transitional arrangements, which the Minister says could be up to two years. Unless the Government have sufficient resources, that will impact pillar 2. I always worry that money is filched from pillar 2. It would be good to know that the Government are clear that they will maintain enough payments in pillar 2. I know that is more pertinent to the second SI we will debate, upon which rural development regulations are contingent. It would be interesting to know whether the Government will put on the record that they intend to protect pillar 2 payments as a priority.

The other issue I want to raise is about monitoring and evaluation. The relatively new Secretary of State—everyone is relatively new, because we have had such a change in personnel—when asked by my hon. Friend the Member for Keighley (John Grogan) about the office for environmental protection, which of course was in place if we got the environment Bill enacted, acknowledged that there will be a gap in provision and that that will lead to some difficulties. I am not at all sure who is going to do the monitoring and evaluation. We talked about maintaining standards of imports from EU countries, but who will maintain the standards of our current produce? Unless there is an authority that is able to do that, we will have a significant problem identifying whether our standards, let alone the standards of what might come in from abroad, are maintained.

The Opposition, at least, have always argued that there is a shortage of people to do those jobs, because they have gone into Europe and may not have come back—I do not know what the current employment situation is. I know we have all these additional civil servants, but there is no guarantee that they have the right skills to do this sort of work. Sadly, there has been a decline in agricultural science under this Government. Clearly, the people who are going to do this sort of work will need scientific training, because it is about trying to maintain the quality of the products we are discussing.

There is a lot in the draft regulations, even though, as I say, this is the most straightforward of the SIs we will deal with this afternoon. I hope the Minister is able to say a few things about it before we get on to our slightly more detailed scrutiny of the other three SIs.

3.18 pm

John Redwood (Wokingham) (Con): The amendments before us are ones for delay. Three years and three months have passed since we decided to leave the European Union. Leave voters would have expected us to have left at the two-year mark and to be well into enjoying the benefits of our independence by now, particularly in the agriculture and fishing sectors, where it is so much easier to design policies that would be better for domestic production and consumers than those they replaced.

I rise just to tease out a little more why the Government think we need a further 21 to 24 months’ delay in putting through policies that should clearly be better, because they would be fashioned in the United Kingdom with United Kingdom consumers and farmers in mind. I would like the Minister, who knows his subject very well, on behalf of the Government to exude a bit more optimism and confidence about our ability to govern these areas better and to try to reduce that time.

What transition can we not do today? What have we failed to do in three years and three months that we will be able to do, miraculously, from 1 November onwards? I find it difficult to understand what these things are that could not have been prepared already. Indeed, knowing my hon. Friend the Minister I suspect that they had been prepared already, because he is knowledgeable and assiduous, and a great deal of work has gone in. Before we automatically allow these things through, I do think we need a better explanation of why we need to have more than five years elapse from the point where many of us said, “Yes, we can do better. Yes, we can have more home-grown food. Yes, we can have more environmentally friendly agriculture. Yes, we can look after our animals so much better if we have UK rules. Yes, we can have a better international market in food if we can get down the tariffs on food from outside the EU.” These are all great bonuses of Brexit, and all we get today is, “Why don’t we waste another 21 to 24 months?” Please, Minister, cheer us up.

3.20 pm

Deidre Brock (Edinburgh North and Leith) (SNP): I will speak to all of the instruments at once, given that they are really part of a whole.
Madam Deputy Speaker (Dame Eleanor Laing): Order. I appreciate that the hon. Lady is being straightforward in what she has just said, but I am afraid she cannot speak to all of the instruments at once. They are being taken separately. There is provision, quite often, to take these matters all at once, and the occupant of the Chair will say, “Everyone may speak to everything at once”, so it is not the hon. Lady’s fault for assuming that she might be able to do that, but I am afraid that it is a pretty strict rule. She has to speak only to the first one, and then later she can speak to the second, and then later to the third and then later to the fourth.

Deidre Brock: Those joys await me. Thank you, Madam Deputy Speaker. You would almost assume that the instruments have been split just to fill the time while the Government are off playing in the delights of Manchester. But that would be very cynical of me.

I find myself on my hind legs again talking to statutory instruments that will be necessary as part of the eye-wateringly enormous effort to replace the sensible functioning of the European Union with domestic legislation that seeks to do the same thing. In the bonkers Brexit boorach, this all makes sense to someone, somewhere. I cannot help noticing, however, that if the Prime Minister’s cunning plan had succeeded and Scotland’s Court of Session had not reeled him back in—something that of course the UK Supreme Court agreed with—this place would be empty now. None of us would be here and the very important pieces of legislation that the Minister has brought to us today would still be sitting in a DEFRA drawer somewhere. Well, that is the optimistic view; they would more likely be headed for the shredder, with all the rest of the legislation that was being dumped on Prorogation.

We still await the return of the Agriculture Bill and the Fisheries Bill, as well as the environment Bill in this portfolio and scores of other pieces of legislation in other areas, all of which we have been told are needed to keep the UK functioning after Brexit. We have been told by, in my view, the worst Prime Minister in living memory that Brexit day is a mere 30 days away, come hell or high water, deal or no deal, give him ditches or give him death, but we have only these pieces of secondary legislation now, and the other pieces of secondary legislation and large chunks of primary legislation that we have been told so often are necessary for the proper functioning of the UK post B-day are still missing.

It would seem that this Government are determined to rip the UK out of the EU on Halloween, but do not give a flaming flamingo about getting the shop ready for opening day. For sure, there has been a very expensive advertising campaign telling everyone else to get ready, but the UK Government have stood steadfast too long in their refusal to prepare themselves, and we are now looking at a disaster of the Government’s making, while they insist that we are walking out that door no matter what. This legislation should have been prepared and presented a long time back, along with all the other pieces that should have been presented in an orderly fashion. Instead, it comes bundled on the back of a Prorogation that never was, half-formed and very late.

The Government are not prepared for Brexit, as was pointed out in the Brexit Secretary’s letter to Michel Barnier recently. I particularly appreciated his remark that “there will be insufficient time to complete such work if left until the last days of October”, as if there currently exists an enormous reservoir of time to do all that should have been done in the last three years. This Government appear to be just getting around to noticing what is coming. I hope that it will not be too long now until they realise what it means. I have to say that I have a great deal of sympathy for the civil servants who must be working flat out trying to get some sense of order into the chaos, because they appear to be getting absolutely no guidance from the politicians who should be pointing the way—led by donkeys, indeed.

So to this statutory instrument, and I will shorten my contribution at this point, Madam Deputy Speaker. On this particular one, the substitution of the role is largely to do with the timing and such things and it is relatively minimal. I will speak at some length on the pesticides instrument and to a degree on the CAP one later, but I will end my contribution at that point.

3.26 pm

Ruth Jones (Newport West) (Lab): Thank you, Madam Deputy Speaker, for calling me to speak in this important debate.

In April I was elected to this place in a by-election. I know that many colleagues across the House spent a great deal of time in Newport West and, in doing so, will have had the chance to see our city centre, our housing estates and our productive farming industry. In fact, the current Prime Minister, soon after taking office in July, made a visit to Newport West. Sadly, he did not ask me for a tour because there is plenty I would have shown him, but he will have seen for himself the need for his Government to do right by our farmers, and not to play fast and loose with their livelihoods and with our local and national economy.

I pay tribute to my hon. Friend the Member for Stroud (Dr Drew) for committing Labour to doing the right thing by our environment, our farming industries and agriculture more generally, and, importantly, for leading the fight in holding the Government to account when it comes to our departure from the European Union. This set of statutory instruments and all other relevant pieces of business require serious consideration by this House. We need thoroughly and comprehensively to take these issues apart to ensure that we get the best outcome possible for all of us across the UK.

I echo the shadow Secretary of State, who has been very clear that Her Majesty’s Opposition will not allow the crisis that is Brexit to be used as an excuse to reduce or weaken our environmental and public health protections. In fact, we want to maintain and enhance this country’s record of high standards and scientific excellence in the months and years ahead. I do not want to see chlorinated chicken in our shops, or hormone-fed beef in our butchers’, and nor do the people of Newport West, Wales or the rest of the UK.

Whatever happens, we need to ensure that our farmers avoid extra costs and businesses avoid greater burdens. We need to save jobs and protect our livestock, trees and plants from pests and diseases. We can do that by being sensible and realistic about the time pressures. The right hon. Member for Maidenhead (Mrs May) was known for her red lines and look what happened to her. I do not want red lines and an unrealistic timeline to mean that the same happens to farmers, plants, animals or trees in Newport West or anywhere else in the country. I am hugely concerned by the reckless
speed at which this minority Government—we should not let them forget that they are a minority Government—are pushing through the EU exit legislation without proper consultation, few, if any, impact assessments and wholly inadequate legislation. I have been here since April, but it is evident to me that the legislation we are discussing now was an afterthought for the Government. They did not want to be here this week, and when this House flexed its muscles and stood up to the Executive, the Leader of the House chose legislation that he hoped would allow his colleagues to stay in Manchester rather than sit here in the House.

As each day passes, we get closer to the edge. A no-deal departure would be catastrophic for the food and drink sector in Wales, Scotland, England and Northern Ireland. Let us be clear: the longer the uncertainty continues, the longer the sector suffers. Farmers in Newport West rely on a steady and dependable stream of European Union funding and need the time and space to prepare for the future. The same goes for our Ireland. Let us be clear: the longer the uncertainty and drink sector in Wales, Scotland, England and Northern Ireland. 

I have a series of questions for the Minister. How many SIs are still to be corrected before we can be sure that the safety of agricultural products we import will not be compromised? How will we know whether we have found all of those SIs? In answer to the right hon. Member for Wokingham (John Redwood), I have to say that while I would very much like us to grow more food in this country—I have mentioned broad beans—and there are various food groups where we could grow more of our own, I do not think we have time to grow a fully formed olive grove in Wokingham before 31 October. We will still need to continue to import food.

How can we be sure that all the other SIs are now fit for purpose? What will happen to all the SIs that are planned for next week if Parliament is prorogued again? If the Government are convinced that we will have a deal, why are we making preparations to leave without one? Can the Minister tell us whether he believes there is any likelihood that the House would vote to leave the EU without a deal, because I do not think there is? If we are going to leave without a deal, how can we support our agriculture and fisheries without passing the Agriculture and Fisheries Bills, which got so far before being shoved on to the backburner? I am sorry to have asked all those questions, but the fact is that I and this side do not believe that we are going to be fully ready to leave the EU on 31 October.

3.34 pm

George Eustice: The hon. Member for Edinburgh North and Leith (Deidre Brock) seemed to criticise the fact that we have these four SIs before us this afternoon and indicated she felt it might be a way of filling time. But I thought she and all the Opposition parties wanted to be here to scrutinise issues relating to EU exit and that is exactly what we are doing this afternoon. However, I share her commendation to our civil servants. The teams who have been working on this and all other SIs have worked incredibly hard over many months. I want to address the point made by my right hon. Friend the Member for Wokingham (John Redwood). I think that he and I are not as far apart as he suggested in his contribution. He will probably recall that I resigned from the last Government on 28 February precisely because I did not believe it was right to extend article 50 and delay—I believed that that would lead to a sequence of events culminating in something of a muddle and the need to do exactly the types of things we are doing now.

My right hon. Friend must not confuse the transitional arrangements that we have discussed in relation to this SI with the rather oddly named implementation period in the withdrawal agreement that he will be familiar with. I will give him one example of the type of thing the SI provides for. Currently, it is possible, under EU law, for
the EU to recognise certification authorities in New Zealand, so that people can certify that apples they are exporting from New Zealand to the UK meet our standards. That reduces the need for us to carry out automatic checks on those apples when they arrive at a UK port. All the SI does is enable those existing certifications to carry on for that period of two years, giving people time to continue to trade—I know he is a great supporter of free trade, particularly with our Commonwealth friends—in that two-year period without having to apply for a new UK certificate.

I turn now to the points made by the shadow Ministers. On those made by the hon. Member for Stroud (Dr Drew), in general, the primary purpose of the SI is to extend the transitional periods to reflect the fact that the departure date has moved from the end of March to 31 October. That is the primary purpose, but as I said there are one or two other areas where there were very minor mistakes. He asked for some examples. In one case, the term “appropriate authority” was used, when it is clear it is a reserved matter, so we should have used the term “Secretary of State”. It is a minor error. The legislation as drafted probably would have worked but, given that we were revisiting this anyway to change the transitional periods, it seemed a good opportunity to put that other error right.

The hon. Gentleman raised the issue of olives, olive oil, silk worms and tobacco. It would not have been the end of the world if that had remained in the SI but, again, given that we needed to return to change the transitional periods, it seemed a matter of good housekeeping to remove those references where they were not appropriate. We would never have to recognise a producer organisation for the purposes of those sectors since we do not produce olives, olive oil, silk worms or tobacco, and as the hon. Member for Ipswich (Sandy Martin) pointed out, there is very little prospect of us doing so. In earlier SIs, we deleted similar provisions for home-grown UK bananas, because on a similar analysis we decided that was unlikely in the foreseeable future. This simply follows the same logic in those additional areas.

The hon. Member for Stroud raised several other issues about the Agriculture Bill and pointed out that I had tabled many amendments. Indeed, I made great use of my freedom as a Back Bencher to table some amendments. He will be aware, however, that now I am back at the Dispatch Box, I agree with collective Government and support a collective Government position. That is why those amendments have mysteriously disappeared.

The hon. Gentleman raised the issue of marketing standards and asked whether we have the enforcement capabilities for that. I can confirm that we have. We have Her Majesty’s marketing inspectorate, which sits within the Rural Payments Agency and which already does all the work involving marketing standards on behalf of the European Union, and the UK had its own horticultural marketing inspectorate well before we even joined the European Union.

On the issue raised by the hon. Member for Ipswich, a number of statutory instruments that are currently before the House have undergone a sifting process to correct minor errors but in general to ensure that the SIs that were laid before March remain relevant for a 31 October departure date. He is, of course, aware that the European Union (Withdrawal) Act provides for subsequent SIs after we have left, if it is simply a question of correcting minor errors of the sort that I have mentioned today. He will also be aware that there is provision for an emergency procedure should that be necessary.

I hope that I have managed to address most of the points that have been raised. I commend the regulations to the House.

Question put and agreed to.

Resolved,

That the draft Common Organisation of the Markets in Agricultural Products (Transitional Arrangements etc.) (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 24 July, be approved.
Exiting the European Union (Agriculture)

3.41 pm

The Minister of State, Department for Environment, Food and Rural Affairs (George Eustice): I beg to move,

That the draft Common Agricultural Policy and Common Organisation of the Markets in Agricultural Products (Miscellaneous Amendments) (EU Exit) Regulations 2019, which were laid before this House on 24 July, be approved.

This statutory instrument concerns the common organisation of the agriculture markets, more commonly referred to as the CMO. As I said earlier, in March this year six EU exit operability SIs concerning the CMO were debated in the House, approved and made. They applied operability amendments to retained EU regulations which set out the overarching framework for the CMO and the detailed rules contained therein. This instrument amends some of the existing SIs to make simple corrections ensuring that when provisions refer to a transitional period, in common with the previous SI, it can be realised as intended, notwithstanding the delaying of EU exit until 31 October.

Five different transitional periods are set out in the existing EU exit SIs. The first and second concern special provisions for the import of wine and the labelling of imported wine. Under EU law, third countries wishing to import wine into the EU must produce it in accordance with specified oenological practices, and are required to provide key information on the content of the shipment, including a certificate evidencing compliance with EU rules and an analysis report. Those rules are being retained through retained EU law, but we are only retaining oenological practices that relate to domestic wine production.

We are also amending wine labelling rules to make them more appropriate for the UK market. For example, we are requiring certain information to be written in English whether or not it also appears in another language. However, we are providing for a transitional period of 21 months, consistent with that in other labelling provisions, during which wine that is labelled in accordance with current rules and produced in accordance with oenological practices authorised under EU law may be imported into the UK for marketing to ensure that there is no disruption to the import of wine from the EU. During that period, we will also accept EU forms and certificates from third countries alongside the new UK certificates.

The third and fourth transitional periods concern labelling for packages of fruit and vegetables, and for beef and veal. To ensure that consumers are not misled, for some products labelling changes are required primarily as a result of our no longer being a member of the EU. The terms “EU” and “non-EU” will be removed as options for describing the origin of the products, and pre-packaged fruit and vegetables will need to be labelled with the name and address of a UK seller after we leave the EU, rather than the information about an EU seller. We have introduced a transitional period of 21 months to mitigate the effects of these labelling changes on business.

The final transition period concerns import documentation for hops. Current EU legislation requires hops imported from third countries to be accompanied by an attestation certifying compliance with EU marketing standards. We are rolling over this legislation into UK law and providing for a transitional period of two years for documents that we accept from third countries, including the EU—which is about to become a third country—attesting that imported hops meet marketing standards requirements. During those two years both the new UK forms and certificates and the EU versions can be accepted, provided that the EU’s standards remain at least as high as those in the UK. This will allow importers time to transition to using the new forms of documentation, while ensuring that we accept only produce that is assured to meet UK standards.

In the original SIs, in common with the previous one we debated, the end dates of the transitional periods are explicitly stated as a specific date. For example, a transitional period lasting two years is expressed as a “transitional period ending 29th March 2021”.

However, the extension of article 50 to 31 October means that we need to change the legislation to ensure that the intended period of transition remains in place. Therefore, the instrument under debate now makes a simple amendment to the existing EU Exit operability SIs so that the transitional periods apply for the duration intended.

The instrument also makes minor amendments to a series of other domestic EU exit SIs relating to marketing standards, the horizontal CAP legislation and the rural development programmes in order to remove ambiguity and inconsistencies, or to simply correct typographical errors. This instrument relates to areas of devolved competence. I can assure the House that we have consulted extensively with the devolved Administrations on its content and have received their consent to lay the SI. I therefore commend these regulations to the House.

3.47 pm

Dr David Drew (Stroud) (Lab/Co-op): I am delighted to be here for the second of our four statutory instruments. I want to push the Minister a bit further. He did not manage to answer one of the things that I slipped into the first SI. What is the process of accountability? As we do not have the Environment (Principles and Governance) Bill enacted, we do not yet have the office for environmental protection. I ask again politely what and who is going to provide the sort of testing regime that is now talked about in these five conflated SIs? They are largely about wine—oenological; it is good to get that on the record. It is important that we know that someone somewhere will be able properly to scrutinise labelling and to test what is coming in. Currently, as far as I know, this happens seamlessly across the 28 countries, of which we are one. It will not be seamless when we have left because the wines that come from the EU will go through whatever process the Minister is going to explain to me in a minute.

I am not saying that at the moment there is a clarity because I, for one, do not know exactly how wine is tested to see that what people are buying is safe and what they think they are buying in terms of the proof and the quality, and that the labelling tells us what the wine is and where it came from so that people know what they are drinking. I just push the Minister politely to ask what process the Government have put in place for these interim arrangements?

I know this is about transition. Maybe we shall just turn a blind eye for a time, and let come in what comes in—although someone will have to account for the
tariffs, if and when we get to that stage, because the EU will put tariffs on our goods and services and we will put tariffs on EU goods and services. It would be interesting to know what the Minister has, through his Department, been able to do. Presumably, such work has been going on for the last n number of months, since we have been discussing all these statutory instruments. Following the delay—again we are at the final hurdle, or maybe not—the reality is that somebody somewhere must have this all ready to go from 1 November.

I politely push the Minister, given that we have not yet got the office for environmental protection, with all the different tentacles that it will have, to undertake such work. The response may be that we have our own Food Standards Agency, but at the moment a lot of that work is subsumed into that of the European Food Safety Authority, so someone needs to have this type of capability, and it would be good to know who, and when they will come into play.

3.50 pm

Deidre Brock (Edinburgh North and Leith) (SNP): It is a pleasure to appear after that crash of thunder, following the speech by the hon. Member for Stroud (Dr Drew).

I refer hon. Members to my earlier remarks. Very little seems to have changed in the intervening period. The Minister mentioned that the intent was to retain only regulations that relate to domestic wine production. Does he mean wine made on these islands or domestic to the EU? If I heard him correctly, the UK Government are accepting the rules of the EU for wine production. Is that correct? Will the requirement to provide a UK seller for meat and other products, in addition to the EU’s current labelling rules, actually add red tape to the UK’s food market? It seems that we will in effect be accepting the EU’s single market rules, actually add red tape to the UK’s food market? It seems that we will in effect be accepting the EU’s single market rules and adding a few UK rules on top. I am not sure how that is taking back control, but I will be delighted to have it explained.

3.52 pm

George Eustice: We rehearsed plenty of issues when we debated the previous statutory instrument, so I can be briefer, and I appreciate that both hon. Members who spoke have done so briefly.

The hon. Member for Stroud (Dr Drew), the Labour shadow Minister, asked who would do this work. The office for environmental protection, which will obviously be a matter for the new environmental Bill, would not do any such work. We are talking here, probably, about marketing standards and labelling standards, and the Rural Payments Agency has an inspectorate that leads on that work; it always has done, and has done so incredibly well.

The hon. Gentleman should recognise that the European Union does not have a directly employed army of inspectors in UK ports; the EU has a body of law, but UK agencies already do all such work. As he said, not only does the RPA monitor marketing standards, but there are other organisations as well. We have organisations that monitor pesticide residues; we have the FSA, which deals with food safety issues; we have organisations such as the Food and Environment Research Agency, which deals with plant health, and the Animal and Plant Health Agency, which deals with animal health.

The technical expertise is already here in the UK, in our agencies; indeed, that technical expertise is often relied upon by the EU, not the other way round.

Dr Drew: I accept that; many of our good people currently work for the EU. But is the Minister seriously suggesting that those people have carried out proper contingency planning on how they will do this monitoring in a month’s time? How would FERA—how would the RPA, which I have significant doubts about; I do not know how many scientists it actually employs—sit down and do the work to see whether what has been imported is what it says on the label?

George Eustice: The regulations provide for a transitional period, precisely to give people time to adjust. We will be saying to European wine exporters that they do not, on day one, have to apply for a UK certificate, or get UK certification. We are saying, very generously—it is not being reciprocated particularly yet—to the European Union that because we want to prioritise continuity in the short term while people adjust to this new situation, we will recognise their existing certification.

To answer the hon. Gentleman’s question, there are no risks and nothing new is going to happen that has not already been happening under EU law for a number of years. This simply creates that transitional space to avoid UK authorities having to do unnecessary administration in the short term, and to avoid exporters having to go through unnecessary administration in order to continue to trade.

Dr Drew: The Minister is being very generous in giving way. What then is to stop people labelling their cheap plonk as burgundy and sending it in the form in which they send their good stuff? How will we be able to tell that what we are getting is what it says on the label? I am really intrigued by this.

George Eustice: Well, as the hon. Gentleman will be aware, there is nothing to stop that happening now, apart from EU law. For 45 years we have relied on EU law being enforced in member states. We are simply saying that in the transitional period we anticipate that the EU will continue to abide by and enforce its own laws. If it becomes apparent that it no longer enforces its own laws, we have the powers in these measures to cease to recognise them, because we will maintain our standards.

In answer to the hon. Member for Edinburgh North and Leith (Deidre Brock), I can confirm that there are two slightly separate provisions on wine. First, we are bringing across only those provisions that relate specifically to wines that we produce in the UK, in relation to the production side. We have a growing and very successful wine industry, particularly in sparkling wines. We will not be bringing across those provisions for wines that we do not produce in this country and that are made in other countries. Secondly, we are making those labelling transitional provisions available to all EU producers so that there will be no short-term interruption in the administration procedures that they have to follow.

I hope that I have addressed the points raised by the shadow Minister and the hon. Member for Edinburgh North and Leith. I commend the regulations to the House.

Question put and agreed to.
Exiting the European Union (Agriculture)

3.57 pm

The Minister of State, Department for Environment, Food and Rural Affairs (George Eustice): I beg to move,

That the draft Import and Export Licences (Amendment etc.) (EU Exit) Regulations 2019, which were laid before this House on 23 July, be approved.

The purpose of this statutory instrument is to make changes to EU regulations governing the agricultural import and export licensing regime to ensure that they remain operable on our departure from the European Union. The instrument also revokes some obsolete and redundant regulations relating to the payment of export refunds in the dairy sector and on the administration of EU third country export quotas for cheese and skimmed milk powder.

I should point out that this instrument is rather different from the other three we are considering this afternoon, in that it does not relate to changes that are necessary due to transitional arrangements or dates. This is one of a small number of very minor SIs that were deprioritised in the run-up to the end of March, given that their applicability to the UK is quite limited and they were not judged to be sufficiently important to merit passing in time for the end of March. However, now that we have the luxury of time, it is possible to bring them forward.

This instrument seeks to make EU regulations governing the agricultural import and export licensing regime operable. In particular, the regulations make operability fixes to technical EU Commission regulations, providing for the issue of import and export licences for certain agricultural products; update EU regulatory cross-references to equivalent provisions in domestic legislation made under the Taxation (Cross-border Trade) Act 2018; and convert licence securities from euro values into sterling using the average annual exchange rate for 2018.

EU Commission regulations 2016/1237 and 2016/1239 provide for a licence system for the import and export of certain agricultural products and specific provisions for the import of hemp. Under those regulations, it is required that any import of husked, milled or broken rice, raw hemp and hemp seed or ethyl alcohol be subject to an import licence. Likewise, any export of husked or milled rice is subject to an export licence. The regulations also provide for specific provisions in relation to hemp seed imports other than for sowing, including the pre-registration of importers and requirements to prove the destination of goods.

The purpose of those common agricultural policy licences is primarily to provide a means of monitoring agricultural markets by having advance notice of goods entering and leaving the EU. However, given improvements in data collection at the border, the Commission has increasingly relied on real-time customs data as a means of monitoring markets, which has negated the need for licences. They are now limited to just a handful of products, for specific reason. That is why these measures are of declining importance and were not prioritised for passing by the end of March.

For example, rice import licences really serve only as a means of applying the EU’s variable import duty system, and hemp licences have been retained at the request of the directorate-general for migration and home affairs, apparently to support EU drug policy, even though the information provided does not really contribute to that effort. This statutory instrument specifically amends Commission delegated regulation EU 2016/1237 and Commission implementing regulation EU 2016/1239, both passed on 18 May 2016, by replacing references to the EU with references to the UK and references to the EU Commission with references to the relevant UK authority. It replaces EU regulatory cross-references with references to equivalent provisions in domestic legislation already made under the Taxation (Cross-border Trade) Act 2018 and converts licence securities from euro values into sterling using the average annual exchange rate for 2018.

EU Commission regulation 1187/2009 sets out detailed rules for the provision of export licences and export refunds in the dairy sector.

Sir Greg Knight (East Yorkshire) (Con): Can the Minister confirm whether the cost of administering these licences is counterbalanced by the licence fees that are paid?

George Eustice: My right hon. Friend will be aware that we have always had a clear principle in this country of aiming for full cost recovery on licences, and these licences tend to be focused on very large traders and importers.

The provisions relating to the payment of export refunds are now obsolete, as they relate to rules that existed before the entry into force of the current common market organisation regulation. Under current rules, export refunds can be paid only in the context of crisis measures. The provisions covering export licences relate to the management of EU-World Trade Organisation third country export quotas of cheese to the United States of America and Canada, and of skimmed milk powder to the Dominican Republic, under the economic partnership with the CARIFORUM states. UK access to those export quotas once we leave the EU is obviously uncertain, since we will no longer be an EU member, although negotiations with those countries over future tariff rate quotas are ongoing. The Government will bring forward new legislation to manage any future UK access to third country quotas should that be necessary in the future. As the regulations in question are effectively obsolete or redundant in a UK context, this statutory instrument revokes Commission regulation 1187/2009, of 27 November 2009.

This statutory instrument concerns only reserved areas of competence regarding import and export controls, but the Department for Environment, Food and Rural Affairs has engaged with the devolved Administrations on its approach to CAP legislation under the European Union (Withdrawal) Act 2018, including this instrument, to familiarise them with the legislation ahead of its being laid. I therefore commend the regulations to the House.

4.5 pm

Dr David Drew (Stroud) (Lab/Co-op): In rising to respond, at least I have the satisfaction of knowing that we have not debated this measure before. I have been trying to find the one that was the missing thread among all the ones we have debated. At least I have put my mind at rest, knowing that I have not missed this in the great mists of time.
I wish to pick up on a couple of things with the Minister. Paragraph 2.10 of the explanatory memorandum states: “These technical amendments, designed to provide operability “fixes”.

Is that a legalistic term? Is it a Department for Environment, Food and Rural Affairs term? Is it some other term? I know what it is trying to tell me but it is interesting that we talk about “fixes”. This is about trying to look at currency exchange, which is not unimportant, because one reason why British farmers have done less badly is that they have been paid in euros up to this moment in time. That has meant they have done slightly better, because the euro has risen in value against the pound. So there will be some “losers” here in the sense that they will not have that security and protection.

That was just an interesting comment, but now I come to a genuine question. It is about the way in which, certainly through the transitional arrangements, export refunds will be paid. I accept that they will be paid in pounds, but does this refer both to the UK farmers receiving exports refunds and to EU farmers, who clearly at the moment will have seen this as a seamless operation? It is not now going to be, because it could be occurring in the context of a hard border.

These are important aspects. The Government decided that this was not worthy of any priority whatsoever, but it is an important issue about currency conversion, because that can and does mean that the way in which payments are made can be beneficial. That will not be the case in the future because payments will always be in pounds. I would welcome the Minister’s clarification and willingness to look at the economic consequences of that, because in the short run at least British farmers could stand to lose out because of it.

4.7 pm

Deidre Brock (Edinburgh North and Leith) (SNP): The explanatory memorandum points out that there is little impact from this statutory instrument, yet here we are. The Minister also said that it is not very important, because one reason why British farmers have done less badly is that they have been paid in euros up to this moment in time. That has meant they have done slightly better, because the euro has risen in value against the pound. So there will be some “losers” here in the sense that they will not have that security and protection.

That was just an interesting comment, but now I come to a genuine question. It is about the way in which, certainly through the transitional arrangements, export refunds will be paid. I accept that they will be paid in pounds, but does this refer both to the UK farmers receiving exports refunds and to EU farmers, who clearly at the moment will have seen this as a seamless operation? It is not now going to be, because it could be occurring in the context of a hard border. These are important aspects. The Government decided that this was not worthy of any priority whatsoever, but it is an important issue about currency conversion, because that can and does mean that the way in which payments are made can be beneficial. That will not be the case in the future because payments will always be in pounds. I would welcome the Minister’s clarification and willingness to look at the economic consequences of that, because in the short run at least British farmers could stand to lose out because of it.

4.8 pm

Jim Shannon (Strangford) (DUP): First, let me thank the Minister for bringing this measure forward. In his introduction, he said that powdered milk was one of the products he is referring to. My constituency has a large number of agrifood companies, which depend on their exports and import licences. One of them is Lakeland Dairies, which employs some 270 people in my constituency and is involved in the milk product coming in as a liquid. It has two factories in Northern Ireland and two in the Republic of Ireland—the company is in a unique position. I am encouraged by what its chief executive officer, Michael Hanley, has said, which is that whatever happens in this process of Brexit, be it a deal or no deal, we have to work with it. I am glad when the CEO of a major company has that attitude and that interpretation of what is happening.

Along with the approximately 2,500 agrifood sector jobs in Mash Direct, Rich Sauces and Willowbrook Foods, my area also has a number of farmers who feed into the process. I wish to talk particularly about the farmers who feed into Lakeland Dairies. Mine is the second-highest milk-producing area in the whole of Northern Ireland—second only to East Antrim—and we have a high-quality product and a number of committed farmers. I declare an interest: I live on a farm. It is not a milking farm—it is not a dairy farm—but my next-door neighbour takes the land and milks it, and I suppose that is ultimately used for dairy. My neighbours depend on the process being easy to take forward. The milk product provided by Lakeland Dairies comes across the border, the powdered milk goes back across the border to the Republic of Ireland, and it then comes across once more in a processed form, because of the way the factories do it down south. Ultimately, the product is packaged in Newtownards in my Strangford constituency and then sent overseas.

The former Minister for exports, Liam Fox—I cannot remember his constituency—was responsible for ensuring the export of the product from Northern Ireland, and ultimately from the Republic of Ireland as well, to China. He secured a contract for £250 million over five years. We are eternally grateful to him and his Department for ensuring that that happened, but I want to make sure that everything goes forward in the right way.

Earlier, the Minister said—I think I caught what he said correctly—that his Department had contacted the regional Governments. Unfortunately, we do not have a functioning Assembly; I presume that contact was made with the Department of Agriculture, Environment and Rural Affairs, which is the equivalent of DEFRA over here. Has that contact been made, and has contact been made with the Ulster Farmers’ Union, which represents the majority of the milk producers throughout Northern Ireland? Indeed, has contact been made with the likes of Lakeland Dairies and others that depend on the powdered product and the milk product that cross the border on a number of occasions? They are high-quality, great products.

Finally, with special reference to daily export, is the Minister aware of the onerous added administrative burden? Is there not only support but funding to help with an interim change over a period? My local company has a number of questions, and I have written to the Department. To be fair, I think the Minister met the company—indeed, I remember the day that he did—on a separate occasion when he had a different responsibility. I just want to make sure that Lakeland Dairies, an integral economic factor of progress in my constituency of Strangford, can retain the jobs it has. We need to ensure that the milk producers can feed into the process and that, when it comes to import and export licence regulation and those companies that create so many jobs and so much in the economy, we can make my constituency of Strangford a stronger economic base for that, so that everything will be in place for them.

Mr Deputy Speaker (Sir Lindsay Hoyle): For the record, the constituency was North Somerset.

4.13 pm

George Eustice: Let me turn first to the points made by the shadow Minister. He highlighted the use in the explanatory memorandum of the term “fixes”, which he even put in quotes marks. In DEFRA, we like to fix things that are broken, and the truth is that in this case, as in many other cases, it was always recognised that...
simply to bring across retained EU law would require changes for the purposes of operability. The types of fixes that are commonplace throughout this instrument and all the others simply replace the words “European Union” with “UK” or replace the European Commission as the competent authority with the relevant authority in the UK or with the Secretary of State.

The shadow Minister mentioned the issue of export refunds for dairy, which links to a point that was made by the hon. Member for Strangford (Jim Shannon). Let me say that, when it comes to these export refunds, we are simply deleting provisions that have already disappeared from EU law, so we are revoking something that became redundant and obsolete anyway under EU law in—I think—2007.

EU thinking on export refunds has evolved in recent years. There is a general consensus that they can be used only in extreme circumstances—when there is a particular crisis—and there are other provisions in law to enable that to happen. Therefore, they would not be able to be used anyway, because the other associated legislation that would enable us to do that does not exist, so this measure is really little more than a good housekeeping measure.

The point raised by the hon. Member for Strangford goes somewhat beyond the scope of the measure, but I will touch on it briefly. Let me reassure him that the Government are absolutely fully aware of the problems that the Northern Ireland dairy industry in particular could experience in a no-deal scenario. It is the case that it exports around 30% of its liquid milk to be processed in Ireland. That would be a problem if there were a requirement for export health certificates, or, indeed, if full tariffs were applied. It would also be a problem for those cheese processors in the Irish Republic, who would no longer have their supply of milk. Obviously, we hope that this is something that can be resolved through negotiation, but I can reassure him that we are working very closely with DAERA in Northern Ireland to identify all sorts of contingency arrangements and interventions that we would instigate if they were required.

Jim Shannon: I thank the Minister for that explanation and for all the hard work that he does in his Department. It is good to see him in his place doing things that he did in the past and doing them well. It is important that the Republic of Ireland is aware very clearly of the benefits of having a good working relationship with Northern Ireland in the United Kingdom. It is for the mutual benefit of everyone: for the mutual benefit of the other producers; for the mutual benefit of the factories; and for the mutual benefit of the workers.

George Eustice: I could not agree more. There is a mutual interest for all EU members and the UK to reach a sensible resolution to the current discussions. That is why the Government are redoubling their efforts to try to get a sensible withdrawal agreement with that backstop deleted and alternative arrangements put in place instead.

I turn now to the point raised by the hon. Member for Edinburgh North and Leith (Deidre Brock), which also links to a point raised by my right hon. Friend the Member for East Yorkshire (Sir Greg Knight). I am aware that my right hon. Friend has raised with me this issue of cost recovery and charges in a different context, which I am looking into. However, in this particular context, I can confirm that it is licence security that is offered, and it is returned once a licence is utilised within the specified criteria. There are no costs to operators if they use the licence as specified and therefore no economic implications. The hon. Lady should be aware that the impact assessment highlights the fact that any costs would be well below the threshold of £5 million, but I hope that, in this additional information, we are talking here about a licence security that is returned. She must also bear in mind that we are doing nothing that is not already currently done. As I know that she and others would ideally like us to remain in the European Union, she would face those costs anyway. We would be forced to have those costs and would never have the chance to be able to repeal them should she want to. We, at least, as a country about to become a properly independent, self-governing country again, would have the opportunity, at a future date, if we felt it necessary, to repeal these particular provisions and save everybody the bother.

I hope that I have been able to address the points that have been raised, and I commend these regulations.

Question put and agreed to.
Exiting the European Union (Pesticides)


4.19 pm

The Minister of State, Department for Environment, Food and Rural Affairs (George Eustice): I beg to move, That the draft Pesticides (Amendment) (EU Exit) Regulations 2019, which were laid before this House on 17 July, be approved.

Plant protection products, or “pesticides” as they are commonly called, are currently regulated by means of two European Union regulations: Regulation (EC) 1107/2009, which concerns the placing of plant protection products on the market, including the approval of active substances, authorisation of pesticide products and management of associated risks; and Regulation (EC) 396/2005, which sets maximum residue levels of pesticides in or on food and feed of plant and animal origin, and measures to ensure compliance with those limits.

Earlier this year, two EU exit statutory instruments were laid before this House to convert those EU regulations into operable national law: the Plant Protection Products (Miscellaneous Amendments) (EU Exit) Regulations 2019; and the Pesticides (Maximum Residue Levels) (Amendment etc.) (EU Exit) Regulations 2019. Those two EU exit statutory instruments, in common with many others, made the EU regulations operable in a national context by, for example, transferring functions from EU institutions to national authorities.

This further instrument, which we are considering today, is comparatively minor and simply takes forward some additional amendments that are required to ensure that the regime can continue to operate effectively. First, in common with two of the other SIs that we have considered today, the change in exit day from 29 March to 31 October necessitates that we amend certain dates in the retained law that were based on the original date for EU exit. Secondly, further new EU legislation has come into force during the extension period, after the plant protection products and the maximum residue levels EU exit SIs were finalised. The new EU legislation needs to be corrected following the same approach as in the other SIs. Finally, this instrument fixes some errors within those earlier EU exit instruments, which I will cover later.

Sir Greg Knight (East Yorkshire) (Con): For the avoidance of any doubt, will the Minister confirm that there is no measurable impact on business as a result of the regulations?

George Eustice: Yes, I can confirm that, in the sense that all the draft regulations are about continuity—an approach to ensure simply that where authorisations are carried out and decisions made by the European Commission, they will in future be made by the Secretary of State or the relevant authority.

Some amendments are required as a consequence of the change in our departure date. The plant protection products EU exit SI in particular contains a number of transitional measures that apply until specified dates. Those dates have been updated in common with the approach in other SIs. Given that exit day is now 31 October, those transitional provisions would allow much less time to adjust than was originally intended.

This instrument therefore replaces dates that were calculated from the original exit date with a specified period of time after exit.

The draft regulations also deal with new EU legislation that has come into force since the original EU exit SIs were produced. The plant protection products and the maximum residue levels EU exit SIs converted active substance and MRL regulations into a new national register to give effect to the provisions in a national context. The EU regulations themselves were no longer required and therefore revoked. This instrument deals with new EU regulations that have come into force since then, and we have taken the same approach. Some outdated EU regulations have also been superseded or replaced, and those have now been identified as redundant, so they can be revoked.

This instrument also contains transitional provisions relating to grace periods for the withdrawal of active substances under EU regulations, so that they are carried across unchanged into our national law. Finally, this instrument also fixes a number of technical errors that were made in the earlier EU exit instruments. The vast majority of those were very minor in nature. However, I should draw attention to the fact that it came to light that the earlier plant protection products EU exit SI erroneously removed some provisions on endocrine disrupting chemicals. That omission was purely unintentional and this instrument therefore corrects that error.

Kerry McCarthy (Bristol East) (Lab): I am glad that the Minister has admitted that this error took place, but the Department has had to bring forward about 80 or so SIs over the summer. Has it conducted a review to ensure that similar errors have not been made in other legislation or are we are going to see a repeat of this situation, with other last-minute amendments?

George Eustice: Well, a point was made earlier that this has been an extraordinarily huge task of converting a highly complex body of EU law across into national law. When the EU (Withdrawal) Act 2018 was passed, it was even envisaged that there may be circumstances where there were errors, omissions or oversights. The hon. Lady will be aware that that Act makes provision for SIs to continue to be made in the event of errors occurring. I deal closely with the team of civil servants who have been working on this legislation, so I know that they have a huge amount of technical knowledge and have drafted the instruments we have been discussing today to the best of their ability to ensure that they have covered everything. But there can be difficulties if a last-minute update contained in particular EU document that is needed to make a particular element of EU law operable is not noticed; sometimes these things will come to light. The important thing is that we are clear about what we are trying to achieve, which is continuity, and that we put things right when they arise.

This instrument was originally submitted under the negative resolution procedure. We subsequently accepted a recommendation from the House of Commons sifting Committee that it be upgraded to the affirmative procedure and debated in the Chamber today on the basis that it includes a provision that relates to the charging of fees. In practice, this measure simply removes a redundant EU provision that clarified that member states could charge. The instrument does not change the existing
fees and charges relating to the pesticides regulatory regime, nor does it have any effect whatever on the UK’s future ability to charge fees or make changes to the current fees. That relates to the point made by my right hon. Friend the Member for East Yorkshire (Sir Greg Knight), who I know is very concerned about these issues, but I hope that I have assured him that this changes nothing about the existing charging regime.

We have worked closely with the devolved Administrations—as we have on all the other measures we have discussed today—to develop this instrument, and they have consented to it being made on a UK-wide basis. I therefore commend it today to develop this instrument, and they have consented to it being made on a UK-wide basis. I therefore commend todays— as we have on all the other measures we have discussed changes nothing about the existing charging regime. 

The Royal Society for the Protection of Birds and Pesticides Action Network have both contacted me to demand that the Opposition scrutinise what the Government are saying and doing, so it was at our behest that this instrument was moved from the negative to the affirmative resolution procedure. In fact, we were tempted to vote against it on the basis that the Government need to explain better and to be clearer about how they intend to carry through—not just legislatively, but practically.

As I said earlier, this is about dissecting the parts that we have played as an integrated constituent partner within the EU, and how we begin to pull away. Two of our major agencies—the Food Standards Agency and the Health and Safety Executive—will be involved in this process. The HSE will almost certainly be responsible for testing the measures. It is therefore important that we know from the Government what they intend to do and how they intend to do it.

The RSPB and the Pesticides Action Network made six points. First, there is the loss of oversight checks and balances for a significant consolidation of power within an agency that, as such, does not exist at the moment. That is why I referred to the FSA and the HSE, because they are certainly going to have to be responsible for testing the measures. It is therefore important that we know from the Government what they intend to do and how they intend to do it.

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There are other concerns that are important at this stage, to reiterate what I said in Committee, cost being one of them. The Minister has presumably looked at who is going to pay for this, because it will potentially be more expensive when we have a stand-alone regime.

Kerry McCarthy: I share my hon. Friend’s concerns. One of my concerns is that the Government may seek to recoup some of these costs, or to make savings, through the weakened requirement to obtain independent scientific advice. As I understand it, the measure now says: “The assessing competent authority may obtain independent scientific advice where it considers it appropriate to do so.” That is quite a bit weaker than the current requirement where it says that it “shall” obtain advice. That may be one way in which the Government would seek to save money.

Dr Drew: I thank my hon. Friend. That is one of the things we waxed lyrical about in the previous incarnation of this debate where we looked at “may” replacing “shall” and “must”. That gives—dare I say it?—a degree of wriggle room about how this is going to operate. This really does need sorting out by the Government because it will be too late if we get to this stage in a month’s time and it is not at all clear what is going to happen. This matters, because farmers need clarity.

I read today the report on the ban on neonicotinoids. I do not pretend to understand everything in it, because I read it quickly, but it was quite interesting. It looks at some of the scare stories put about that neonicotinoids would lead to a dramatic reduction in sugar beet and other products, whereas that does not seem to have been the case initially. We need to know what pesticides will be allowed and who will scientifically adjudicate on their safety. Will we have a different regime? We could choose to ban glyphosate, which the EU decided not to do, largely at the instigation of British MEPs. That matters to not only farmers but every gardener, because most of us have Roundup in our sheds and, if we are ever going to dispose of it as a potentially hazardous product, we will have to think about how to do it.

These debates are crucial, and this one has a more far-reaching impact than any, so we have to ensure that we get this right. It would be interesting to know from the Minister whether this is the final time we will consider this: what mechanism is now in place, whether it be the HSE working with the FSA or, eventually, the office for environmental protection, which presumably will encompass those two agencies when it comes to
these products; and the detail of how we are changing the process of looking at the scientific basis of how we deal with these products, which are potentially quite hazardous but which farmers would argue are crucial to the way they carry out their business.

4.36 pm

Deidre Brock (Edinburgh North and Leith) (SNP): I will start by saying how grateful I am to the Minister for his praise of independent countries as the way forward in our previous debate. I look forward to his support for Scotland deciding its own future.

This instrument is the one where an opportunity was missed. All of us will have received the briefing from the RSPB, which sets out how the SI fails to address issues with pesticide regulation, but it is worth laying them out a little, so that they are on the record for future battles.

Oversight will be lost and power centralised. The new system will see new DEFRA Secretaries having a great deal of say over what is considered appropriate. That power should be devolved, so that the devolved Administrations can consider the best interests of their nations and agree common frameworks where appropriate. Gone will be the requirement to consult the scientists, allowing those who say, “Experts—who needs them?” to have a free hand for dismantling sensible safeguards. That is a bad thing. We have seen the damage caused by disregarding experts.

The revocation of EU regulations on pesticides without corresponding safeguards being introduced seems another exercise in flinging caution to the wind. I hope that it is not part of the abandonment of the precautionary principle signalled by the previous DEFRA inhabitant, who also trumpeted the freeing up of genetically modified organisms and associated practices as one of the supposed benefits of Brexitannia. This SI also leaves big chunks of the regulatory landscape barren, with the future to be mapped out in guidelines rather than legislation. That is likely to leave regulators flying by the seats of someone else’s pants.

Pesticides, fertilisers and genetically modified organisms will be the touchstones of future battles on food safety, and this marks a reduction of our protections, which does not bode well for the future. It does not bode well either for protecting our food against low-quality imports. Can the Minister give us a guarantee here and now that hormone-pumped beef and chlorine-washed chicken from the US will not be allowed on to our supermarket shelves?

We will return to these battles time and again, no doubt. This instrument, like the others, will be passed from the US will not be allowed on to our supermarket shelves? 

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4.39 pm

Sandy Martin (Ipswich) (Lab): Whatever the risks to food safety and to agricultural producers and retailers from any errors in the other SIs we have debated, which deal with markets and import and export licences, they are massively enhanced by the risk of errors in any SIs pertaining to pesticides. This SI amends serious errors in the previous SI and gives us no confidence that there are not errors in other SIs dealing with regulations from the European Union that protect our health and our environment.

I am not enough of a lawyer to know whether it makes any difference to somebody who wishes to try to get away with an increased residue of 1,4-dimethylheptaphthalene that it was identified in the previous SI as “1,4-dimethyl-2,3-naphthalene”. However, other errors clearly would have allowed the use of dangerous pesticides, dangerous quantities of pesticides or inappropriate applications of pesticides if they had not been corrected by this SI. I direct hon. Members to regulation 6(4), which reverses the erroneous omission of provisions of annex 2 to regulation (EC) 1107/2009.

The problem we have is that, given the long, convoluted and dry naming of all these SIs, it is extremely difficult to identify where the errors are, but they are really important. In this case, if it were not for the correction in this SI, we would not have been able to prohibit the approval of active substances, sanefers and synergists with endocrine-disrupting properties. Endocrine-disrupting properties have a significant effect on animal and human health.

If there are similar errors in other SIs, there is a real risk that we may open ourselves up to unhealthy reduction of our safeguards as part of negotiations to achieve a trade deal with the United States, where we know environmental health and human food safety take a back seat to profitability—in particular the profitability of the United States’ own producers. Our food safety and health, and the health of our environment, should not be up for negotiation. We have a real fear that, if we leave without a deal, there are other SIs that will open us up to that danger.

4.42 pm

George Eustice: On the final point raised by the hon. Member for Ipswich (Sandy Martin), I addressed the issue of errors previously. Bringing across these statutory instruments is a vast undertaking; it is inevitable that there will be a few errors, and the European Union (Withdrawal) Act 2018 made provision to deal with those even after exit. I explained very clearly that there was a simple oversight in the case of endocrine disruptors in that particular statutory instrument.

I want predominantly to address the issue of oversight, which was the principal concern raised by both the shadow Minister, the hon. Member for Stroud (Dr Drew), and the hon. Member for Edinburgh North and Leith (Deidre Brock). It is important to recognise that the UK has always been recognised as the leading country in the European Union for chemicals and pesticides expertise. The chemicals regulation division within HSE is the driving force behind most of the EU working groups that consider issues with pesticides. Through those working groups, we provide our technical expertise to the European Union; it benefits from our technical input. Yes, there is a role as well for the European Food Safety Authority and the European Chemicals Agency, but we should not underestimate the incredible technological and technical expertise we have in this field.

In addition to the CRD, which sits within the Health and Safety Executive, we benefit from advice from the expert committee on pesticides, which is a panel of leading academics with knowledge in this area. We also have an expert committee on pesticide residues, which assesses all the evidence on both imported and home-grown foods to look for trends in breaches of maximum residue limits. When we leave the European Union, all the
existing methodologies for assessing pesticides at a European level will be brought across, including the so-called end points—that is, the thresholds that are applied—and the precautionary approach. Indeed, the key regulation, 1107/2009, was largely drafted by British officials based in the CRD. So we will be bringing all that across in the first instance.

The idea that there will no longer be technical or scientific assessments is a misunderstanding. I am told that, in the vast majority of cases, where “shall” is specified in the EU regulations in the context of requiring scientific input, it remains as “shall” in the UK ones. I think there are one or two minor areas that do not relate to the requirement for scientific input but relate more, as I understand it, to the methodology and the requirements on particular organisations or bodies. There, it is not appropriate to convert “shall” in the same way, as we do not have to have exactly the same institutions and organisational structure that the European Union has to carry out those effective scientific assessments. However, I reassure hon. Members that we will continue to have scientific assessments, that science will continue to lead all our decisions on pesticides in future and that we have some of the best technical expertise in this field. I hope that I have been able to provide reassurance on that point. Obviously, the main purpose of this particular statutory instrument is to change the dates for the transition.

Question put and agreed to.
South Western Railway

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

4.48 pm

Caroline Nokes (Romsey and Southampton North) (Ind): I thank the Speaker for having granted this debate. I recognise that the performance of South Western Railway is not a new subject, rehearsed as it was in this Chamber by the right hon. Member for Twickenham (Sir Vince Cable) less than a year ago and as it has been repeatedly in general debates touching on rail issues.

For those of us unfortunate enough to be served by the franchise, it is a repeat customer to our postbags and our inboxes. It is an aggravation every single time we set off from our constituencies to this place, not knowing whether the train will be delayed, overcrowded, with functioning heating or air conditioning, dependent on the time of year—one can usually rely on the air conditioning in November and the heating on full blast in July—or, indeed, whether it will arrive at all. Those served by more minor stations—shall we describe them in that way?—all too often see late trains hurtling past, making up time by not stopping at all.

My hon. Friend the Member for Gosport (Caroline Dinenage), who cannot contribute to this debate but is here to listen enthusiastically, has asked me to remind the House that Gosport is still to this day the largest town in the United Kingdom with no railway station, so her constituents are obliged to find their way either to Portsmouth by ferry or to Fareham by bus to access a still substandard service.

Jim Shannon (Strangford) (DUP): I discussed my intervening on the right hon. Lady beforehand. The fact that multiple trains fail at the same time causes massive delays, but South Western Railway’s communications do not highlight that online, so people are left unaware of the difficulties until they reach the station and then it is too late to make alternative arrangements. Surely if it is any sort of a rail business at all, South Western Railway has a responsibility to its customers who deserve to know in advance what is going on. Does she agree?

Caroline Nokes: I do agree with the hon. Gentleman, who has highlighted one of the many problems, which is the lack of information. We all understand that problems on the network can cause trains to be delayed, but in the 21st century providing information in advance can enable passengers to work out a different route. Sometimes such information is simply not forthcoming. I well recall being at Southampton Airport Parkway station and buying a ticket for a train that the member of staff knew had already been cancelled, and I was then expected to take a convoluted route to get to Waterloo. Had he told me at the point of purchase, I could have simply got back in my car and driven to this place.

I want to start by giving credit where credit is due. Last Thursday, I returned from this place to Southampton on a train which ran ahead of time. That was a novelty. I wonder if it was a coincidence that it occurred a day after Mr Speaker granted this debate. Perhaps one should be granted every week and Mr Speaker has magical qualities of which we were previously unaware. It helped to strike up many a happy conversation among travellers when we stopped at Woking for a full five minutes, so far ahead of schedule was the train running. Oh, to have that driver again: truly his marvellous skills could be deployed on many a route across the network.

I would also like to give credit to the train staff who are in the main unfailingly polite and even jolly, sometimes in the face of extreme adversity, lack of information—as the hon. Member for Strangford (Jim Shannon) mentioned—and understandably bad-tempered passengers. But that is where the compliments cease.

I do not want my hon. Friend the Minister to think that I have come here just to whinge. I have not. I am seeking the opportunity to air the legitimate grievances of my constituents, but also to offer some constructive suggestions as to how the improvements identified as part of the Holden review might be encouraged in some instances, in order to improve the passenger experience.

Kerry McCarthy (Bristol East) (Lab): Some of the railway’s services come to Bristol, although it is not the preferred route for getting to London as it takes so long, so I appreciate the right hon. Lady’s concerns. One group of passengers most affected by unreliable services of the types she describes are those with disabilities. It is easy to say that if information is made available passengers can change routes, but people with disabilities have to plan their journeys well in advance and it causes huge disruption for them if they cannot rely on the service.

Caroline Nokes: I thank the hon. Lady for making that point. It may try her patience, but I will come on to the issue of disabled passengers at the end of my remarks. A constituent of mine has been in touch about a terrible experience he had on a train from London Waterloo to Basingstoke. As a disabled passenger, he was trapped on the train and unable to make alternative arrangements, and he had a distressing and dreadful experience.

I am concerned by the circular firing squad we sometimes see between South Western Railway, Network Rail and the Department for Transport. At times, all can appear keen to blame and turn on each other, when perhaps they might do better to establish a constructive relationship with clear accountability, instead of the obfuscation and fudge we have at the moment. It is not only in this House that we achieve more by working together.

I shall move on to the specifics of where it still seems to be going wrong. The independent review commissioned by my right hon. Friend the previous Secretary of State for Transport, and chaired by Sir Michael Holden, reported over a year ago now, making a number of important recommendations. This is perhaps a good time to consider those recommendations and allow my constituents the opportunity to reflect on the progress they think has been made. It is also a good time to pose questions to my hon. Friend the Minister about what oversight he has of the progress of South Western Railway against those recommendations, which particular ones he regards as the highest priority, and what sanction he might consider imposing if there is not adequate improvement. As I indicated earlier, SWR has had a year since the review, and the patience of my constituents—if not the Minister—has run out.
I would like to highlight in particular the frustrations regarding overcrowding. Of course, I welcome the additional trains introduced following the timetable changes in May, but there is a nagging suspicion that this has been achieved by pinching carriages from other services. As my constituent David Willey explained to me, the most significant change on the service he uses has been the reduction in capacity by 17% from 720 seats in 12 carriages to 600 seats in 10. This has meant he has had to stand in his carriage usually two mornings a week.

Barnaby Wilson of Chilbolton let me know that he could not remember the last time his commuter train in or out of London was not short-formed and/or late. He comments on the regular occurrence of a 10-carriage train running with just five, thus halving the capacity at rush hour. And we all know the consequences: people crammed in like cattle, standing for the entire journey, or out of London was not short-formed and/or late. He could not remember the last time his commuter train in his carriage usually two mornings a week.

As one constituent put it to me, the only change he has noticed in SWR’s service is a further deterioration, from a very low base: short formations, broken trains and stations being skipped, and delays continue unabated. As he correctly points out, if SWR publishes a revised timetable the evening before the service is reduced, there is no recourse to Delay Repay unless the service deviates from the newly published timetable. He describes it as a consumer rights void that he would like the Minister to address.

I would like to ask about the way transport strategy is joined up. Ian Dickerson of Romsey assured me that his preferred route from Romsey to Waterloo was to drive to Sunbury and then join the rail network on the Kingston loop to Waterloo, thus saving over £50 a week in tickets and parking costs, but undoubtedly adding to emissions on our road network. It is simply not a green solution.

One of the recurrent themes from constituents has been that SWR’s predecessor, South West Trains, had its moments, as they put it, but most of the time ran a robust, if no frills, service. If anyone in 21st century Britain regards functioning wi-fi as a frill, let me tell them that SWR has not even managed that. The passengers I sat across from yesterday commented in amazement that the wi-fi was working for once—right up until the point it wasn’t.

The consensus is that this performance is a breach of contract between company and traveller, and there is a suspicion that the Government have been duped by a provider promising what it simply cannot deliver. SWR won the contract pledging more seats and services and it has produced neither. The 442 shambles has meant there are now fewer seats and services. The promised new rolling stock has not yet arrived. It was promised by the end of this year. That clock is ticking and passengers are watching closely. Peak-time payers suspect they have been sacrificed on the altar of winning a contract and left with the old SWT trains, where the promised refurbs seem to have come to a grinding halt. It is far too simplistic to say we should renationalise—that is not the issue. The Department was sold a pup and needs to work out how to hold SWR to account against the Holden review challenges.

The final comment I have from a constituent is about the provision for and the treatment of disabled passengers. We all know there was an extremely hot spell during the summer, when rails got very hot and there were challenges right across the network. I am tempted to comment that it coincided with my hon Friend’s arrival in the Department for Transport, but I do not blame him for train conditions that were in some instances hotter than hell. But rail services run better in countries that are a great deal hotter than the UK ever gets in July and without the same level of chaos.

My constituent, a wheelchair user trying to return home via Andover, was advised at Waterloo to get on a Basingstoke train, as most other trains had been cancelled. With SWR assistance, he boarded a Basingstoke-bound train that was about to depart. Once he was onboard, it became apparent the heating was stuck on in the carriage and passengers were told to move forward, but my constituent was in a wheelchair; he was trapped. By the time the train arrived at Clapham, only a few minutes down the line, he was in serious medical difficulty, but he remained trapped in the carriage, as it was too far off the platform. He was in carriage nine, and we are all conscious of the shortness of some platforms at Clapham. No help was forthcoming from train or station staff, and it was only because another passenger intervened by preventing a door from shutting—literally putting his foot in it—that a medical emergency was averted. My constituent was seconds away from calling 999. However, the event prompts us to ask why the rolling stock is so antiquated that it should have heating on the hottest day of the year, and why SWR staff at Waterloo helped my constituent into a carriage when there was an immediate announcement that the heating was stuck on.

Finally, let me return to the recommendations of the Holden review, and how SWR can be held to account for any failure to deliver. If Network Rail does not fulfil its obligations it can be held responsible by the Office of Rail and Road, which, in November 2018, took formal action to ensure that it would deliver on the recommendations in the review. However, SWR is accountable only to the Department for Transport, so I respectfully remind my hon Friend the Minister that it is up to him to ensure that it delivers. May I ask him how robustly he intends to do that?

The medium-term recommendations are all due to be completed by the end of this year. There are 12 of them, ranging from ensuring the competence and training of controllers to ensuring that there is adequate provision of CCTV on platforms to assist with the dispatching of trains. Crucially, the review identifies the misalignment of incentives. It recommends that by the end of the year, the non-aligned objectives of Network Rail and South Western Railway should be dovetailed to ensure...
that the two organisations are pulling in the same direction at the same time—rather as we might expect a train engine to do. I simply ask my hon. Friend what steps he is taking to make sure that that actually happens, so that he may avoid having to return to the Chamber time and again to listen to what currently appears to be a tale with no end in sight for the poor passenger from my constituency who will pay just short of £6,000 a year to be subject to a sub-standard service.

5.1 pm

Anne Milton (Guildford) (Ind): I thank my right hon. Friend the Member for Romsey and Southampton North (Caroline Nokes) for securing the debate. It is timely, and I am fortunate enough to have a few more minutes than I expected in which to make some remarks.

The performance of South Western Railway is of ongoing concern in Guildford. It causes people frustrations and at times considerable anger. My constituents are not asking for an exceptional service, although they pay fairly exceptional fares. They would rather settle for a reasonable service; that would be sufficient. However, like my right hon. Friend, I want to praise the staff at the stations and on the trains. Many of them do an excellent job, often with no more information than the passengers, and sometimes in very difficult circumstances. I also want to associate myself with my right hon. Friend's comments about those travelling with disabilities, who face even more harrowing journeys. I am pleased to see that there is some more seating at Guildford station, but that took a long time to achieve.

Late trains, missed stops, overcrowding—I have previously got into some trouble with my comments about my rail journeys on Twitter, and where I have ended up sitting. The Minister is nodding; he will possibly remember this. In particular, I commented on the fact that the seats designed for three people were adequate only if all three of the people occupying them had average-sized bottoms. If anyone has a more than average-sized bottom, they do not really work for three people.

The overcrowding is really shocking. When a train is late and there have been last-minute platform changes so that people have to rush to another platform and then find themselves sitting on the floor, or squashed almost on to someone’s lap, that is not acceptable. Insufficient information is probably one of the things that turn frustration into real anger. People do not know what is happening. There are a number of options for those living in Guildford—they can get out at Woking and share a taxi—but they may not know that the train will not start again for half an hour, or that they will have to change trains. Further problems are high fares and the fact that not enough ticket offices are open at peak times.

Lastly, I must say a word about the Solum redevelopment of Guildford station. I will not take too much time. The redevelopment of the station is welcomed by everybody. Kier in Guildford near the station if they will be moved by simply 3 feet. That would allow sufficient resilience in the service. If something went wrong there would be a platform 0 that could be used. I urge the Minister—as I have urged Ministers before and urged Network Rail—and urge Kier to look at this. I know why they are nervous about reopening this planning application, but we will throw a party for Network Rail and Kier in Guildford near the station if they will be reasonable and reconsider this plan.

The Minister is looking hopeful, so I look forward to being able to invite him to that party. I have had numerous meetings with South Western Railway and Network Rail, and on every occasion they are nothing but helpful. They assure me that services are getting better and they explain the problems, but we are at the end of our tether. Ministers must act. The high fares that people in Guildford pay are acceptable only if there is a reasonable service.

Caroline Nokes: I thank my right hon. Friend for her comments. She says that high fares are acceptable only if there is a reasonable service. I received two comments from Guildford constituents on Twitter when they heard that this debate was occurring. One of them, Philippa, tells me that 2% of her trains this year have been both on time and in the correct formation. Scott, who travels into Waterloo, says that he has had one train on time in two months, over seven hours of delays, and four out of the last six trains cancelled. Does my right hon. Friend agree that her constituents are simply not getting a reasonable service for the price that they pay?

Anne Milton: They most certainly are not getting a reasonable service. I know Scott well. That is seven hours of his working time. The cost of rail delays to constituents and to businesses is significant. We have talked about wi-fi. We could go on and on. People cannot even work on those delayed trains. I urge the Minister not to just read out his speech. I am sure that he has a speech ready. I am sure that he will have taken note of all the comments that have been made today. We need him to act, to thump the table with the operators and Network Rail and make sure that the concerns of my constituents and those in Romsey, Gosport, Wimbledon and any other constituency that is represented here today are taken note of and acted on so that by the end of the year we are starting to get messages from them highlighting the improvements that have been made.

5.8 pm

The Minister of State, Department for Transport (Chris Heaton-Harris): I thank Members who have contributed to this interesting debate this afternoon. I congratulate my right hon. Friend the Member for Romsey and Southampton North (Caroline Nokes) on securing the debate and for the opportunity to discuss this important issue in the House. She mentioned in passing Mr Speaker’s magic touch—her train appeared early the day after he granted this debate. As my right hon. Friend knows, Mr Speaker can work in mysterious ways. She also mentioned my hon. Friend the Member for Gosport (Caroline Dinenage) possibly having in her constituency the largest town without a railway station.
The hon. Member for Daventry might have a competition with her on that, because the main town in my constituency does not have a station, either. [Interruption.] It is not good enough, obviously, but there are plenty of towns that do not.

Mr Deputy Speaker (Sir Lindsay Hoyle): And Leigh in Greater Manchester.

Chris Heaton-Harris: And Leigh in Greater Manchester. I am informed by a terrible heckler from a sedentary position, suffers the same.

The current operational performance of South Western Railway for the period 18 August to 14 September, measuring arrival time to within five minutes at the final destination, was 82.9%. That is the common measure used by the rail industry. Using the measure that we, as a Department, now like to use—being on time within a minute—for the first quarter of this year performance was 59.7%. That is clearly not good enough.

My right hon. Friend the Member for Romsey and Southampton North knows that we are a relatively new ministerial team in the Department, and when the Secretary of State came into the Department he set out his priorities for improving the railway. He is absolutely determined to work with the rail industry to deliver a more reliable, passenger-focused railway.

Stephen Hammond: Those are appalling statistics, but the Minister is absolutely right about a customer-focused railway. He must bang the desk of Network Rail, because a number of those failures have been signal failures, such as those which we experienced on the line yet again yesterday. When he bashes South Western Railway, will he please also make sure that Network Rail is brought into that attribution, and make sure that it recognises its responsibilities to customers?

Chris Heaton-Harris: I completely hear what my hon. Friend says. I promise to take up the mantle on this issue. It has not been lying still on the table—I can also promise that.

My right hon. Friend the Member for Romsey and Southampton North referred to Sir Michael Holden’s review of South Western Railway and Network Rail’s performance on the Wessex route. The review was commissioned by the previous Secretary of State to ensure that everything was being done to understand and address the causes of the downturn in performance on the route. Sir Michael made 28 recommendations for improving performance. Some of them could be implemented in the short term and others will take longer. He was clear that there is no silver bullet and that there is a plan to turn performance around.

My right hon. Friend the Member for Romsey and Southampton North referred to Sir Michael Holden’s review of South Western Railway and Network Rail’s performance on the Wessex route. The review was commissioned by the previous Secretary of State to ensure that everything was being done to understand and address the causes of the downturn in performance on the route. Sir Michael made 28 recommendations for improving performance. Some of them could be implemented in the short term and others will take longer. He was clear that there is no silver bullet and that there is a plan to turn performance around.

Sir Michael’s recommendations cover a range of disciplines, including performance management, train operations, infrastructure maintenance and renewals, and control and resourcing. He also suggested a number of infrastructure changes that could be made to improve the service. SWR and Network Rail are documenting their progress and sharing a copy of their “tracker” with the Department each month so that we at the centre can see how they are progressing. I can assure my right hon. Friend that we are monitoring it very closely.

Caroline Nokes: I welcome the fact that the tracker is being shared with the Department, but does my hon. Friend have any plans to share it more widely with Members of Parliament from across the south-west who are hearing the same levels of frustration in their postbag?

Chris Heaton-Harris: I asked my officials the very same question before the debate, and currently there are no such plans. However, I am sure that we can have a conversation afterwards and perhaps get to the stage where we do not need a humble address or anything too exciting to get the information.
Sir Michael has also been retained by SWR and Network Rail to review their progress. He has confirmed that 16 of his 28 recommendations have already been delivered to his satisfaction, including key infrastructure changes and relaunching SWR’s approach to performance management. I understand that he is due to return to check on progress in November.

A range of recommendations were made on performance management. SWR and Network Rail have established a joint performance improvement centre at Waterloo to focus on the critical areas of delivery across the infrastructure and train operations, and that is key to understanding what is actually happening and, more importantly, what can be done to prevent delays. I have an outstanding invitation to be shown around the JPIC, and I would be delighted if my right hon. Friend, and perhaps other Members, joined me to see at first hand how the executive teams at SWR and Network Rail are tackling the performance issues. I will happily arrange for my office to have the invitation extended if that is suitable—it seems like it could be a date.

Other areas of progress have seen £3.5 million invested to redesign the SWR control centre arrangements and create an industry-leading set-up to improve train performance. As part of that work, SWR is implementing enhanced decision support tools and improving training and competency management systems for controllers—lots of long words, but they refer to unbelievably important things that are going on. SWR is reforming its control centre operation recruiting more people to improve decision making and providing information to customers during disruption. I heard very loudly indeed the complaints about communications to passengers. I have seen the complaints about communications—just type “SWR” into Twitter and have a cursory glance. The point is well made and well understood. Improving the control centre operations is a crucial part of improving performance and, ultimately, providing a better service to customers.

Other progress is being made to mitigate the biggest causes of delays within SWR’s control. It has introduced an innovative scheme that employs paramedics to work at the key London stations that are most impacted when people fall ill, and it has made significant investments in suicide prevention measures to ensure that SWR is doing as much as it can to reduce the impact of these tragic events.

The national rail passenger survey results for 2018-19 show that SWR failed to meet the expected levels against all nine benchmarks, with only 83% of passengers satisfied overall with their journey. SWR is therefore being required to make additional investment in initiatives to try to meet the contracted levels within the coming year.

There are obviously occasional strikes on the network, which are causing disruption to SWR. I understand and share the frustrations of all users of South Western Railway services who are being unnecessarily inconvenienced by the action being taken by members of the RMT union. My Department has been clear that this affects more people, not fewer, working on our railways so that it can deliver more services for passengers. SWR’s plans are completely in line with that. It will be employing more guards on trains in future, not fewer, and it has been clear from the outset that no one will lose their job and every service will continue to have a guard or conductor rostered to work. SWR wants to discuss with the RMT the method of operation of the new trains, which may involve transferring the task of closing the train doors from the guard to the train driver on the new suburban trains that are due to be introduced in 2020. This is a safe, well-established practice that has been in place on our railways for the last 30 years. The RMT currently objects to it. We do not think that is right, but I hope that there will be proper dialogue to overcome that situation.

Forgive me, Mr Deputy Speaker, for taking a bit longer than normal, but we have a bit longer than normal and I want to address properly the points that my right hon. Friend the Member for Romsey and Southampton North raised on behalf of her constituents.

Overcrowding continues to be an issue on this franchise. Significant investment that has already been made has seen suburban network trains lengthened from a maximum of eight cars to 10 cars. In the very first year of this franchise, SWR completed the introduction of 150 more carriages when the class 707s were introduced. Where possible, mainline services have also been lengthened using the units that were freed up by the increase in the suburban fleet. We have also introduced more terminal capacity at Waterloo by fully reopening the former Waterloo International platforms.

SWR’s plans for the franchise anticipated further capacity increases from changes to the layout of the existing fleet, the refurbishing and introduction of class 442 units, which my right hon. Friend mentioned, and the replacement of the entire suburban fleet with a new fleet of 750 carriages in Bombardier five and 10-car class 701 Aventra trains—an increase in the fleet taking it to almost 1,700 vehicles by the time that they are all in service. It is absolutely true, regrettably, that these projects are running behind schedule, but everything is being done to see those trains enter service as soon as possible.

Turning to the specific concerns of my right hon. Friend’s constituents, Mr Willey and Mr Wilson, about short formations, I am aware that, following the changes to the May timetable, a safety issue emerged with the operation of the class 442 fleet, so the trains that had been introduced have been withdrawn until the problem—electromagnetic interference with a signal, so quite a significant safety issue—has been resolved. SWR and Network Rail are working as fast as possible to resolve it.

Caroline Nokes: The Minister has referred a number of times to things being done as fast as possible and the new fleet being introduced as soon as it can be. Can he give any indication of a timescale?

Chris Heaton-Harris: I can, and I will probably get to that in a minute, because I am going through this in some detail. I will also write to my right hon. Friend to clarify completely any points that I do not pick up on in my speech.

As I said, SWR and Network Rail are working as fast as possible to resolve the issue, but in the meantime, SWR has had to make some changes to its timetable and train plan to minimise the impact on passengers. I am pleased to say that Delay Repay 15 has been introduced on the franchise and the process for claiming compensation has recently been streamlined. That includes the introduction of automated Delay Repay in the case of advance tickets bought on the franchise’s website and Touch smartcard season tickets.
I note the concerns that my right hon. Friend mentioned, on behalf of Mr Whiteman, about compensation when there is a revised timetable. Measuring entitlement against the revised timetable is an established feature of delay repay compensation policy; publishing a revised timetable is designed to help passengers plan their journey—she suggested that is a good idea—and thereby avoid delays where they can.

My right hon. Friend also asked, sensibly, about how transport strategy is joined up, citing the journey of Mr Dickerson as an example of an interesting multimodal journey. It is of course for individuals to make decisions about what works best for their own circumstances. A train timetable has to be planned based on making best use of the capacity available to meet the forecast demand, especially at peak times. Network Rail regularly undertakes route studies as part of its long-term planning, to ensure that plans for investment in the network are developed and targeted at adding capacity where it is most needed. I am hopeful that as one of the results of the Williams review, which will come before this place in a White Paper later—we hope it will be this year—we will start to see the emergence a much more integrated system, of the type that my right hon. Friend envisages, rather than of the type that Mr Dickerson now takes part in.

All SWR trains are fitted with wi-fi, including the new trains that will arrive in 2020. By December 2020, an on-board media service of films, TV shows, magazines and games will be available on all mainline fleets.

Caroline Nokes: I think it is important to take the opportunity to press the Minister when I can. He makes the point that wi-fi is fitted—it is, but it simply does not work. It is complicated to log on to and it drops out frequently. Will he use all power to his elbow when discussing this with SWR? We know it is there, but make it better.

Chris Heaton-Harris: That discussion has already been had, so SWR is working with BT to install 31 new masts and upgrade 104 existing lineside masts to deliver better phone signal improvements for more than 90% of customer journeys. Full deployment of that will come in the next three years.

Caroline Nokes: Three years!

Chris Heaton-Harris: Full deployment of that will come in the next three years.

On the experience during the summer of my right hon. Friend’s constituent who uses a wheelchair, clearly this situation was handled badly and is unacceptable. I had not heard of this particular case beforehand, although I follow these cases closely in my office. I used to be the chairman of the all-party group on learning disability, and I think accessibility on our railway should be and is an absolutely a priority of a modern-day rail service.

Stephen Hammond: I am pleased that the Minister is touching on this point, because I wanted to raise it. Accessibility, both for people who are disabled and for young mothers and others, is a real issue. Major stations up and down the SWR network have failed to have that step-free access implemented. I am thinking of places such as Raynes Park, in particular; currently, disabled people have to catch a taxi to Wimbledon in order to get on the train. That level of access is not acceptable.

Chris Heaton-Harris: I completely get the point that my right hon. Friend is making, as well as those made by the hon. Member for Bristol East (Kerry McCarthy) and a host of other points I have picked up on since I became the Minister of State with responsibility for rail. I can honestly say that we are looking at this as hard as we can. Obviously, it would be much more helpful if people were able to book in advance, and they are able to. I know from my commute home on London Northwestern that a huge amount of investment has gone into some software at Euston and 35 people work there to ensure that disabled people or people who need help to get on and off trains can book that help in advance and get on and off in the right place. The work is being done and it is extremely important to me and to all the franchise holders.

We are continuing discussions with FirstGroup about train service operations for the future great western franchise, which will start in April 2020. The hon. Member for Bristol East has left the Chamber, but she would be interested to know that the discussions include options for the heart of Wessex line, which was a route that respondents to the public consultation suggested would benefit from improvements in the frequency of train services.

As I said in my opening remarks, SWR agrees that its general performance is not yet up to the standard that it would like, that its customers expect and that we all would expect. SWR’s joint performance improvement centre at Waterloo, which was established together with Network Rail last year, is focusing on performance improvement initiatives that should have a real impact on services. I look forward to taking my right hon. and hon. Friends to see it. SWR is working to reduce the number of incidents on the network to be more responsive to them when they occur. So, a whole host of things are going on to try to improve the situation for my right hon. Friend’s constituents and all who travel on the SWR network.

Steve Brine (Winchester) (Ind): Will the excellent Minister give way?

Chris Heaton-Harris: Well, the Minister will happily do so.

Steve Brine: I thank my constituency neighbour, my right hon. Friend the Member for Romsey and Southampton North (Caroline Nokes), for securing this important debate. One bit of homework that I would give to the Minister and the new ministerial team is on the issue of smart ticketing, and specifically on part-time season tickets. We had a commitment in the 2017 Conservative manifesto and, two years into the Parliament, the work is still outstanding. SWR’s carnet product is not a part-time season ticket, and my constituents see through attempts to present it as such. Work patterns are different these days and people feel that they are paying a lot of money for a five-day season ticket that they do not need. I do not ask the Minister to respond in detail at this point, but if he would write to update
me on where we are with respect to that manifesto commitment on part-time season tickets, I and the good people of Winchester would be intensely grateful.

Chris Heaton-Harris: It would be a pleasure to write to my hon. Friend on those matters, and I think he will quite like the response he gets.

I thank my right hon. Friend the Member for Romsey and Southampton North and all Members who have taken part in this important debate. I have mentioned that the service on this part of our railways is currently absolutely not good enough, but I have spoken about the many ways in which we are trying to make improvements and to eradicate the reasons for the poor standard of performance—but there is much more to do.

Question put and agreed to.

5.32 pm

House adjourned.
return those who had escaped the clutches of traffickers to their home areas, where they could warn others that the outward route was dangerous and damaging. I should be grateful for an update.

**Alok Sharma:** I pay tribute to the fantastic work that my right hon. Friend did in this Department. He was an absolute champion for DFID.

Phase 2 of the safety, support and solutions programme is now running. We are delivering humanitarian protection to vulnerable migrants en route, as well as informing people about living conditions and—as my right hon. Friend mentioned—the other risks that they may face if they travel through the Sahel or the horn of Africa. One of our partners, the International Organisation for Migration, has reached more than 4,000 people with awareness-raising activities.

**Alok Sharma:** The hon. Lady has raised an incredibly important point. We are working on nutrition with a range of multilateral agencies, and my ministerial colleagues and I continue to engage in discussions with them. At the United Nations General Assembly, it was announced that £61 million would be provided to develop crops that are better adapted to grow in higher temperatures and that can withstand drought. That is the sort of work that will make a long-term difference when it comes to food insecurity.

**Sir Hugo Swire** (East Devon) (Con): Will my right hon. Friend update the House on the Rohingya situation and tell us what discussions he has had with the United Nations High Commissioner for Refugees and the Government in Dhaka about the situation in Cox’s Bazar?

**Alok Sharma:** My right hon. Friend did an enormous amount of work in this area as Minister for Asia, and I pay tribute to him. He will know that the major humanitarian crisis is caused by Myanmar’s military. He will also know that we recently announced the provision of an extra £87 million for food, healthcare and shelter, not just for the refugees but for those who are hosting them. The Minister in the House of Lords, Baroness Sugg, is currently in Bangladesh looking into these issues.

**Stephen Twigg** (Liverpool, West Derby) (Lab/Co-op): In north-east Nigeria, almost 2 million people have been internally displaced. In a disturbing development, the Nigerian Government have closed two major source countries to give people better opportunities to build decent lives at home. The outward route was dangerous and damaging. I pay tribute to the fantastic work that my right hon. Friend did in this Department. He was an absolute champion for DFID.

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**Sir Hugo Swire** (East Devon) (Con): Will my right hon. Friend update the House on the Rohingya situation and tell us what discussions he has had with the United Nations High Commissioner for Refugees and the Government in Dhaka about the situation in Cox’s Bazar?

**Alok Sharma:** My right hon. Friend did an enormous amount of work in this area as Minister for Asia, and I pay tribute to him. He will know that the major humanitarian crisis is caused by Myanmar’s military. He will also know that we recently announced the provision of an extra £87 million for food, healthcare and shelter, not just for the refugees but for those who are hosting them. The Minister in the House of Lords, Baroness Sugg, is currently in Bangladesh looking into these issues.

**Stephen Twigg** (Liverpool, West Derby) (Lab/Co-op): In north-east Nigeria, almost 2 million people have been internally displaced. In a disturbing development, the Nigerian Government have closed two major source countries to give people better opportunities to build decent lives at home. The outward route was dangerous and damaging. I pay tribute to the fantastic work that my right hon. Friend did in this Department. He was an absolute champion for DFID.

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asked them to complete their investigations as swiftly as possible. He is absolutely right: those organisations provide support to millions of vulnerable people, and we must make sure that that work continues.

Henry Smith (Crawley) (Con): A fortnight ago, I was privileged to be in Jordan to see some of the remarkable work of small organisations helping child refugees from the Syrian civil war recover from appalling injuries. What further support can DFID give to those small NGOs that make such a positive difference?

Alok Sharma: As my hon. Friend will know, we have pledged almost £3 billion since 2012 to provide support in Syria and neighbouring areas. We are working with a range of NGOs, and I would be happy to meet him to discuss the individual NGOs to which he referred.

Chris Law (Dundee West) (SNP): The Intergovernmental Panel on Climate Change stated that the greatest single impact of climate change could be on human migration. By 2050, it is forecast that up to 1 billion people could be on the move as a result of climate change. The Select Committee on International Development recommended that the UK use last week’s UN climate summit to address that, so will the Secretary of State tell us specifically what discussions he has had on this subject and what concrete actions his Departments will take?

Alok Sharma: The hon. Gentleman raises an important matter. The Prime Minister made a number of key announcements at the UN General Assembly, including the doubling of our investment and commitment to the international climate finance fund. That is something that we will work on, but the hon. Gentleman is right that that is a key issue. The way to tackle poverty is also to tackle climate change.

Preet Kaur Gill (Birmingham, Edgbaston) (Lab/Co-op): The world is on course to have 200 million climate refugees by 2050, so will the Secretary of State tell us why his Government continue to be part of the problem by funding fossil fuel overseas, both with the Overseas Development Administration budget and with export finance? If he wants to be part of the solution, will he commit to work with Cabinet colleagues to increase the number of refugee settlements in the UK, as recommended by the United Nations High Commissioner for Refugees?

Alok Sharma: I say gently to the hon. Lady that we are regarded as world-leading when it comes to tackling climate change. If she had been at the UN General Assembly, she would have seen that. A whole range of announcements were made there. I am always happy to have a discussion with her, but she should acknowledge that the UK is actively leading in this area across the world. That is acknowledged by Governments across the world, too.

Venezuela: Humanitarian Support

2. Sir Peter Bottomley (Worthing West) (Con): What humanitarian support his Department is providing to Venezuelan people in (a) Venezuela and (b) neighbouring countries.

The Secretary of State for International Development (Alok Sharma): The humanitarian crisis in Venezuela is absolutely dire, with millions fleeing the Maduro regime. Last week, I announced an additional £30 million of vital humanitarian aid to deliver life-saving medicines and clean water, as well as support for vital health services for refugees in neighbouring countries.

Sir Peter Bottomley: Everyone will be glad that we are doing what we can to help. Would it be a good idea if party leaders together nominated members of the Youth Parliament to go and see what has caused this social, economic, humanitarian and political crisis in a country that should be the richest on its continent?

Alok Sharma: My hon. Friend makes an important point. Inflation is running at over 1 million per cent. in Venezuela and poverty has doubled. That is the economic model and regime that the Leader of the Opposition has been defending over a long period. People will know that Venezuela serves as a grim reminder of what might happen to the economy of our country and, indeed, the aid budget should the Opposition ever get their hands near government.

Mr Speaker: I welcome the invocation of the United Kingdom Youth Parliament, which, for the benefit of observers, customarily sits annually in the Chamber on a non-sitting Friday. A sitting is due to take place next month. It is a magnificent organisation that deserves the support of every one of us.

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): Until the Venezuelan Government were destabilised, HIV treatment was successful and deaths from AIDS were decreasing. Since destabilisation, HIV treatment is almost impossible for many people in Venezuela and the healthcare system has collapsed. What are the Government doing, particularly to ensure that antiretrovirals reach HIV-positive people in Venezuela?

Alok Sharma: The reason that the healthcare system and, indeed, public services have collapsed is the Maduro regime; that is something we have to acknowledge. As I have said, the support that we are providing includes healthcare support. There has been a big increase in disease outbreaks over recent periods, and that is why we are providing support for healthcare and vaccinations.

Mr Philip Hollobone (Kettering) (Con): How much are the UK Government giving to the UN central emergency response fund, and how much is that fund giving to the Venezuelan crisis?

Alok Sharma: We have given about £2 million of support to the International Federation of Red Cross and Red Crescent Societies and to national societies. In terms of additional funds that we have made available, we do not discuss the value of programmes inside Venezuela or name partners, for security reasons. I hope that my hon. Friend will understand that.

Mr Gregory Campbell (East Londonderry) (DUP): Given the extent of the problem, the millions of people fleeing Venezuela and the amount that the Minister has
al lied to, what steps are we taking to ensure that that aid is offered directly to the people affected and not diverted by the regime?

Alok Sharma: The hon. Gentleman raises an important point. We have a zero-tolerance policy when it comes to fraud, and we have robust controls against diversion. I can tell him that we have due diligence assessments in place to monitor the spending in Venezuela.

Climate Justice

3. Angela Crawley (Lanark and Hamilton East) (SNP): What recent meetings he had with his international counterparts on climate justice at the UN General Assembly.

[912499]

4. Deidre Brock (Edinburgh North and Leith) (SNP): What recent meetings he had with his international counterparts on climate justice at the UN General Assembly.

[912501]

The Minister of State, Department for Environment, Food and Rural Affairs (Zac Goldsmith): Climate change and biodiversity were top priorities for the Government at the recent UN General Assembly. The UK played a leading role, with the Prime Minister announcing a doubling of our international climate finance to £11.6 billion and a major focus on backing nature-based solutions to climate change.

Angela Crawley: The International Development Committee has specifically recommended that the UK Government should adopt the concept of climate justice to guide their climate spending, but this Government seem scared to even utter the words: not a single International Development Minister has ever said the words “climate justice” in this Chamber. Why is this Government so intent on ignoring this recommendation?

Zac Goldsmith: Given what we know about the science in relation to climate change and what we know about what is happening to biodiversity, habitat and species loss, it is absolutely right that this Government’s focus should be on tackling and preventing climate change, both through technology and by doing everything we can to protect and restore the natural world. If we do not do that, no amount of money from this or any other aid Department will properly compensate poorer countries for the devastation that will follow.

Deidre Brock: I am afraid that the Minister failed entirely to answer my hon. Friend’s question. Will he tell the House when he will follow Scotland’s lead and the recommendation of the International Development Committee and explicitly adopt the concept of climate justice to help to guide climate mitigation spending?

Zac Goldsmith: I thank the hon. Lady for her question, but I do not agree that I did not answer the previous one. We provide £5.8 billion for climate finance at the moment, and that will double to at least £11.6 billion. The whole basis of that programme is, in a sense, climate justice. It is about helping developing countries to prepare for climate change, to adapt to the inevitable changes and to fight the causes of climate change to minimise the impact.

Mrs Pauline Latham (Mid Derbyshire) (Con): By 2030, the destruction of the world’s important habitats and the threat of climate change could force more than 100 million people into poverty. Does my hon. Friend agree that urgent action is needed to tackle deforestation throughout the world?

Zac Goldsmith: I commend my hon. Friend for all her work on this issue. She is absolutely right, and that is why, when the Prime Minister spoke at the UN, he emphasised the importance of investing in nature as a means of tackling climate change. She mentions forests, and they are an obvious example. About 1 billion people depend on forests for their survival, and protecting and restoring forests alleviates poverty, tackles climate change and helps to reverse the biodiversity loss that we have seen over recent years.

James Gray (North Wiltshire) (Con): First, may I welcome my hon. Friend to his well-deserved place at the Dispatch Box? The environmental world rejoices that he is there, and I know he will do an outstandingly good job. Does he agree that it is a perfectly legitimate use of aid funds to spend money on climate change reduction and climate change battling as well as on the mitigation of the worst effects of climate change? That helps in a global sense, and it also helps to mitigate the worst effects for the poorest people in the world.

Zac Goldsmith: I thank my hon. Friend for his kind words. He is exactly right to say that we will have no hope at all of tackling poverty globally if we do not take a bigger interest in preventing climate change and the annihilation of the natural world that we have seen in recent decades. The people on the frontline in relation to nature destruction are the world’s poorest people. They are the people who depend most directly on the natural world, so he is absolutely right.

10. [912510] Kerry McCarthy (Bristol East) (Lab): I welcome the Minister to his post. I am sure he will agree that the food and farming system has a major impact on climate change in developing countries, from deforestation to water use and mountains of food waste, but that is not really talked about in DFID terms except for some small livestock programmes. Can he assure me that it will be at the top of his agenda as a Minister in this Department?

Zac Goldsmith: As we heard from the Secretary of State in his first answer, we have committed serious sums of money to enabling smallholders around the world to adapt to climate change. We have also launched an initiative at the UN called the Just Rural Transition, which is about shifting the way subsidies are spent around the world on land use, away from unsustainable use towards sustainable use, just as we are doing in this country. The OECD tells us that the 50 top food-producing nations spend €700 billion a year subsidising land use, on the whole very badly. If we can shift even a fraction of that, it will have a much bigger impact than all the world’s aid departments put together.

Supporting Women in Developing Countries

5. Caroline Nokes (Romsey and Southampton North) (Ind): What steps his Department is taking to support women in developing countries in (a) business and (b) further education after they have finished school. [912504]
The Secretary of State for International Development (Alok Sharma): DFID’s support for the SheTrades Commonwealth programme has trained over 2,700 women-owned businesses. We recently announced £30 million for the Affirmative Finance Action for Women in Africa programme, which will help to unlock $3 billion of additional lending to women entrepreneurs.

Caroline Nokes: Some of the most inspirational, determined business leaders and entrepreneurs in Romsey and Southampton North are women. Do the Secretary of State and his Front-Bench team agree that female empowerment cannot begin and end in school, but has to continue into the workplace? Will he commit to giving more support to make sure that we have women business leaders in the developing world?

Alok Sharma: My right hon. Friend is right. Economic empowerment for women is vital, and I made mention of the affirmative finance programme, which is tackling issues such as access to finance, access to mentoring support and overcoming laws that discriminate against women. It is worth pointing out that women typically reinvest up to 90% of their income into education, health and nutrition, compared to 40% for men, so investing in female-led businesses can transform societies.

Rachael Maskell (York Central) (Lab/Co-op): Specialist organisations such as Khwendo Kor that deliver services to women are being restricted by other NGOs in consortia by exclusivity clauses so that they can only bid with one organisation for funding, so expertise is being lost. Can the Secretary of State ensure that exclusivity clauses are removed?

Alok Sharma: I would be happy to meet the hon. Lady to discuss that case and to try to understand a bit better what we could do.

Mrs Anne Main (St Albans) (Con): Menstruation stops many women participating in the business world and mostly affects the poorest, no more so than in the Rohingya camps, as Oxfam has told me. WUKA produces underwear that deals with the problem, is reusable and environmentally sustainable. Will his Department meet WUKA, Ruby Raut and others in St Albans who have developed the product to help women beat the problems of menstruation?

Alok Sharma: I pay tribute to my hon. Friend for all the work that she has done in Bangladesh in tackling humanitarian issues, and she raises an important point. We have a flagship programme called the Girls’ Education Challenge, which does fund support for 23 menstrual hygiene projects across 13 countries, but of course I would be happy to meet with her and the company in her constituency.

Alok Sharma: I am not aware of the details of programmes that the hon. Gentleman talks about, but I would be happy to meet him to discuss that case.

Topical Questions

The Secretary of State for International Development (Alok Sharma): Governments around the world collectively spend around $140 billion every year on aid. However, the United Nations estimates that an additional $2.5 trillion is required annually in developing countries to meet the sustainable development goals. That investment gap needs to be met largely by the private sector. That is why I have established an international development infrastructure commission to advise the UK Government on how we can mobilise additional private sector funds, alongside public money, to deliver on the sustainable development goals.

Tim Loughton (East Worthing and Shoreham) (Con): If he will make a statement on his departmental responsibilities.

Alok Sharma: My hon. Friend raises an incredibly vital point. He may be aware that the Prime Minister announced at the United Nations General Assembly last month that we are encouraging countries to join the UK-led global ocean alliance of countries in support of protecting at least 30% of the global oceans within marine protected areas by 2030.

Dan Carden (Liverpool, Walton) (Lab): The Secretary of State has announced a new commission of business and finance leaders to mobilise private finance to invest in some of the world’s poorest countries. What action is he taking to guarantee that all aid-backed private investments uphold labour rights and living wages for workers in the global south?

Alok Sharma: I think that is a sort of welcome for the infrastructure commission we have set up. The hon. Gentleman is right to say that labour rights are vital. When I was Minister for Employment, I worked with the International Labour Organisation on these issues, and if he has particular suggestions to make, I would be happy to discuss those with him.

Dan Carden: The Secretary of State is failing to take labour rights seriously. He is a career investment banker by trade, and he has—[Interruption.] I think it is relevant that he has gone from corporate wealth management to managing the UK’s aid budget. Feronia, a Canadian palm oil company based in the Democratic Republic of the Congo, has received tens of millions of pounds of UK aid via the CDC Group; it has been plagued by scandal for years; and, in July, Joël Imbangola Lunea, a community activist involved in a land dispute with
Feronia, was allegedly murdered by a security guard employed by the company. Joël was father to eight children—

Mr Speaker: Order. May I just appeal to the hon. Gentleman to get to his question mark, because a lot of colleagues want to contribute and they must do so?

Dan Carden: Will the Department now launch its own investigation into this case and the litany of failures surrounding Feronia?

Alok Sharma: The hon. Gentleman is very welcome to write to me about the case. He wrote an article a few days back describing me as “exploring ways to profit from human misery”.

May I just point out to him, with respect, that he could perhaps take some lessons from the Chairman of the Select Committee, who knows a lot more about development than he does?

T5. [912516] Fiona Bruce (Congleton) (Con): Many of my constituents are concerned about plastic pollution, and I recently attended the launch of plastic-free Congleton. What are the UK Government doing to reduce, and indeed stop, plastic pollution in developing countries?

Alok Sharma: My hon. Friend is a true champion on humanitarian and environmental matters. I made reference in a previous answer to what we are doing about plastics, but I can also inform her that the UK Government have pledged £70 million to directly tackle this issue in developing countries, through the provision of technical assistance and testing practical approaches to increase plastic recycling rates.

T2. [912513] Holly Lynch (Halifax) (Lab): This month, we are celebrating 25 years of Fairtrade in the UK. At his first appearance at the Dispatch Box, will the Secretary of State reaffirm this Government’s commitment to Fairtrade? Will he join me in celebrating, with the Fairtrade Foundation, such a milestone achievement?

Alok Sharma: The hon. Lady will know that we run a series of projects designed to ensure that we have fair trade, and of course I commend the work that goes on in this area.

Maria Caulfield (Lewes) (Con): Globally, vaccines save 2.5 million lives every year. What discussions were had at the recent UN summit about the UK’s role in the global vaccination programme?

The Minister of State, Department for International Development (Dr Andrew Murrison): I am grateful to my hon. Friend for raising that issue. She will know that the UK is the No. 1 contributor to vaccines worldwide in the development space. She will also know that the UK will be hosting the Gavi replenishment next year and that for every pound spent on vaccines £21 is recouped; this remains one of our best buys in terms of international development, and we made that clear at the UN General Assembly last week.

T3. [912514] John Spellar (Warley) (Lab): The Minister is aware of the devastating 2005 earthquake in Azad Kashmir, with massive loss of life and damage to housing and infrastructure—and of the gratifying international response, with assistance. Although the recent earthquakes were not on the same scale, they are causing major hardship; so what assistance is the Department providing to the authorities there, both for emergency relief and for long-term reconstruction, to help the long-suffering people of Azad Kashmir?

Alok Sharma: As the right hon. Gentleman knows, we are a major aid donor to Pakistan overall. We are in discussions with the National Disaster Management Authority in Pakistan, and we stand ready to respond and provide funding if it is indeed requested.

Mrs Pauline Latham (Mid Derbyshire) (Con): The economy in Zimbabwe is expected to contract by 5.2% this year and millions are at risk of hunger, with warnings that the country is facing its worst ever famine. What are we doing to help?

The Minister of State, Department for International Development (Andrew Stephenson): Humanitarian needs are rising in Zimbabwe, due to a combination of poor and erratic rains and the deteriorating economic situation. DFID has committed £49 million to a new Zimbabwe humanitarian resilience programme, but our ongoing re-engagement depends on fundamental political and economic reform in Zimbabwe.

Mr Speaker: The hon. Member for Slough (Mr Dhesi) had a question on the Order Paper but it was not reached, so I will call him, on the strict understanding that he will be exemplary in his brevity.

Mr Tammanjeet Singh Dhesi (Slough) (Lab): Currently, approximately 97% of the UK’s export financial support for energy in developing countries goes to fossil fuels and only 1% to renewable energy. That is a ridiculous and untenable position, given the Government’s avowed aims. What steps is the Secretary of State taking to ensure that his work in supporting developing countries to tackle climate change is not undermined by his colleagues in the Department for International Trade?

The Minister of State, Department for International Development (Zac Goldsmith): I am pleased that the CDC has made no new investments at all in coal-fired power stations since 2012, and that increasingly UK ODA supports renewable energy. I am assured that as a result of its adoption of the recommendations of the taskforce on climate-related financial disclosures, UK Export Finance is looking very carefully at the risks, which the hon. Gentleman has just highlighted, of its support for oil and gas.
**PRIME MINISTER**

The Prime Minister was asked—

**Engagements**

Q1. [912482] Julian Sturdy (York Outer) (Con): If he will list his official engagements for Wednesday 2 October.

The Secretary of State for Foreign and Commonwealth Affairs and First Secretary of State (Dominic Raab): I have been asked to reply. My right hon. Friend the Prime Minister is in Manchester for the Conservative party conference. He is, as we speak making, the keynote speech, setting out that we will leave the EU on 31 October, so that we can get on with our dynamic domestic agenda.

Julian Sturdy: Askham Bog, a world-renowned nature reserve in my constituency, has been described as “irreplaceable” by, no less, Sir David Attenborough; yet it is threatened by proposals to build more than 500 houses on adjoining land. Will my right hon. Friend put in a good word with the Prime Minister to ask him to join me in lying down in front of the bulldozers to save that important piece of natural heritage?

Dominic Raab: I thank my hon. Friend. I always put in a good word with the Prime Minister on his behalf, and I share his passion for preserving our precious natural habitats. Local community views are of course incredibly important to the local planning process; that is what our revised national planning policy framework provides. He will understand that I cannot comment on individual planning applications.

Ms Diane Abbott (Hackney North and Stoke Newington) (Lab): Yesterday marked the start of Black History Month, so I will begin by paying tribute to a young woman already making history this month. Dina Asher-Smith became the first British woman in 36 years to win a sprint medal when she won silver at the 100 metres in Doha. Tonight she aims to go one better in the 200 metres—a sprint medal when she won silver at the 100 metres—and I am sure the whole House will wish her well.

Dominic Raab: I thank the right hon. Lady for her question. I notice that the Foreign Secretary has made it easier for others to follow in her footsteps. That is something in which I and every hon. Member in this House can take pride in paying tribute.

The right hon. Lady raises the increasing level of online and wider abuse that politicians from all parts of the House get, and we should come together to be clear that there must be zero tolerance of any abuse or any threats. May I also say that I have found the level of abuse that she herself has received online to be totally disgusting and totally unacceptable. At the same time. I am sure that, as a passionate champion of free speech, she will defend our right in this House to defend the issues of substance. The remarks that the Prime Minister, my right hon. Friend, made were aimed at the suggestion that he could not describe the surrender Act in such terms. It is absolutely clear, given the substance of the legislation, that it would achieve that and undermine the ability of the Government to go and get a deal in the EU, which on all sides we want to achieve.

Ms Abbott: So, we can take it that there is no apology from the Foreign Secretary. I raised the very specific point that my hon. Friend the Member for Dewsbury made about the abuse she gets that uses the Prime Minister’s language.

Deliberately disturbing billboards showing unborn foetuses have been put up in the London borough of Walthamstow. They are upsetting for women walking past, but particularly upsetting for my hon. Friend the Member for Walthamstow (Stella Creasy), because these billboards are targeted at her in response to her work to decriminalise abortion in Northern Ireland. Abortion in Northern Ireland should be decriminalised on 21 October. What will the Foreign Secretary do to ensure that, from later on this month, women in Northern Ireland will have the same human rights to legal and safe abortion as women in England, Wales and Scotland?

Dominic Raab: The right hon. Lady has referred to the hon. Member for Walthamstow (Stella Creasy) and the abuse that she has received, which I and all Members of this House, I know, believe is totally unacceptable. There is a place for free speech, but we should never allow that to cross over into abuse, intimidation or harassment of hon. Members from all parts of the House going about their business. The most important thing that we can do on the specific issue that the right hon. Lady raises is get the institutions in Northern Ireland back up and running so that they can exercise their rights, their prerogatives, on behalf of the people of Northern Ireland.

Ms Abbott: I notice that the Foreign Secretary has not said anything about those horrific posters—they are not posters that anyone would want to see, particularly someone who is pregnant, as is my hon. Friend the Member for Walthamstow.

Last week, Labour reiterated its call to end the rape clause, which forces women to fill out a four-page form to prove their child was born of rape in order to get financial help. Will the Foreign Secretary today back Labour’s pledge to remove the abhorrent rape clause from universal credit?
Ms Abbott: How much more dismissive can the Foreign Secretary be of people and families dependent on benefits? We are not talking about a spending spree; we are talking about a system that is fair and just, and which does not subject people to undue humiliation.

Last week, the 100-year-old travel company Thomas Cook went out of business. We know that 72% of its workers are women. We also know that, although Governments around the world stepped in to save Thomas Cook subsidiary companies in their own countries, the UK Business Secretary thought that this was not her job. Can the Foreign Secretary explain to those workers, some of whom are with us today, why their Government sat idly by?

Dominic Raab: First, we did not sit idly by. The Government's efforts, co-ordinated by the Transport Secretary, to ensure that the holidaymakers and travellers who were caught overseas could be returned to the UK, have been very effective and required a huge amount of cross-Government work, including in my own Department. On whether the Government should have stepped in to bail out Thomas Cook, it is very clear from looking at the financing that such a step would not have rendered the company more sustainable and would not have saved jobs in the long run. We are, of course, concerned to ensure that we have a sound economic base in the long term. We have created 3 million new jobs in this country since 2010, and will continue with that. What we are not going to do is routinely bail out companies that are unsustainable. That is not the right way to go about this.

Ms Abbott: Nobody is asking the Government routinely to bail out companies. We are asking the Government why they will not even meet the workers.

Whether it is women Members in this House, women claiming benefits, women's reproductive rights in Northern Ireland or the failure to support women workers at Thomas Cook, is not this a Government letting women down?

Dominic Raab: On this side of the House, we are proud to be on our second female Prime Minister. [Interruption.]

Mr Speaker: Order. I want to hear it, and I think the House and everybody else will want to hear it as well.

Dominic Raab: Thank you, Mr Speaker.
knows is unacceptable and doomed to failure. When this deal fails, as Tory Members know it will, Downing Street sources have insisted that the Government will not seek an extension. They will not obey their legal obligations. Yet again, this Prime Minister is prepared to act unlawfully. Has the Prime Minister not learnt his lesson? He is not above the law. Can the Foreign Secretary confirm whether those sources are correct that the Prime Minister will not obey the law? Are this Government seriously planning to take on Parliament in the courts to force through a catastrophic no-deal Brexit, or will the Foreign Secretary now rule that out?

Dominic Raab: Of course this Government will always adhere to the law. The Prime Minister has written to Jean-Claude Juncker setting out our proposals. We want to take forward the negotiations. We want to avoid a no-deal scenario, and I would urge the SNP, rather than undermining the negotiations in Brussels, to try and support the Government in securing a deal that is good for this country. The right hon. Gentleman talks about respecting judgments. We will always respect legal judgments. I call on the SNP to respect the judgment of the people of Scotland when it comes to staying in the United Kingdom and the judgment of the people of the United Kingdom to give effect to the referendum on the EU.

Ian Blackford: “We will always respect legal judgments.” The fact is that this Prime Minister cannot be trusted, and his Foreign Secretary cannot even commit the Prime Minister to the letter of the law. This Government must be stopped. I am looking now to colleagues on the Opposition Benches, and I urge them: we must unite. We must stop this Prime Minister by removing him from office. The Scottish National party stands ready to bring this Government down. Other parties need to step up at this moment of national crisis—prepare a vote of no confidence, ensure a Brexit extension, prevent a no deal and call a general election. Doing nothing is not an option. We must act. So I ask the Foreign Secretary: will he give the Prime Minister a message from the Scottish National party? It is not a case of if but when: we will bring this dangerous Government down.

Dominic Raab: The right hon. Gentleman is at risk of sounding like he is all mouth and no trousers, because he had the chance to vote for a general election and he turned it down; he had the chance to avoid no deal; and the best chance now is to back this Government in securing a good deal—good for the United Kingdom and good for all quarters of the United Kingdom, including the people of Scotland.

Q2. [912483] Teresa Pearce (Erith and Thamesmead) (Lab): Housing, I believe, is the first of the social services; without it, we cannot have education, productivity or health. The NHS has a diagnosis code for inadequate housing. The Department of Health wrote to me saying that poor housing costs the NHS £1.4 billion a year, but that figure is now four years old. Will the Secretary of State ensure that the Department of Health writes to me with the most up-to-date figures and places that information in the Library?

Dominic Raab: I will certainly pass on the hon. Lady’s specific request to the Secretary of State for Housing, Communities and Local Government. She is right to raise the quality of housing. When I was Housing Minister, we developed proposals for a social housing Green Paper. We want social housing tenants to feel they are treated with respect. I remember meeting an individual who said that he ran his own business, and when he went to work he was treated with respect but when he came back home he was treated disrespectfully by his housing association. That is not right.

I would gently say to the hon. Lady that we have delivered over 222,000 additional homes in the past year—the highest level in all but one of the past 31 years—and we have built more council housing than in the previous 13 years of the last Labour Government.

Mr Kenneth Clarke (Rushcliffe) (Ind): Sir John Major rang me about half an hour ago simply to give vent to his indignation, which I already fully shared, that a major policy announcement of historic significance—our last offer, apparently, to the EU of a withdrawal agreement—was being made not to this House of Commons, which is not even to have a statement, and not after discussion in the Cabinet, most of whose members know nothing about it, but in a speech to the Conservative party conference in which the Prime Minister—who, I remind you, was one of those who voted to stop us leaving the European Union at the end of March—began with an attack on Parliament. If a deal is obtained, I will be delighted and I will apologise to the Prime Minister. I will vote for any deal that is agreed among the 28 member states of the European Union. But can the Foreign Secretary reassure me—it seems to me obvious, otherwise—that this is not just a party political campaigning ploy to blame the European Union for the lack of an agreement and to arouse fury between people and Parliament so as to escape from the responsibility that seems to me to lie with the Spartans on the far right of the party, with whom he and the Prime Minister used to be close allies?

Dominic Raab: I thank my right hon. and learned Friend. On the specific point, the proposals we are setting out to Brussels—David Frost, the Prime Minister’s special adviser, is in Brussels doing that—will be set out first in the House of Commons. They will be published—[Interruption.] No. The shadow Foreign Secretary is chuntering from a sedentary position, but the proposals
have not been set out in Manchester; they will be set out in written proposals to Jean-Claude Juncker and published in the House later on. I gently say to my right hon. and learned Friend: I know. [Interruption.] Later today—[Interruption.] The shadow Foreign Secretary is continuing to talk from a sedentary position. My right hon. and learned Friend and I have always had slightly nuanced but differing views on the EU, but I think the one thing we all want to do is to get a deal right now—that is why the attempts by Parliament to frustrate that have been deeply counterproductive—and to give effect to the promises that, on all sides of the House, we made to give effect to the referendum and to keep trust with the electorate of this country.

Q3. [912485] Eleanor Smith (Wolverhampton South West) (Lab): The Government update of the national planning policy framework published in July 2018 changed the policy we have had for generations of not building on the green belt. The policy now allows future development to be considered. Local planning authorities are coming under great pressure from developers who do not want to spend money to improve brownfield sites. Unspoilt areas such as the Seven Cornfields on the edge of my constituency are now under threat from inappropriate development by house builders who put profit above all else. We should not be building on such sites, especially at a time of concern for the environment. I ask the Prime Minister to review the green belt policy to protect areas such as the Seven Cornfields from developers.

Dominic Raab: The hon. Lady’s concerns are shared right across the House, so it is something that will be of interest and importance to everyone here today. The national planning policy framework is very clear: the green belt must be protected and brownfield sites must be brought forward. In order to provide a greater boost to the supply of new housing, we have introduced measures to boost the density of and the ability to raise homes in more urban or suburban areas while protecting the green belt. A huge amount of money has gone into infrastructure development right across the country to ensure that we can build the right homes in the right places and to answer the significant concerns of local communities, who ask where all the schools, housing and roads will come from. We are making sure that we give councils the support they need to build the right homes in the right places.

Mrs Maria Miller (Basingstoke) (Con): The Government are backing a new hospital to serve Basingstoke with money to develop our business case. Does my right hon. Friend agree that a bid that could include new jobs, new state-of-the-art facilities and new homes is one that everyone in north Hampshire should get behind?

Dominic Raab: It sounds like a tantalising proposal. I am sure that the Health Secretary will look at it very carefully indeed. We have made it clear that we back the NHS with the biggest cash boost in history, an extra £34 billion a year by 2023-24. We can do that only with a strong economy, which is precisely what the Labour party will put at risk.

Q5. [912487] Lucy Powell (Manchester Central) (Lab/Co-op): On Monday, my constituent Richard should have been paid. It was the first time in his life that he was not. Richard, like many others whom I met with his union, Unite, was a dedicated employee of Thomas Cook. Given that the warning signs were there for months, if not years, will the Government use the extra parliamentary time that we now have to bring forward emergency legislation to stop a further airline collapse? Will the Government pledge now to expedite Richard’s redundancy pay and to recoup the millions taken by the directors in the past few months?

Dominic Raab: I feel for anyone in the Thomas Cook scenario—people stranded abroad or people who lost their jobs. I have set out why the Government do not systematically bail out or step in to prop up firms that are unsustainable. I am afraid that if the hon. Lady looks at the figures, she will see that that was not a sustainable route to follow. Of course, if she wants to write to me, we will look at any details she raises, but the bottom line is that the way we create a healthy economy and jobs is by making sure that we have the tax measures in place—by not raising taxes on businesses and by supporting the workers of this country. That is what we are doing.

Mr Dominic Grieve (Beaconsfield) (Ind): I congratulate my right hon. Friend on being at the Dispatch Box as Deputy Prime Minister. How is it that the Government are allowing special advisers at No. 10 Downing Street, speaking on behalf of the Government, to tell outright lies? My right hon. Friend should be familiar with the fact that on Saturday such a special adviser—who I believe to be Mr Dominic Cummings—told The Mail on Sunday that a number of hon. Members were in receipt of foreign funding to draft what is known as the Benn Act, something which in itself is totally untrue. Moreover, he went on to say that that was going to be the subject of a Government investigation, which is also completely untrue because, mercifully, this country is not yet run as a police state by Mr Cummings.

Dominic Raab: I thank my right hon. and learned Friend. I was not quite sure what the question there was, but the position of the Government is that advisers advise and Ministers decide. It is right that the legislation that we have rightly dubbed the surrender Act gets the kind of scrutiny that a Government would get—whether it is from the Executive, parliamentary Select Committees in this House or, indeed, the declarations of interest that should come forward in the normal way.

Q6. [912488] Patricia Gibson (North Ayrshire and Arran) (SNP): Can the First Secretary of State set out clearly and unambiguously for this House in what circumstances the Prime Minister will write to the EU Council President, as set out in the terms of the Benn Act?

Dominic Raab: The Government have been very clear: we will respect the law—[Interruption.] We will respect the law, but we are not going to extend beyond 31 October. I would ask all hon. Members who signed up to that shoddy legislation to reflect on whether—with the fact of the multiple conditions, the £1 billion a month that it would cost the UK taxpayer and undermining the position of the UK Government to get a deal in
Brussels—they are actually courting the no-deal scenario they pretend they want to avoid.

Mr Shaiilesh Vara (North West Cambridgeshire) (Con): May I join in the tributes paid earlier to the right hon. Member for Hackney North and Stoke Newington (Ms Abbott) for her historic achievement today?

Today marks the 150th birth anniversary of Mahatma Gandhi. Does my right hon. Friend agree with me that Gandhi’s message of non-violence, religious tolerance and greater rights for women is as applicable today as it was in his lifetime?

Dominic Raab: My hon. Friend is absolutely right. I would go one further and tout the words of Martin Luther King, who said that we—I think on all sides of the House—should believe in a society where you are judged on the content of your character, not the colour of your skin, let alone your gender. That is why we on this side of the House are proud of our record of record levels of BAME communities in employment and children from BAME communities taking more rigorous GCSEs. We have the first Asian Chancellor, the first female Asian Home Secretary and I am proud to be in the most diverse Cabinet in history.

Q8. [912491] Anna McMorrin (Cardiff North) (Lab): My constituent Anne has an auto-immune condition and needs 20 tablets a day to control pain. This medicine is her lifeline, and without it she could die, but she has been warned that a no-deal Brexit will mean a severe risk to its supply. Can the Secretary of State say why his Government are willing to risk her life and many others by refusing to rule out no deal, choosing a policy of ruin over delay?

Dominic Raab: Of course we share the concerns of anyone in the position of the hon. Lady’s constituent. That is why the head of the NHS, Sir Simon Stevens, and the Health Secretary have said that they have put in place all the necessary arrangements to make sure that, in a no-deal scenario, medicines will continue to flow across the border, as is required. But if the hon. Lady really wants to avoid a no-deal scenario, she should get behind this Government getting a good deal in Brussels, and that is the best thing for all concerned.

Amber Rudd (Hastings and Rye) (Ind): I congratulate my right hon. Friend on his role today. I remember when my right hon. Friend resigned from the Cabinet because of his disagreements with Brexit policy—a route I subsequently became familiar with—but does his experience not remind him that there are honourable, different opinions across this House about how we leave the European Union and about how we interpret the will of the people, and the essential thing is that every Member here representing their constituency has a role to play in that? May I urge him, when working with my right hon. Friend the Prime Minister, to make sure that any decisions—any progress—are taken through this House?

Dominic Raab: I can give my right hon. Friend that reassurance. I do understand, and we have always managed to stay on civil, cordial, even amiable terms throughout all the challenges of Brexit, which we on both sides of the House should seek to do. Parliament of course has a crucial role to play. I do not think anyone can legitimately say that Parliament, with the stalwart support of the Speaker, has not scrutinised Brexit at every stage. But we also have to remember on all sides, and particularly on this side, the promises we made to the voters to give effect to Brexit—to get Brexit done—and that is the way we can move on, unite the country and take Britain forward.

Q9. [912492] Mr Clive Betts (Sheffield South East) (Lab): On 27 July in Manchester, the Prime Minister said he wanted to bring northern cities’ bus services up to the same level as London’s. Bus services are really important to my constituents. The problem is that, currently, Government funding for bus services is £75 a head in London but £5 a head in Sheffield. Although the Chancellor has announced a further £200 million for bus services, it would take half that money to bring Sheffield’s funding level alone up to London’s. Are the Government really going to fund the better bus services the Prime Minister promised for northern cities such as Sheffield, or have we again had a grand announcement from the Prime Minister that, on detailed examination, simply is not worth the paper it is written on?

Dominic Raab: I say to the hon. Gentleman, the Chairman of the Housing, Communities and Local Government Committee, that we are absolutely committed to boosting bus services in his constituency and indeed infrastructure right across the country. That includes transport, that includes broadband, and that means making sure that we have a more balanced economy that can boost jobs, reduce deprivation and ensure we can fund the precious public services we need. On the specific point he raised, I will ask the Secretary of State for Housing, Communities and Local Government to write to him personally.

Sir Hugo Swire (East Devon) (Con): Within the last 24 hours, the Democratic People’s Republic of Korea has launched a ballistic missile, possibly from a submarine; if so, that would be the first submarine-based missile it has launched in three years. It is its ninth launch, I believe, since June. Has my right hon. Friend had an opportunity to talk to other leaders in the region? Given that this comes a few days before the resumption of talks with the United States, what assessment has he made of the continuing threat of the DPRK to the region and the wider world?

Dominic Raab: I pay tribute to my right hon. Friend for his time at the Foreign Office; he was a very effective Minister, and he continues to make the case from the Back Benches. We are concerned about the situation in North Korea and we regularly raise it with our international partners. There has been a series of missile tests by Pyongyang, which are deeply troubling. We continue to make it clear that it must show restraint and adhere to its legal commitments. Of course, there is some bluff and bluster in the lead-up to the talks with the US. We would like to see a de-escalation of tensions and a route to denuclearising North Korea.

Q10. [912493] Gill Furniss (Sheffield, Brightside and Hillsborough) (Lab): This week I heard from my constituents Phil and Rachel Turner, whose five-year-old daughter Eliza has cystic fibrosis. They are...
planning to move to Scotland so she can receive the life-changing drug Orkambi on the NHS. Does the First Secretary of State agree that it is a tragedy that families should have to uproot their lives in that way? Can he confirm that funding will be found for children affected by this terrible disease so they can take up the treatment without delay? Furthermore, may I suggest that the Government should support Labour's plan to set up a publicly owned generic drugs manufacturer that would supply medicines to the NHS at affordable rates?

**Dominic Raab:** I feel for any family and any children in the situation that the hon. Lady highlights. We are frustrated, as is everyone, that agreement has not yet been reached that would provide access to Orkambi. We have a system, with the National Institute for Health and Care Excellence and NHS England, where it is for clinicians, not politicians, to determine the fair price for medicines. I say gently that I think the proposals put forward by the Labour party would put that at risk, because they would repel investment and innovation. That is not the right way to get medicines to the people who need them.

**Sir Henry Bellingham** (North West Norfolk) (Con): May I ask the First Secretary of State to turn his attention to Hong Kong? Yesterday’s events were truly awful. Obviously, the people suffering most are the victims of violence on both sides, but now a number of UK companies with interests in Hong Kong are being adversely affected. As we are one of the guarantors of the Sino-British joint declaration supporting one country, two systems, is there now an argument for him to discuss Hong Kong with China in the UN Security Council? Perhaps the next six-monthly report on the declaration would be an opportunity to do that.

**Dominic Raab:** We are concerned about what we are seeing on the streets of Hong Kong. We of course condemn any violence by protesters, but the vast majority are seeking to exercise their right to peaceful protest. An adverse response by the Hong Kong authorities needs to be proportionate, but what we need above all is a political process and a dialogue between the Administration and the people of Hong Kong that can lead to the kind of political reform that is envisaged in the Basic Law and reflected in the joint declaration my hon. Friend cites.

**Q11.** [912494] **Sir Mark Hendrick** (Preston) (Lab/Co-op): The last Prime Minister, the right hon. Member for Maidenhead (Mrs May), created a hostile environment for migrants that made them feel alienated and unwelcome in this country, examples being the descendants of Windrush, and now EU migrants. The current Prime Minister is creating an even more hostile environment for anyone who does not agree with the UK leaving the EU on 31 October without a deal, by invoking the language of war, and through talk of surrender, betrayal and capitulation. Why do this Government feel the need to whip up such hatred, animosity and division, when so many people are already suffering from the Government’s austerity?

**Dominic Raab:** We are absolutely determined to correct the wrongs experienced by the Windrush generation. We have apologised for the mistakes that were made and, to date, over 7,200 individuals have been given documentation confirming their status. The hon. Gentleman talks about Brexit, which has been a divisive issue for all parties and people right across this country. The best way of resolving that and bringing the country together is to get a deal, get Brexit done, and move on. It is incumbent on those in all parts of the Labour party to think about the promises that they have made, and to get behind this Government as we strive for a good deal that works for the country.

**Maria Caulfield** (Lewes) (Con): Will the Secretary of State join me in welcoming the £13.8 million of funding for East Sussex Healthcare NHS Trust that has been earmarked for upgrading Eastbourne District General Hospital, which many of my constituents use? A few years ago, the hospital was earmarked for closure; under the Conservatives, it is earmarked for investment.

**Dominic Raab:** I am delighted about the new investment going into my hon. Friend’s constituency. We have backed the NHS, which will have almost £34 billion a year by 2023-24. There is an extra £1.8 billion going into 20 hospital upgrades and we are providing £250 million to boost artificial intelligence, so that we can have earlier cancer detection, new dementia treatments and more personalised care. All that would be put at risk by a Labour Government, who would tank the economy.

**Q12.** [912495] **Toby Perkins** (Chesterfield) (Lab): I recently met a victim of domestic violence who continues to live in isolation and terror, even now that the abusive relationship is over. This Parliament has a duty to her, and to every victim of domestic violence, to pass the Domestic Abuse Bill, which is finally having its Second Reading today. Will the Foreign Secretary promise her that this life-saving legislation will not fall due to Prorogation?

**Dominic Raab:** I pay tribute to the hon. Gentleman. Members on all sides of the House want to stand up to, and have absolutely zero tolerance for, any domestic abuse. The best way forward is for us to work together in a collaborative way, which, frankly, we have not seen in recent months and years because of Brexit. That opportunity will come today, when we debate the Domestic Abuse Bill on Second Reading.

**Huw Merriman** (Bexhill and Battle) (Con): Last year, I attempted to introduce legislation requiring banks to maintain or deliver a cashpoint, on a free-to-use, 24-hour basis, to every high street that supports 5,000 residents or more. I was inspired to do that when the tourist town of Battle lost its last cashpoint of that type. I am grateful that LINK has now seen the case for Battle’s cashpoint, but I am conscious that other high streets across the UK are not so fortunate. Will the Deputy Prime Minister help to set up a meeting with me and Ministers to help to deliver a boost to all our high streets?

**Dominic Raab:** I will certainly pass on my hon. Friend’s point directly to the Secretary of State for Business, Energy and Industrial Strategy and other Ministers, and will see what more can be done in the neighbourhood that he talks about. The reality is that some businesses and high streets are suffering, partly because of online
competition, and partly because of consumer trends. We need to make sure that we boost high streets and businesses, and in particular the small businesses in this country that have created over 80% of new jobs. All that will be put at risk, frankly, by the damaging and counterproductive policies that the shadow Chancellor has come up with this week.

Q13. [912496] Julie Elliott (Sunderland Central) (Lab): Many of my constituents in Sunderland who voted leave are contacting me, as they are petrified of a crash-out, no-deal Brexit coming on top of years of hardship caused by Tory austerity. Will the Secretary of State confirm that the Government will obey the law and request an extension to article 50, so that people in Sunderland can avoid the double whammy of a no-deal Brexit on top of Tory austerity?

Dominic Raab: I have to say to the hon. Lady that of course we will adhere to the law, but the Prime Minister has been clear that we must leave by the end of October in order to maintain public trust in our democracy and avoid the public feeling that parliamentarians and politicians do not listen to what they have said. If she wants to avoid a no-deal Brexit, get behind the Government in securing a deal that all sides can support.

Henry Smith (Crawley) (Con): Yesterday, I was honoured to speak at the official opening of CAE’s new flight simulator and aviation training centre at Gatwick airport. Will my right hon. Friend join me in welcoming this significant aviation inward investment into global Britain?

Dominic Raab: It is absolutely crucial that we make this country the best place to invest for technology and innovation, and that is part of the vision of global Britain. So I pay tribute to the project in my hon. Friend’s constituency. That is what we can deliver if we can get Brexit done and dusted and move on, and allow the people of this country to move on.

Anna Soubry (Broxtowe) (IGC): The right hon. Gentleman and the Government talk about the will of the people and the need to restore trust in democracy when it comes to Brexit, while completely forgetting that over 16 million people voted for us to remain in the EU, 13 million people chose to abstain in the referendum, and 1.5 million youngsters were not eligible to vote and now want a say about their future. On that basis, surely the way to protect democracy is to put any Brexit deal to a confirmatory referendum because, if we do not have that people’s vote, we will leave the EU without the consent of the majority of people of this country.

Dominic Raab: I know that the right hon. Lady and I have different views on Brexit, but we have always got on professionally and civilly in the past, and I understand the passion with which she holds her views. But I think a second referendum will be the last thing this country wants. It would solve nothing and put the Union at risk, because it would be a political gift to the SNP. If she wants to avoid no deal, she should back the Government, not undermine them, as they strive for a good deal in Brussels.

Michael Tomlinson (Mid Dorset and North Poole) (Con): With the shape of a potential deal becoming clearer, will the First Secretary of State repeat and confirm his absolute commitment to leaving on 31 October, which is in contrast to the Lib Dems—I do not think we have a single Lib Dem in the Chamber this afternoon—[Interruption.] Oh, we do—we have one. Forgive me, Mr Speaker, I got that wrong. We have one Lib Dem in the Chamber. That commitment is in contrast to the Lib Dems, who want to overturn the democratic result, and to the Labour party, which does not quite yet know what it wants.

Dominic Raab: My hon. Friend is absolutely right that we need to get Brexit done. The country wants us to move on and to keep faith with the voters. As for the position of the Liberal Democrats, of all the different views in the House of Commons, I find this the most difficult to understand. How could we have 16 Liberal Democrat MEPs actually writing to Jean-Claude Juncker telling him not to negotiate or do a deal with the UK? That is deeply irresponsible and is courting the very outcome of a no-deal Brexit they say they wish to avoid.

Mr Ben Bradshaw (Exeter) (Lab): Did the Prime Minister, as The Times reports today, receive a request from President Trump for help in trying to discredit the Mueller report and the role of British and American intelligence in uncovering the Russian interference in the 2016 presidential elections? Will he assure the House that no British Prime Minister would ever collude with any foreign leader to undermine or smear our security and intelligence services or damage their vital co-operation with their American colleagues?

Dominic Raab: I should first be clear that the Prime Minister is not going to comment on the discussions with President Trump that were held in private, but I can assure the right hon. Gentleman that of course neither the Prime Minister, then the Foreign Secretary, nor any other member of the Government would collude in the way he describes. That is of course entirely unacceptable, would never have happened and did not happen.
BILL PRESENTED

CLEAN AIR (No.3) BILL

Presentation and First Reading (Standing Order No. 57)

Geraint Davies, supported by Kerry McCarthy, Wera Hobhouse, Neil Parish, Janet Daby, John McNally, Chris Evans, Jonathan Edwards, Rosie Duffield, Mr Ben Bradshaw, Ruth Jones and Neil Coyle, presented a Bill to establish a right to breathe clean air; to make provision about reducing air pollution; to require the Secretary of State to set, measure, and report on air quality targets; to establish the National Clean Air Agency to enforce air quality targets; to make provision for the development of sustainable public, private and commercial transport by road, rail, air and sea; to restrict the use of polluting vehicles in urban areas; to prohibit the sale of new petrol- and diesel-powered vehicles from no later than 2030; to make it an offence to remove permanently devices that reduce vehicle emissions; to make requirements regarding indoor air quality; and for connected purposes.

Bill read the First time; to be read a Second time tomorrow, and to be printed (Bill 438).

Points of Order

Several hon. Members rose—

Mr Speaker: I would have thought it the normal course of events to proceed with the ten-minute rule motion, but if colleagues particularly want to raise their points of order now, a simple nod of the head in acquiescence in such an arrangement and empathy with it will suffice. Not surprisingly, the hon. Member for Carmarthen East and Dinefwr (Jonathan Edwards), who is invariably of an amiable disposition, seems content that we proceed in that way. We will come to the hon. Gentleman erelong, but first of all I believe there is a very important point of order from the hon. Member for Walthamstow (Stella Creasy).

12.50 pm

Stella Creasy (Walthamstow) (Lab/Co-op): On a point of order, Mr Speaker. If I may, I should like to seek your advice. For the last six days, an organisation calling itself the Centre for Bio-Ethical Reform UK has been waging a campaign of intimidation and harassment against me and, by extension, my constituents in Walthamstow—from turning up in our town centre with a 20-foot banner of my head next to an image of a dead baby of about the age of the baby I am currently carrying myself, proclaiming that I am working hard to achieve such an outcome; to buying from Clear Channel billboards advertising in my constituency, displaying near schools graphic and scientifically incorrect pictures of foetuses; to libelling me on national radio as someone who wishes to see abortion up to birth; to its Stop Stella campaign, which explicitly encourages people to target me as a hypocrite for being pregnant and advocating the right of all women to choose when to be.

Walthamstow residents have made clear their distress at this behaviour, and so have I. The organisation has made its point. It disagrees with me; I understand that and have asked it not to continue. Despite that, it has already stated that it will keep returning and targeting me until I stop campaigning. Already, I have received numerous threats and abusive messages that directly quote its material.

As you would expect, Mr Speaker, I have sought police assistance against this harassment. I am sad to report that, as yet, none has been given, including from the parliamentary authorities, although Sadiq Khan and Clare Coghill, the leader of my council, have been fantastic allies. I also have proposals for the Domestic Abuse Bill, which I hope Ministers will look on kindly, to recognise this form of abuse. As I have always said to bullies, “It’s not my time you’re going to waste.”

One of the troubling things about importing this kind of campaigning into our politics—the organisation has said that it will extend its protest to other MPs, and it is clearly influencing debate in this place, as some even in this Chamber have said that I wish to kill babies—is how it is funded. This organisation claims, in its constitution and accounts and in a statement it made to the BBC last October, to be a charity, yet the Charity Commission has refused to register it. Clearly, it is unclear whether it has repaid the gift aid it has previously claimed under the auspices of this charity status. If not, given that it knew that it was not registered with the
Charity Commission, this group has facilitated tax evasion, which of course is a criminal offence. Nor is it clear whether it is complying with the rules for third-party campaigners in the run-up to an election, or whether it is accepting illegal foreign donations, given that it is part of a network of such organisations across the world.

Sadly, I understand that the organisation has also threatened to sue journalists who ask about these matters, so we cannot have clarity about who is funding this sustained campaign of intimidation from an organisation whose counterparts in other countries have picketed maternity hospitals with baby coffins and incited such hatred and radicalisation that it has resulted in violence, including a mass shooting at a Planned Parenthood clinic in Colorado.

Given the calls for a general election, the Charity Commission, the Electoral Commission and, indeed, Her Majesty’s Revenue and Customs must prioritise investigating such organisations and tackling the potential consequences for our public debates. I am sure we would all want to know whether all taxes are paid, all donations declared and all donors legal.

I am not sure, however, where we as parliamentarians can start in holding such a company to account for its toxic culture and approach, and in the absence of police action. We cannot uphold free speech on any issue if we do not also hold to account those who seek to abuse it and the laws on campaigning. Perhaps, Mr Speaker, you will have some suggestions for me so that we can ensure that no MP and, indeed, no other woman has to go through what I have been going through in the past few days.

Mr Speaker: I thank the hon. Lady for her point of order. At the outset, I know she will understand if I say that in respect of some of the other matters to do with tax treatment and funding that she mentioned, I cannot comment. It is perfectly reasonable for the hon. Lady to set out those matters, but they do not require a response from me and it would not in any way be authoritative.

However, as far as what I regard as her major point is concerned, I will be absolutely explicit in my response. I believe that campaigning of that kind, with the intensity involved and the explicit public threat, to its apparently endless continuation, is vile, unconscionable and despicable. There is a major difference—it is important that we should be clear about this—between putting a point of view with considerable force and insistence on the matter of abortion or any other matter of public dispute and putting it in extreme and provocative terms, and in doing so saying, “We will go on doing so until you stop exercising your right as a Member of Parliament to campaign for what you want. Give in to our intimidation, our threats and our bullying, or it will be the worse for you.” That to me, colleagues—I hope that I carry the support of the majority of the House in saying this—is rank, unacceptable and displays, if I may say so, and I will, an absence of any moral compass. Anybody who thinks seriously about these matters cannot seriously think that that is right. It would be wrong in any case, but for the hon. Lady to be subject to that treatment when she herself is pregnant, and those intimidating and harassing her, ultimately unsuccessfully, know that to be so, is double appalling.

With reference to what the hon. Lady said—and it is a challenge, which I take in good part—about thus far an absence of support from the House authorities, I am very disappointed to learn of that. I cannot comment on the particulars. What I do undertake to do is to meet the hon. Lady within 24 hours, if she wishes to meet me, and I will, as appropriate, be accompanied by people in this House who are best placed to advise. I am delighted that the Mayor of London and his team are supporting her, but she is entitled to proper and unbinding support from the House authorities. If she feels that that is not the case and there is more that we can do, or there are things that we have not done at all that we should be doing, I am determined that she should get that help.

The hon. Lady is respected across this House as an extremely dedicated, articulate and principled campaigner for her causes. Nothing on earth can be allowed to prevent her from continuing in that vein. Although it is not a matter of order within the Chamber, it is right that she should seek the support of Parliament’s spokesperson, as she wants to reinforce her right to go about her business in a legitimate way. She has that right, and I stand absolutely with her in insisting on the continued exercise of that right.

The Parliamentary Under-Secretary of State for the Home Department (Victoria Atkins): Further to that point of order, Mr Speaker. Having discussed this matter just this morning with the hon. Member for Walthamstow (Stella Creasy), may I say that the Government are similarly concerned about the nature of the campaign against her? Indeed, my hon. Friend the Financial Secretary to the Treasury has already communicated her concerns to his Department, and my right hon. Friend the Home Secretary has already offered to meet the hon. Lady. We take these allegations very seriously, and we will see what can be done.

Mr Speaker: I hope that those replies will do for now, but let us get together, as I have suggested, and no doubt the hon. Member for Walthamstow (Stella Creasy) will want to meet the Minister at the appropriate time.

Maria Caulfield (Lewes) (Con): Further to the point of order from the hon. Member for Walthamstow (Stella Creasy), Mr Speaker. As someone who sits on the opposite side of the abortion debate, may I express my solidarity with the hon. Lady? The abuse and the billboards do nothing to further the debate. Abortion is a very personal issue. We should use this place as a forum for debate, but should do so in a constructive, collaborative manner. Let me echo the point that those people do not speak for all of us who may have a different view.

Mr Speaker: I hope that colleagues will agree that that was a very welcome point of order from the hon. Lady, and I think that I speak on the House’s behalf when I thank her for saying what she has said.

I think there was another point of order from the hon. Member for Cambridge (Daniel Zeichner), on a wholly unrelated subject.

Daniel Zeichner (Cambridge) (Lab): On a point of order, Mr Speaker. Thank you; it is unrelated.

Following his statement to the House last week, the Prime Minister, in response to a question that I asked about an instruction that had apparently been given by
his adviser, Dominic Cummings, that parts of Government data that are of significance and concern to many people should be brought together, told me that I had “mentioned something about which I am afraid I was hitherto unaware.”—[Official Report, 25 September 2019; Vol. 664, c. 817-8.] That was a very polite response, but it seems to many of us somewhat surprising in view of the publicity given to the issue and the fact that other Members have raised complaints with the Information Commissioner. I wonder whether you could give me guidance, Mr Speaker, on how the Prime Minister could perhaps be persuaded to return to the House to clarify the matter.

Mr Speaker: I do not treat what the hon. Gentleman has said with any levity when I say that conflicting accounts of a Government’s position on a given subject are not a novel phenomenon. There have been many precedents, under successive Governments and in relation to a plethora of different Departments, sometimes including No. 10 Downing Street itself. I do not sniff or cavil at what the hon. Gentleman has said about the apparent inconsistency that perturbs him, and I am grateful to him for giving me notice that he would raise the matter. However, I do not think that this is a point of order. The hon. Gentleman is seeking procedural advice.

By the way, when I say that this is not a point of order, I say it for the purpose of the intelligibility of our proceedings to people observing them. The great majority of points of order are not points of order. They are ruses by which to raise matters that are of particular concern to Members at the time—in the most recent instance, the point of order from the hon. Member for Walthamstow (Stella Creasy), quite the most compelling and pressing case to raise.

As far as the hon. Gentleman is concerned, I think that he should work on this basis. If he wishes to pursue what he sees as a potentially or actually inaccurate parliamentary answer, he should take the short journey from here to the Table Office and seek advice on how to pursue it. I hope that he will forgive me if I say that, in doing so, he should adopt my—I think—now established motto in these matters by way of advice: persist, persist, persist. I say this to the hon. Gentleman. Table further questions. Do not take no for an answer. Write letters. In a legitimate, as opposed to an illegitimate, way, make a nuisance of yourself, man.

If there are no further points of order, we come now to the ten-minute rule motion, for which the hon. Member for Carmarthen East and Dinefwr has been so patiently and good-naturedly waiting.

## Public Expenditure and Taxation (Advisory Body)

### Motion for leave to bring in a Bill (Standing Order No. 23)

1.3 pm

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): I beg to move.

That leave be given to bring in a Bill to establish an independent advisory body to make recommendations on the equitable distribution of public expenditure across the United Kingdom, the calculation of block grants to devolved administrations, the implications of the devolution of tax-raising powers for the United Kingdom fiscal framework, and the resolution of fiscal disputes arising between governments in the United Kingdom; and for connected purposes.

For decades, British Governments—red and blue alike—have tinkered around the edges of our broken economic system without challenging its structural flaws. Nine of the 10 poorest regions in northern Europe are located within the British state, as well as the richest by a country mile. These disgraceful geographical wealth inequalities are a record of shame. Successive British Governments, even after the 2008 financial crash, have been too timid to challenge the economic status quo, which prizes consumer debt addiction and the financialisation of the economy. In response to the crash, the former Chancellor George Osborne used to talk a lot about geographical and sectoral economic rebalancing, but in reality there has been little action to match the rhetoric.

Of the 12 NUTS—nomenclature of territorial units for statistics—nations and regions of the British state, only three, London, south-east England and east England, are not in deficit. Recent international data showed that the largest difference in economic prosperity in Europe was between inner London—the UK’s richest region, with a regional GDP average of 614% of the EU average—and west Wales and the valleys, the UK’s poorest, with a regional GDP of 68% of the EU average. London acts as a black hole, sucking in talent and investment from the rest of the UK and beyond. Perversely, this inequality further incentivises investment in London from the public and private sectors alike, so the cycle continues unabated.

That is why I am introducing a Bill to establish an independent advisory body to make recommendations on the equitable distribution of public expenditure across the British state: a new office for fair funding, with a regional GDP average of 614% of the EU average—and west Wales and the valleys, the UK’s poorest by a country mile. These disgraceful geographical wealth inequalities are a record of shame. Successive British Governments—red and blue alike—have tinkered around the edges of our broken economic system without challenging its structural flaws. Nine of the 10 poorest regions in northern Europe are located within the British state, as well as the richest by a country mile. These disgraceful geographical wealth inequalities are a record of shame. Successive British Governments, even after the 2008 financial crash, have been too timid to challenge the economic status quo, which prizes consumer debt addiction and the financialisation of the economy. In response to the crash, the former Chancellor George Osborne used to talk a lot about geographical and sectoral economic rebalancing, but in reality there has been little action to match the rhetoric.

## Barnett formula

- The Barnett formula, introduced in 1978, is used to allocate block grants to Scotland, Wales and Northern Ireland based on their relative economic needs.
- The formula considers various factors including population, GDP, and educational needs.
- It is intended to ensure that each country receives a fair share of public spending compared to other regions.
- However, it has faced criticism for its complexity and the resulting inequalities in funding across the UK.

## Devolution

- Devolution refers to the transfer of powers from the central government to regional or local authorities.
- In the UK, devolution is particularly notable in Scotland, Wales, and Northern Ireland, each with its own devolved assemblies.
- The devolution of powers has implications for public expenditure distribution, as it affects how funds are managed within these regions.

## Fiscal Policy

- Fiscal policy is the use of taxation and government spending to achieve economic goals such as growth and inflation control.
- In a legitimate, as opposed to an illegitimate, way, making recommendations for fiscal policy can help ensure equitable distribution of resources across the UK.

## Inequality

- Inequality in economic prosperity is a significant issue in the UK, with large disparities between different regions.
- The financialisation of the economy, which prioritises financial gains over broader social welfare, has contributed to this inequality.
- Addressing these inequalities is crucial for achieving a more equitable distribution of public expenditure and fostering economic growth and social cohesion.
in England, £120 is spent in Wales. While that may be the case for devolved spending, it is certainly not the case for total expenditure, which is a very different measure. Identifiable public expenditure per capita in Wales in 2015-16 was 113% of the England level. Total expenditure per capita in Wales—identifiable plus non-identifiable—was 110%, well below the 120% claimed by the Secretary of State.

For the British state, it pays to keep the system as impenetrable as possible. Relative need, as used in consideration of funding for the devolved Administrations, makes no allowance for the concept of pump-priming, in which additional funding is allocated for long-term capital investment to realise the latent economic potential of poorer-performing geographical areas. The issue is well described in the first report of the UK2070 Commission, which claims that the Treasury Green Book is biased in favour of capital investment in the most successful regions. It is also important to mitigate the self-reinforcing tendencies of the Treasury Green Book and cost-benefit analysis whereby fast-growing places automatically move to the front of the queue for more public investment. One of the main reasons the British state currently has anaemic economic growth is low productivity. The best way to boost productivity would be to invest in poorer-performing areas, but what we are likely to get from the Brexit “Britannia Unchained” gang is even more money spent in London.

In July 2019, the Public Accounts Committee published a report outlining several problems with the way in which funding is currently allocated to the devolved Governments. It identified unnecessary complexity involving funding arrangements, recommending that the Treasury become more transparent in the way that it allocates funding. It concluded that the allocation of funding outside the Barnett formula without consequentials was unsatisfactory. For example, the dodgy deal with the DUP that resulted in £1 billion extra funding clearly undermined the little credibility that the Barnett formula still retained. A lack of clarity on whether the block grant reflects need was reported, and the Committee expressed concern at the impact of slower population growth on funding per head. The report also reiterated Plaid Cymru’s concerns about delays in the sharing of information by the Treasury with the devolved Administrations on the comparability factors included in the statement of funding policy.

The statement of funding policy, usually published alongside the comprehensive spending review, sets out the comparability factors that are used in the calculation of the Barnett formula. The last set of comparability factors in relation to spending programmes was published in 2015, and a departmental breakdown, with no material difference, was published as an addendum to the spending round last month. The comparability factors are decided unilaterally by the Treasury, and that needs to be changed as a matter of priority.

HS2 is a case in point. It currently swallows up a third of the UK Government’s support for rail: £21.1 billion out of a total of £64.8 billion in the year 2017-18. It is clear from published and leaked reports that HS2 will cost far more than the planned £56 billion—up to £100 billion. The Treasury categorised HS2 as a national project with a comparability factor of 0% for Wales, while Scotland and Northern Ireland had a 100% score. As a result, full Barnett consequentials are payable to Scotland and Northern Ireland, but not to Wales. These are huge sums of money. If HS2 ends up costing £100 billion, full Barnett consequentials for Wales will amount to £5 billion.

Transport expert Professor Stuart Cole has also demonstrated that HS2 will have negative consequences for Wales, particularly in the south of my country, as journey times to cities in the Midlands and north of England are reduced and new technology encourages companies to areas with HS2 stations. Professor Cole’s analysis was supported by a report from Greengauge 21, which drew on analysis by KPMG, which found that HS2 could reduce employment growth in Wales by 21,000 jobs between 2007 and 2040, as well as costing the economy of the south of my country £200 million per annum. My Bill aims to put a stop to the unfair way in which those comparability factors are set by setting up an independent advisory body.

With growing fiscal divergence and an evolving constitutional landscape, the need for such an independent body has never been greater. The Wales Act 2014 devolved certain tax and borrowing powers to Wales. It enables the Welsh Government to legislate in respect of stamp duty land tax and landfill tax, and for the partial devolution of income tax to Wales. A fiscal framework was negotiated between the British and Welsh Governments to establish rules for determining matters resulting from fiscal devolution. At the moment, the three Welsh rates are set at 10p, maintaining parity with England, but with the possibility of further devolution and greater fiscal divergence, the current mechanism for developing and negotiating the fiscal framework is unsustainable.

Significant concerns remain with regard to the dispute resolution mechanism in the framework. If no agreement is reached, the status quo remains. How can the devolved Administrations secure a fair hearing if the UK Government, with whom they are raising the dispute, are playing judge, jury and executioner? If we established an office for fair funding under my Bill, we would have a system of independent arbitration.

There is international precedent for an independent office for fair funding. In South Africa, the Financial and Fiscal Commission is an independent body that does not determine expenditure allocation formulae directly but advises the South African Government on those formulae. The South African Government have to consult the FFC regarding the division of revenue between different tiers of government. In Australia, allocations of federal funding to the six states and two territories are overseen by the Commonwealth Grants Commission, which is a statutory, independent, non-partisan body. The CGC was discussed in the 2009 report from the Lords Select Committee on the Barnett Formula, which recommended that a similar body be set up in the UK.

While an office of fair funding would not solve the fundamental imbalance at the heart of the British state, it could at least give Wales and other neglected areas the tools to begin improving our infrastructure and to diversify our economies. Brexit is not an excuse to reassert Westminster control over Wales. The Bill would help to create a level playing field between the nations of the British state.
Question put and agreed to.

Ordered,

That Jonathan Edwards, Liz Saville Roberts, Guto Bebb, Anna McMorrin, Jane Dodds, Caroline Lucas, Ben Lake and Hywel Williams present the Bill.

Jonathan Edwards accordingly presented the Bill.

Bill read the First time; to be read a Second time on 3 October 2019 and to be printed (Bill 437).

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Domestic Abuse Bill


Second Reading

Mr Speaker: I will call the Secretary of State for Justice in a moment to move the motion, but before I do so, and in recognition of the fact that there are no time limits on Front-Bench speeches, I will tell the House that more than 40 right hon. and hon. Members are seeking to catch the eye of the Chair. I know that colleagues will want sensitively to take account of that in framing their contributions.

1.14 pm

The Lord Chancellor and Secretary of State for Justice (Robert Buckland): I beg to move, That the Bill be now read a Second time.

I am mindful of the information with which you have kindly furnished the House, Mr Speaker. You will know that historically I have been generous in accepting interventions. I will tailor my generosity today, because I want to make sure that everyone has an opportunity to take part in this landmark debate. I look around the Chamber, and in all parts I see colleagues who have made a huge contribution to getting where we are today. We still have a long way to go, but I am pleased, encouraged and proud to see parliamentarians of all colours who have put their shoulder to the wheel to tackle the challenge that we face. It is a challenge that has been too big for too long, and the Government have consistently made clear our continued determination to tackle the scourge of domestic abuse. Legislation, including the Bill, whatever its landmark status, is only one aspect of the work that needs to be done and that we are undertaking across Government to diminish the prevalence and impact of domestic abuse, and to make it clear to the public that we have zero tolerance of abusers.

This is not just a matter for the Ministry of Justice—it is for the Home Office, the Ministry of Housing, Communities and Local Government and the Department of Health and Social Care. I am glad to be supported by Ministers from all those Departments and, indeed, all of Government, as we need to put our metaphorical shoulder to the wheel. The Bill puts the needs of victims front and centre, by providing additional protections, strengthening the agencies’ response, and amplifying the voice of victims. We are determined to ensure that victims feel safe and supported, both in seeking help and in rebuilding their lives.

Tracey Crouch (Chatham and Aylesford) (Con): As the daughter of a social worker who spent her entire career working alongside children and families, supporting victims of domestic abuse, may I ask the Secretary of State to join me in thanking the hard-working social workers and, indeed, police officers who are often the first line of response, as well as charities across the country who support victims of domestic abuse?
Robert Buckland: I am grateful to my hon. Friend, who is right to remind us at the get-go of the importance of a co-ordinated approach. All of us, including Members of Parliament, need to be domestic abuse-aware. We need to understand that it presents in myriad ways and myriad circumstances.

Helen Hayes (Dulwich and West Norwood) (Lab): Domestic abuse is a leading cause of homelessness, and some of the most harrowing cases I have dealt with as a constituency MP have involved the difficulty faced by survivors of abuse in accessing safe, secure housing. Will the Secretary of State undertake to ensure in the Bill that survivors of domestic abuse automatically have priority need status for housing and, most importantly, that local authorities are fully and sustainably funded to deliver that obligation?

Robert Buckland: I am grateful to the hon. Lady for raising that issue, and the Bill provides an opportunity to delve into it. It is important that we outline those principles on Second Reading. In Committee, we will have an opportunity to debate the detail. I am particularly interested in the points that she made. I want to make the Bill as good as possible, and I need the help not just of colleagues in government but of all hon. Members. To do that.

Several hon. Members rose—

Robert Buckland: I am grateful to the hon. Lady for saying, I will be as generous as I can.

Can I take the House back 25 years to a case in the Crown court at Carmarthen that involved a young couple? The man was charged with assault against his wife. A young barrister had been given that case. That was me, and I remember seeing photographs of the victim’s injuries. I was 24, and not very worldly-wise. I looked at the photographs of that woman’s eyes, which were bloodshot and bruised. The police had got there in time to take photographs of the injuries—something of a rarity in those days—and I immediately thought that she had been a victim of a direct assault by punching, but I was wrong about that. She had been strangled—strangulation causes those types of injury.

The victim came to court. Frankly, I could not see what the defence was for the case, but my instructions were to plough on none the less. I saw a frightened and terrified woman having to come to this grand and rather old-fashioned court. Luckily, the judge was humane, sensible and sensitive, but there was a problem: the woman did not want to follow through and give evidence. The judge called her into court and called her to the stand because he was concerned about what was happening. He asked her to explain why she did not want to give evidence. She said that she still loved her partner, that she wanted to be with him and that she did not want to put him through the stress of a Crown court trial. With that, the case was over. He was acquitted, they went on their way, and I was left thinking, “Is that really the end?” Was it in fact just the beginning of the domestic abuse that we all recognise?

That story has haunted me all my professional life. The evidence shows that victims of domestic abuse will often have been a victim on dozens of occasions before they call the police or the authorities. Victims are suffering in silence, often for years, and we are unable to reach them.

Several hon. Members rose—

Robert Buckland: I will give way in a moment. I have not yet finished this part of my speech.

I believe that the days of the courts approaching abuse as “just a domestic” have, happily, gone, but my goodness me, we still have a heck of a way to go. I want to give the House one statistic before I give way. In the year ending March 2018, some 2 million adults between the ages of 16 and 59 experienced domestic abuse. That is 2 million people, like the woman I was talking about, whose everyday lives are blighted by abuse and who live with the effects, be they physical or emotional. So we have a high degree of duty to them to pass this legislation.

Peter Kyle (Hove) (Lab): Another aspect highlighted by the Secretary of State’s incredibly moving story is just how long the survivors of domestic abuse have been waiting for this kind of legislation. They have been waiting for 25 years, and indeed for much longer, but for the past three years the Government have been promising to outlaw cross-examination by perpetrators of domestic violence. People have waited for so long, so will he now give a commitment that this Bill will be seen through before the House is prorogued once more? If it was not, that would be the final straw for many very vulnerable people.

Robert Buckland: I pay warm tribute to the hon. Gentleman, who has been an assiduous campaigner on this issue. Domestic abuse is predominantly experienced by women, but we also know that there are many relationships in our society in which men suffer in silence. We are speaking for everybody, whatever their gender, orientation or classification. This is for everybody.

On the question of the carry-over, that motion is on the Order Paper and I know that hon. Members will want to support it. This Bill will be carried over. That is an important sign of our deep commitment to this issue.

Anna Soubry (Broxtowe) (IGC): I only wish that the right hon. and learned Gentleman’s very moving story was an exception, but sadly, as he and I and many others who have practised at the criminal Bar or as solicitors will know, it is still all too common a story today. I have two quick questions that I hope he can answer. First, will this Act ensure that our police change their attitude? He is right to talk about the courts and the judiciary, but what about our police, who I fear still think of these instances as “domestics”? Secondly, will he meet me to discuss what is happening in our courts? There is now far too long a delay between complaint and trial—there is often a delay of between two and three years, and that is not fair on the victims.

Robert Buckland: I am grateful to the right hon. Lady. On her second point, I will meet her. On her first point, the important thing is what we do to embed the legislation, and that has to be by way of further training and seeing the operational effect of the strategy we set out and the direction that the primary legislation takes.

Several hon. Members rose—
Robert Buckland: I give way to the Chair of the Select Committee on Justice.

Robert Neill (Bromley and Chislehurst) (Con): I thank my right hon. and learned Friend for giving way. I, too, have seen examples like the one that he quoted, and I particularly welcome the provisions in clause 75 relating to the prohibition of cross-examination by the abusive party. As the Bill goes forward, will he and his colleagues particularly bear in mind the legitimate improvements proposed by the Law Society and others in this field? They include a proposal for the proper remuneration of, and a proper system for instructing, the representatives instructed to carry out the cross-examination, in the interests of justice. Will he also consider whether examination in chief could be included in certain circumstances—for example, when the alleged abusive party seeks to call the child of the relationship in support of their case? That, too, can cause real distress.

Robert Buckland: My hon. Friend is absolutely right to talk about his experience, the issues that we can tease out in Committee and how far we need to go.

Several hon. Members rose—

Robert Buckland: I will give way again in a moment, but I would like to make some progress.

Abuse has not only a direct impact but an impact on the wider family and, most appallingly and sadly, on children and young people, who suffer the short and long-term emotional and behavioural effects of abuse. We know that children who witness domestic abuse in the home are far more likely to experience abuse by a partner as an adult. It is therefore our role as a Government and a Parliament to do all we can to protect our children from having to suffer as a consequence of abuse, and to ensure that national and local agencies recognise and respond to their needs.

Mrs Pauline Latham (Mid Derbyshire) (Con): My right hon. and learned Friend is making a powerful speech and giving some amazing examples. I am sure that most of us have come across stories, perhaps sometimes in our own families, where victims do not believe that the perpetrator is at fault and instead believe that they themselves are at fault. He has mentioned physical, emotional and economic abuse. That is the crux of the problem, and the definition has been widened out. I absolutely welcome the Bill. How does he expect it to provide protection for victims and help to expose the vile perpetrators and bring them to justice?

Robert Buckland: I pay tribute to my hon. Friend for her continuing commitment to reform and improvement in this area. The widening of the definition from “financial” to “economic” abuse captures the manipulation that can happen, not only in relation to money but in relation to other benefits and through coercive control.

I am proud to have played my part as a junior Minister in ensuring that coercive control went on to the statute book as a criminal offence some years ago. We must continue to reinforce the message that abuse is not just about violence, important though that is, and that its collective impacts can change the lives of far too many victims.

Gavin Robinson (Belfast East) (DUP): I commend the Secretary of State and, in particular, the Under-Secretary of State for the Home Department, the hon. Member for Louth and Horncastle (Victoria Atkins), for the work they have been doing on this issue. On a number of occasions we have stated that we want to embed legislation that provides the best protection, and the Secretary of State will know that this Bill contains particular definitions that are unique to Northern Ireland. However, one thing we are devoid of in Northern Ireland is legislative protection from stalking. I hope that he will give thoughtful consideration during the passage of the Bill to incorporating measures to include that, whether there be a domestic connection to the stalking or not. We need that legislation for the individual victims and their families. Will he also give thoughtful consideration to the inclusion of Northern Ireland Members of this House on the Bill Committee?

Robert Buckland: On the hon. Gentleman’s last point, the business managers will have heard him loud and clear. I am keen to ensure that the Bill maintains its focus on domestic abuse. I do not pretend that we can somehow hermetically seal the issue off from other aspects of criminal behaviour and abuse, such as stalking, but I think that the best place for stalking legislation would be in a discrete piece of work. I draw his attention to the work that we did in England and Wales. I was part of the all-party parliamentary group on stalking and harassment, which campaigned and worked at pace to get stalking criminalised in England and Wales. I will give him encouragement, but I really want to ensure that this Bill is focused.

Stella Creasy (Walthamstow) (Lab/Co-op): I have just returned from the Council of Europe, where members across parties, especially in the Socialist Group, expressed horror that it has taken seven years and counting for the UK to ratify the Istanbul convention. One of the critical points in ratifying the convention is the treatment of women in Northern Ireland and the fact that they do not have the protections that the Secretary of State has just suggested should not be in the Bill. The Government gave a pledge and told the Council of Europe that the Bill was about ratifying the Istanbul convention, and there is a motion of recommendation about the convention in the UK right now at the Council of Europe. Can he give an assurance that he will not leave the women of Northern Ireland out of the Istanbul convention, let alone the migrant women in this country who also need us to put the legislation together?

Robert Buckland: The hon. Lady makes an important point about the Istanbul convention, and of course we passed domestic legislation about that. I want to make sure that every aspect of the convention is underpinned in domestic law throughout the length and breadth of the United Kingdom. I am simply saying, as a legislator and someone who wants to make sure that we get the Bill in the best possible position, that we need to make sure we get the issues in the right vehicle. If it is the will of the House that the Bill is the right vehicle, that will of course be respected, but I think I am entitled to make that point about what I regard as the real focus of the Bill. I speak as someone who has actively and enthusiastically supported the criminalisation of stalking— as has she—for many years.
Yvette Cooper (Normanton, Pontefract and Castleford) (Lab) rose—

Robert Buckland: I give way to the Chair of the Home Affairs Committee.

Yvette Cooper: I urge the Secretary of State to reconsider this point. We have a Bill before us and the opportunity to address the issue of stalking. There is considerable overlap: many cases that may begin as domestic abuse become terrible cases of stalking when the relationship splits up. There are serial perpetrators of violence and abuse who in some cases are involved in domestic abuse and in others in stalking.

Robert Buckland: Of course, and the right hon. Lady makes an important point. She will know that my decision to extend the unduly lenient sentence scheme to cover stalking offences reinforces my personal commitment and my deep understanding of the link between stalking and obsessive behaviour and the commission of sexual offences, offences of violence or homicide. I absolutely get that, but it is right that we tease out those issues in Committee and look at them again on Report. If it is the will of the House, we will of course do it.

Dr Sarah Wollaston (Totnes) (LD) rose—

Robert Buckland: I will give way to the Chair of the Health Committee.

Dr Wollaston: The Secretary of State may know that I took the Stalking Protection Act 2019 through the House and it received Royal Assent in March. Can he update the House on when it will come into force?

Robert Buckland: I pay tribute to the hon. Lady for her work on this important issue and on getting that legislation through Parliament. I will make sure that that information is furnished to her in the course of the debate. Of course, we are brilliantly served by the Under-Secretary of State for the Home Department, my hon. Friend the Member for Louth and Horncastle (Victoria Atkins), and she will respond to the debate.

We have talked about the moral case for pursuing this issue, but there is also an economic case—a case of financial responsibility. Research has established that the cost of domestic abuse was approximately £66 billion for victims in England and Wales in the year ending March 2017. The biggest component of that cost is the physical and emotional harm incurred by them, but the cost to our economy and our health service is also considerable. Domestic abuse makes up one third of all violent crime reported to the police. The case for removal is clear, but the challenge is not easy. The dynamics are complex and mean that much domestic abuse is hidden. Victims face significant barriers in seeking help and difficulties in escaping from an abusive relationship. That is why we need a cross-Government, multi-pronged approach to tackling it. The Bill is not only part of that approach but demonstrates the breadth of our ambition in showing strong leadership and taking decisive action to help to end the suffering and harm.

Philip Davies (Shipley) (Con): May I say how much I welcome the Secretary of State’s commitment to taking a zero-tolerance approach to domestic violence and to sticking up for the victims? Following his welcome speech at the Conservative party conference this week in which he pledged to end automatic early release of certain prisoners, can he confirm that people who commit violence as part of domestic abuse will be included, and they will no longer be eligible for release halfway through their prison sentence?

Robert Buckland: Yes, I can. People convicted of offences with a domestic element will often be convicted of the most serious violent and indeed sexual offences. Under my proposals, automatic release will therefore apply at two thirds, rather than one half of the sentence. I have furnished the House with a written ministerial statement on that.

Ronnie Cowan (Inverclyde) (SNP): Sexual exploitation is one of the most heinous forms of abuse that can be perpetrated in domestic situations. That is when the victim is coerced and forced to perform sex acts in return for money, accommodation, employment, services or goods. Does the Secretary of State agree that it is vital that the Bill explicitly recognises sexual exploitation as a form of domestic abuse?

Robert Buckland: The hon. Gentleman is right, and the definition does that. I look forward to more detailed debate to see how fully we can reflect the important point that he makes.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): The Secretary of State will recognise that there is an interesting situation as between England and Wales. This legislation will apply to England and Wales, but Wales has its own legislature and legislated in this area in 2015. Will he make a commitment to me that Wales will be properly represented on all the scrutiny and advisory boards affected by the Bill, including the answerability of the commissioner for domestic abuse?

Robert Buckland: The right hon. Lady was of course generous in giving way. I welcome the Secretary of State’s commitment to taking a zero-tolerance approach to domestic violence and to sticking up for the victims? Following his welcome speech at the Conservative party conference this week in which he pledged to end automatic early release of certain prisoners, can he confirm that people who commit violence as part of domestic abuse will be included, and they will no longer be eligible for release halfway through their prison sentence?

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Robert Buckland: The hon. Gentleman is right, and the definition does that. I look forward to more detailed debate to see how fully we can reflect the important point that he makes.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): The Secretary of State will recognise that there is an interesting situation as between England and Wales. This legislation will apply to England and Wales, but Wales has its own legislature and legislated in this area in 2015. Will he make a commitment to me that Wales will be properly represented on all the scrutiny and advisory boards affected by the Bill, including the answerability of the commissioner for domestic abuse?

Robert Buckland: The right hon. Lady was of course generous in giving way. I welcome the Secretary of State’s commitment to taking a zero-tolerance approach to domestic violence and to sticking up for the victims? Following his welcome speech at the Conservative party conference this week in which he pledged to end automatic early release of certain prisoners, can he confirm that people who commit violence as part of domestic abuse will be included, and they will no longer be eligible for release halfway through their prison sentence?

Robert Buckland: Yes, I can. People convicted of offences with a domestic element will often be convicted of the most serious violent and indeed sexual offences. Under my proposals, automatic release will therefore apply at two thirds, rather than one half of the sentence. I have furnished the House with a written ministerial statement on that.

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Robert Buckland: My hon. Friend is right to hail the appointment of the first Domestic Abuse Commissioner. We thought we should not wait for the Bill to go through both Houses, because we thought that the job was too urgent and too important. We have appointed a designate commissioner, but it is very much our hope that the House will support the appointment by passing the necessary legislation.

Ruth George (High Peak) (Lab): I am sure all hon. Members welcome the Government’s commitment to end economic abuse and to enable partners who are victimised to leave the relationship. I note that the Secretary of State did not include the Department for Work and Pensions in his list of Departments to work with. Does he share the concern of the Work and Pensions Committee at all the evidence we have received from charities that shows people are simply not able to leave violent relationships because of the benefits system? Will he commit to addressing that?

Robert Buckland: The hon. Lady rightly upbraids me, and I apologise. It is important and good that we now have domestic abuse advisers in every jobcentre, who can really help signpost and give support to people who are in abusive relationships. It is right to say that about 60% of claims are made by the primary carer, which will often be a woman, but in a number of cases individuals are trapped in a position of dependence. I hope that the Bill will be an opportunity for us to do more work on that.

Chris Bryant (Rhondda) (Lab): I hope the Secretary of State has seen the work that has been done in Drake Hall women’s prison, which has shown that about two thirds of women prisoners—those who have been screened—have had a major traumatic brain injury or a history of it. Two thirds of those injuries happened prior to their first offending behaviour and were as a result of domestic violence. So would it not make sense, first, if we screened every woman prisoner before she arrived in prison to make sure that she had the right support, and, secondly, if we made sure that every woman who had potentially suffered from domestic violence was given the neuro-rehabilitation that she needs to make sure that she gets over the physical trauma?

Robert Buckland: The hon. Gentleman makes a powerful point—one with which I am familiar—about the cycle of abuse and then criminality. Women whom I have met in Eastwood Park recently were in a similar position, particularly women from south Wales. I could talk about individual meetings I have had with women prisoners, but the simple truth is that I get the point about acquired brain injury and we want to do more about it. Again, drawing that out in the debate will be really helpful for the Government.

Several hon. Members rose—

Robert Buckland: May I just move on to deal with the provisions in the Bill? I will be as generous as possible in taking interventions.

As we know, the Bill introduces the first all-purpose statutory definition of domestic abuse. Why? It is because we need to do even more to raise awareness of this crime and tackle it more effectively. There needs to be a common understanding, because the outdated perception about violent crime, ranging from common assault through to more serious offences, does not understand the true nature of domestic abuse. It ignores the insidious, controlling or coercive behaviour, and the psychological abuse that, bit by bit, changes what may start as a loving and equal relationship into one that is completely unequal and controlling, where, without the victim realising it, they are turned into somebody who is being abused.

Hannah Bardell (Livingston) (SNP): I commend the right hon. and learned Gentleman on his passionate commitment and speech. The Bill contains many important provisions. It is important to recognise that in Scotland we have a gold standard, and that this Bill is primarily about England and Wales, but one area on which we have not been able to legislate in Scotland has been concerning migrant women having no recourse to public funds. Does he recognise that there is a failing in the Bill and that much more needs to be done to protect migrant women who have no recourse to public funds?

Robert Buckland: I am grateful to the hon. Lady for raising that matter. Of course that issue is subject to a current review. I do not just want to park it there, as an excuse to do nothing, as we are looking at it carefully and it may well be that we can take action other than via primary legislation.

While I remember, let me answer the point made by the hon. Member for Totnes (Dr Wollaston): the proposal is to bring the law she mentioned into force early next year. We are talking about a matter of a few months. I know she will hold me to “early” meaning truly early, as opposed to civil service-speak. I get that, with respect to the wonderful civil servants who serve this Government well and who are dedicated and working hard to eradicate domestic abuse.

Janet Daby (Lewisham East) (Lab): I thank the right hon. and learned Gentleman for making such a passionate speech. Does he agree that a mother of two children fleeing domestic abuse should not be living in a one-bedroom hostel for more than a year? Women who have experienced domestic violence need priority housing, and reasons such as I have mentioned force some women to remain with their abusers.

Robert Buckland: The hon. Lady is right about that. I am very hopeful that this Bill will allow us to tease out these issues and address the issue of secure accommodation for victims in abusive relationships. I will take a moment to pay tribute to the network of organisations such as Swindon Women’s Aid, in my constituency, which provides a gold standard service. She would agree that this is about not just the accommodation, but the wraparound support that women need—the advice, counselling and trauma counselling—to try to rebuild their lives. She is right to talk about the effect on the children of the relationship, too.

Several hon. Members rose—

Robert Buckland: May I move on to deal with some other provisions in the Bill? I want to talk about the concept of financial abuse, which we have dealt with in interventions. I want the new definition to be used by
service providers, justice agencies and schools, and promoted to the public at large, so that finally we have a shared understanding of the nature of this abuse. Only then can we really identify, challenge and respond to it. We have already heralded the appointment of Nicole Jacobs as our designate Domestic Abuse Commissioner. This Bill will put that post on a statutory footing. We will ensure that she has the necessary powers to drive this change, so that public bodies such as local authorities, NHS bodies and justice agencies will be under a duty to co-operate with the commissioner. They and Ministers will be required to make a timely response to each and every recommendation made.

Diana Johnson (Kingston upon Hull North) (Lab): I, too, served on the pre-legislative scrutiny Committee. One of our recommendations was that the post of Domestic Abuse Commissioner should not be part-time—it needs to be full-time. All the evidence we heard was that there was plenty of work to do. Will the Minister reassure us that it will now be a full-time post?

Robert Buckland: Yes, the hon. Lady makes a very proper point. We wanted to get this moving now and get it in place so that the work could begin. I want to see and fully expect the post to become full-time, certainly after it is embedded in law, so I can give her that assurance.

Kirstene Hair (Angus) (Con): Let me say how powerful it is in this place to have such strong consensus on this important Bill, which focuses on England and Wales. Research shows that domestic abuse can last up to 25% longer in rural areas, as there are more complex obstacles to people exiting these situations and the police resources are spread over a vaster geographical area. Will the Minister therefore confirm that the Domestic Abuse Commissioner will have a renewed focus on rural areas, in order to ensure parity?

Robert Buckland: I am grateful to my hon. Friend, the Member for Kingston upon Hull North, for her intervention. Domestic Abuse Bill Domestic Abuse Bill

Robert Buckland: I am grateful for the hon. Lady’s persistence, because it has resulted in an important point. I assure her that the review is not just an internal review; it involves the sort of agencies that she and I would want to be involved. Not only the review but this Bill and the debates we can have in Committee can help us to get to a situation where we are providing the appropriate support for all victims, including migrant women. I thank her for her intervention.

Several hon. Members rose—

Robert Buckland: May I make some progress? With the greatest respect to my colleagues, I shall finish the point about what the new DAPO will mean. It will be issued by the police. It may, for example, require the perpetrator to leave the home of the victim for up to 48 hours, and the issue of that notice will then trigger a police application to a magistrates court for a longer-term DAPO to protect the victim.

Of course, it will not always be the case that a single incident necessitates the issuing of a notice. That being the case, the Bill also allows for a victim, the police or any other person, with the permission of the court, to apply for one of these orders, and it would also be open to a judge or magistrate to decide for themselves to make a DAPO as a corollary to existing proceedings in the criminal, civil or family court. So, this is a fully flexible instrument. It can be tailored by the court to meet the needs of the individual victim, and it would be for the courts then to determine its length, or indeed to decide that it should be open-ended until such time as a further order was made. Really importantly, the court
will be able to attach not just restrictions but positive requirements. For example, an order could prohibit the perpetrator from contacting the victim, require that perpetrator to attend a behaviour change programme and compel them to wear an electronic tag to monitor compliance with an exclusion zone around the victim’s home. Crucially, breach of that order will be a criminal offence, with a maximum penalty of five years in prison.

Melanie Onn (Great Grimsby) (Lab): I take the opportunity to welcome the tone that is being struck this afternoon. That is incredibly important.

On the point that the right hon. and learned Gentleman is making about DAPOs, we already have a system whereby if a person is convicted of a domestic abuse crime, there is a possibility that there will be a light sentence; they could end up with a suspended sentence. That is what happened in the case of a constituent of mine—the perpetrator got a suspended sentence. Processes were put in place to ensure that the perpetrator did not repeatedly harass or contact the victim, but nevertheless that continued, and there was no action, despite those breaches of conditions, to re-arrest the perpetrator. So what confidence can victims have that the new process will be any better than the present one?

Robert Buckland: The hon. Lady has given a powerful illustration of the importance of this order; because it can be run alongside a criminal conviction. So even if there is a suspended sentence, as in the case that she cited, an order can be passed—a DAPO—that will have its own criminal consequences. It gives that extra strength, that extra purchase, not just to the authorities but to the victim, to know that there is a mechanism by which the perpetrator can be held to account if they breach the terms. With respect, I think this is an important additional element, but I bear what the hon. Lady says very much in mind.

I want to ensure that we get these new orders right, so we need to make the whole process as simple as possible for victims, and also for the police and others when navigating it. I want these new orders to be effective in changing abusive behaviour and protecting victims. We shall pilot these provisions, therefore, in a small number of areas before rolling them out nationally, so that issues of the sort that the hon. Lady and others have raised can be ironed out and dealt with, to make the provisions as effective as possible. The worst thing to do in these circumstances—we have all been here before as legislators—is to talk nobly and grandly about our intentions, pass the legislation and then find that nothing has changed. When we do so, all we have done is to raise victims’ expectations, only to cruelly let them down. We are all responsible for that, so let us get this right.

If we are to strengthen the protection afforded to victims, we need to employ more measures to keep them safe. So, in addition to the DAPOs, the Bill seeks to build on two other preventive tools: the domestic violence disclosure scheme, which we all know as Clare’s law; and the polygraph testing of high-harm perpetrators.

Clare’s law has been in operation for over five years and we can see many Members—myself included—who campaigned very hard as Back Benchers to get that moving and to make a difference. It has been a success. Just to remind the House, the scheme has two elements: the right to ask and the right to know.

The right to ask allows an individual—or a relevant third party, such as a family member—to ask the police to check whether a partner, or ex-partner, has had a violent or abusive past. If police records show that an individual might be at risk of domestic abuse from their partner or ex-partner, the police can consider the disclosure of relevant information.

Under the right to know, the police may proactively decide to disclose information to keep a potential victim safe. In the year to March 2018, there were over 5,500 disclosures under that scheme—a welcome and encouraging statistic. However, I am clear, and the police accept this, that Clare’s law does not always operate as well as it should, which is why the Bill puts the guidance underpinning the scheme on a statutory footing, and places a duty on police forces to have regard to that guidance. We believe that will help to raise awareness of the scheme, increase the number of disclosures and ensure greater consistency across England and Wales.

I acknowledge that, in contrast to the rest of the Bill, there has been a degree of scepticism about polygraph testing, including from the Joint Committee, but I can assure the House that it is not a panacea—it is not a gimmick; it is a genuine attempt better to protect victims. I will tell the House why. It has been used successfully in the management of sexual offenders for the past six years. In that context, it has been shown conclusively that polygraph examinations provide useful information—useful intelligence—including that is disclosed by the offender, to help those responsible for supervision better to manage the risk of reoffending.

Given that evidence, I suggest that we at least test whether there are similar benefits to be secured in the management of high-risk domestic abuse offenders. To that end, the Bill allows the National Probation Service to conduct a three-year pilot among that cohort and, if successful, to roll the scheme out.

Chris Evans (Islwyn) (Lab/Co-op) rose—

Robert Buckland: I give way to the hon. Member for Islwyn (Chris Evans), whose seat I unsuccessfully contested 25 years ago next February.

Chris Evans: I do not want to remind the Minister, but in that by-election he actually lost his deposit, so I am amazed that the Conservative party allowed him to stand again. We have known each other a long time; we served together on the Justice Committee, of which he was an extremely talented member, and I am not surprised he has reached Cabinet level. However, he knows that when we served on that Committee we had major doubts about the technology of polygraph testing, and other Government Committees have noted problems with it. It is a problem of Government. Is he confident that the technology will provide for this type of Bill?

Robert Buckland: I am grateful. I do not know whether that was a compliment, but I will take it as such. I am very glad to see the hon. Gentleman in his place, representing that wonderful part of Gwent, where perhaps one day the electorate will take a different view—who knows? I hope not for a long time. [Interruption.] I was speaking on a personal basis.

The hon. Gentleman makes an important point about polygraph testing. I assure him, first, that this is a pilot; and, secondly, that this is not an attempt to use it
as evidence. Clearly, there needs to be a high bar for the admissibility of evidence in criminal or family or civil proceedings. This measure is all about getting the sort of information—intelligence—that can help the police and other agencies to assess risk. Material of that sort can be invaluable and really make the difference for many victims.

Where prevention and protection has failed, some victims will seek remedies before the courts. I recognise that we must do better. In criminal proceedings against an alleged perpetrator, we want victims to be able to give their very best evidence to help convict the guilty. Giving evidence, as I said, can be a daunting, traumatic experience—and often a barrier—so there is already provision for what are termed “special measures”. It has been in legislation for 20 years. Those measures are designed to take some of the stress out of that process. If the quality of a victim’s evidence can be improved by allowing them to give evidence from behind a screen or via video link, or by playing a pre-recorded interview, we should do everything we can to allow that. The Bill, importantly, ensures that the victims of domestic abuse—the complainants in the trial—are automatically eligible for such special measures.

Few things are likely to re-traumatise victims more than being subject to direct cross-examination by their abuser in legal proceedings. Such an experience will inevitably cause immense stress, and would of itself be a continuation of the abuse.

Mr Bob Seely (Isle of Wight) (Con): I am so grateful to the Secretary of State for giving way. I congratulate him on making a powerful speech.

The issue of coercive control is highly complex, and such control can trap victims in debilitating and isolating fear. Sadly, friends of mine who have been victims of coercive control talk of almost being taken psychologically hostage by an abusive former partner. Does the Secretary of State agree that the hope is that the Bill would not only change the law for the better—although we still need to scrutinise it, however widespread the support is—but would change behaviour as well, and encourage women who are victims of coercive control to know that it is not right?

Robert Buckland: My hon. Friend has coined a very powerful phrase—psychological hostage—which is the right characterisation of the relationship he describes. I welcome his support and observations, and I am truly grateful to him.

Jeremy Wright (Kenilworth and Southam) (Con): I am very grateful to the Secretary of State for giving way. I congratulate him on making a powerful speech. I am very interested in taking that concept further. That does require discussions about resource, and requires me to consult fully with the Lord Chief Justice and the judiciary, as I am constitutionally obliged to do, on its impact. I will obviously have further discussions on that matter and I will discuss it with my right hon. and learned Friend and other hon. Members who have both a knowledge of and a commitment to this important issue.

Jeremy Wright (Kenilworth and Southam) (Con): I am very grateful to the Secretary of State for giving way. I congratulate him on making a powerful speech.

Jeremy Wright: I am very grateful to my right hon. and learned Friend and I congratulate him on the way in which he is making the case for this very important Bill.

My right hon. and learned Friend has talked about the confidence that we need to give domestic abuse victims in the experience they are likely to have within the criminal justice system. He is right to highlight special measures, and I know he will also talk about preventing defendants from cross-examining complainants.
Robert Buckland: The hon. Lady is right to remind us of the wider implications of the Istanbul convention. Much of that provision will have to be done as a matter of operation, but, again, this Bill gives us an opportunity to set the framework correctly.

Emma Little Pengelly (Belfast South) (DUP): I thank the right hon. and learned Gentleman for giving way. I welcome both his comments and the fact that some of the Bill’s provisions extend to Northern Ireland. The situation in Northern Ireland is stark. Figures released in 2017 and promoted by Women’s Aid in Northern Ireland, which does fantastic work, showed that by head of the population deaths among women was the joint highest in the entire European Union. In 2018, a domestic abuse call was made once every 17 minutes. Our law is very much falling behind what is happening in England and Wales.

Will the Secretary of State engage with me and my colleagues on what other provisions could be extended to Northern Ireland to offer that much-needed protection for women—and for men and others—who are impacted by this? I ask that because of the importance of this issue and because of the absence of a Northern Ireland Assembly.

Robert Buckland: The hon. Lady makes a very powerful case for making sure that we use this Bill as an opportunity to extend as much protection as possible to domestic abuse victims throughout the length and breadth of our country. Scots law and my friends in Scotland have been dealing with this at that length. Where it is appropriate to legislate, this House has the opportunity to act.

Rachel Maclean (Redditch) (Con): I thank my right hon. and learned Friend for his important contribution, because he makes an important point about the way tendering is administered. I certainly want to make sure that the probation reforms unlock the genius of the small organisations that can really make a difference, but there is a read-across to the way in which we provide victim services. I am taking a keen interest in the commissioning of those services. Police and crime commissioners clearly have a role, but I want fully to understand and work out the miasma that faces small organisations making those bids, so I take his point very much on board.

Rachael Maskell (York Central) (Lab/Co-op): I am very grateful to the Lord Chancellor for giving way. We have in Lambeth among the highest rates of domestic violence in the country, so I very much welcome the introduction of this duty on local authorities. Does he recognise that it is vital that coupled with that duty is a Government commitment to help to provide the sustainable funding for specialist services that is needed? Secondly, does he recognise that the provision of those services should not be done through competitive tendering, which is squeezing out many of the specialist service providers?

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Rachael Maskell: Services such as Survive in York, which provides trauma support to victims of domestic violence, are seriously under-resourced. It is crucial that the Bill gets trauma support services right, particularly mental health and psychological support services. How will the Lord Chancellor ensure that these services are properly funded as well as provided?

Robert Buckland: The hon. Member for York Central (Rachael Maskell) has been very persistent, so I shall give way to her.

Rachael Maskell: I am very grateful to the Lord Chancellor for giving way. We have in Lambeth among the highest rates of domestic violence, so I very much welcome the introduction of this duty on local authorities. Does he recognise that it is vital that coupled with that duty is a Government commitment to help to provide the sustainable funding for specialist services that is needed? Secondly, does he recognise that the provision of those services should not be done through competitive tendering, which is squeezing out many of the specialist service providers?

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the physical and emotional consequences of domestic abuse. We owe it to all those millions of people who suffer in silence to do something about it, and to do it now.

2.11 pm

Carolyn Harris (Swansea East) (Lab): Let me take this opportunity to thank the Lord Chancellor and the Under-Secretary of State for the Home Department, the hon. Member for Louth and Horncastle (Victoria Atkins), for the productive way in which we have managed to work together on this Bill to date. May I also say that, as a proud Welsh woman, I am delighted that most of the Front-Bench speeches today will be delivered by a Member with a Welsh accent?

Like many colleagues across the House, organisations throughout the sector and—most importantly—victims and survivors of domestic abuse, I am delighted that I stand here today for the Second Reading of this long-awaited and desperately needed Bill. None of us can deny the utter chaos that has prevailed in this place in recent weeks. The Prime Minister’s political game playing very nearly cost us this Bill. Less than a week before Parliament was suspended, the Prime Minister said in response to my hon. Friend the Member for Birmingham, Yardley (Jess Phillips) that he would ensure that the Domestic Abuse Bill received “proper consideration” and was “rolled over”. Despite that, and while domestic violence-related homicides in the UK hit a five-year high last year, the Prime Minister went back on his word and blatantly allowed the Bill to drop, alongside a dozen other important pieces of legislation. But thankfully Lady Hale ruled last week that the Prorogation of Parliament was unlawful, and we rightly found ourselves back here with the Domestic Abuse Bill firmly back on the agenda. It was very much a case that Hale saved the day and the Bill.

We cannot afford any more hold-ups. Time is not a luxury that victims of domestic abuse have. Every delay in getting this legislation through is critical. I was encouraged by last month’s announcement that Nicole Jacobs had been appointed as the first Domestic Abuse Commissioner for England and Wales, but I do have grave concerns—also mentioned by hon. Friends—that the role is only part-time. I sincerely hope that most of the Front-Bench speeches today will be delivered by a Member with a Welsh accent!

Ms Karen Buck (Westminster North) (Lab): Will my hon. Friend give way?

Carolyn Harris: I could not agree more. This is something that we all see every day when we talk to people who have experienced or witnessed domestic violence. In many cases, it is learned behaviour and we really need to look at that.

As it stands, although there are some welcome and vital changes in the Bill, it is too narrow. There are many areas that are crying out for wider scope. I hope that this can and will be addressed and incorporated through amendments in Committee.

Mark Tami (Alyn and Deeside) (Lab): My hon. Friend will be aware of the vital work that the Domestic Abuse Safety Unit in Shotton has been doing for many years. I have been there and have heard harrowing stories. To echo her point, so many people say that they have put up with this sort of behaviour for five, 10 or 20 years when asked, “How long had this gone on before you reached this stage?” We need to ensure that these centres are getting the finance they need to carry on with this vital work.

Carolyn Harris: My right hon. Friend makes a very good point; I wholeheartedly agree with his sentiments.

The Bill needs to include a legal duty to fund a national network of accommodation-based domestic abuse services as a matter of priority, to meet the needs of all survivors and, very importantly, their children.
The protection and provision of support for children who experience domestic abuse—either as witnesses or as victims themselves—also need to be consistently included in every aspect of the Bill.

Sandy Martin (Ipswich) (Lab): Women’s Aid organisations, such as Lighthouse Women’s Aid in my constituency, are doing good work but have to survive hand to mouth, relying on money from lottery funding. Does my hon. Friend agree that this makes it extremely difficult for them to employ and retain the staff they need, with the experience and training to give proper counselling to women?

Carolyn Harris: I do agree. I also join my hon. Friend in congratulating those organisations. I have yet to meet an organisation that deals with this issue that has not done excellent work, and all struggle for every penny they are able to get from wherever. They truly deserve our praise.

Seema Malhotra (Feltham and Heston) (Lab/Co-op): My hon. Friend is making an important and powerful speech. Does she believe that the Bill will do enough to support the role of schools in the lives of families? I know the amount of work that goes on in many schools in my constituency to support parents and children when there is domestic abuse at home. One primary school has told me that it suspects about five children in one class are subject to domestic violence.

Carolyn Harris: My hon. Friend is absolutely right and later I will talk about a scheme that helps in that situation.

The protection and provision of support for children who experience domestic abuse—I am repeating myself. I have already read that bit, so we will scrap that, thank you very much. [Laughter.] That is the Welsh in me; never ashamed to say when we are wrong.

As well as ensuring access to support services, the Bill needs to legislate for those children and ensure protected places in all NHS waiting lists, as well as priority access to school places when they are forced to move to a new area to escape domestic abuse. There is already good practice in our communities that has been established to cater for the needs of children experiencing domestic abuse.

Christine Jardine (Edinburgh West) (LD): Does the hon. Lady agree that we need to protect those survivors of domestic abuse not just when they are children but throughout their lives? We need some means of following them and taking a holistic approach, because domestic abuse affects their mental and general health as they grow.

Carolyn Harris: It certainly does and I think we all recognise, as I said previously, that experience and learned behaviour can cause perpetrators of the future.

Wera Hobhouse rose—

Carolyn Harris: I am going to make progress.

Operation Encompass, which is an excellent example of what we are doing in communities, was set up to enable police forces and schools to confidentially and quickly share information about vulnerable children who need support and safeguarding.

Gerald Jones (Merthyr Tydfil and Rhymney) (Lab): I thank my hon. Friend for the passionate case that she is outlining. One of my local forces, Gwent police, have played a considerable role in pioneering Operation Encompass. Will she join me in congratulating and thanking not only Gwent police but forces across the country for the important work that they have done in rolling out that initiative?

Carolyn Harris: I am delighted to congratulate Gwent police. On Monday, my hon. Friend the Member for Gower (Tonia Antoniazzi) and I visited the Liberty stadium in my constituency, where South Wales police launched their Operation Encompass. I pay particular tribute to Russell Dwyer, the head of St Thomas Primary School, who was a pioneer in ensuring that it came to Swansea.

Naz Shah: Will my hon. Friend give way?

Carolyn Harris: I am going to make progress.

We need to secure better outcomes for child victims of domestic abuse. The only way that we will do that is by ensuring that such initiatives are available throughout the country. The Bill also needs to legislate to improve the experiences of survivors and their children in the family courts. Contact arrangements must be based on the child’s best interests, and parental contact should not be automatic, especially where there is evidence that the child could be at risk.

Tonia Antoniazzi (Gower) (Lab): A constituent of mine is desperately trying to prepare her child after a court order stated, against the child’s wishes and the recommendations of the Children and Family Court Advisory and Support Service, that he must spend half his school holidays with his father. In order to support her son, she has put in place resilience counselling through the school, but the father has refused his son this help to support their contact. Does my hon. Friend share my concern that parental rights are being used against children in a way that has a negative impact on their wellbeing?

Carolyn Harris: I thank my hon. Friend. We have worked closely on many cases where children have been put at risk by being allowed access to potentially, if not very, dangerous parents. That is something that I feel passionately about. I believe we need a complete overhaul to ensure that the courts are prioritising the victims, not the perpetrators.

Several hon. Members rose—

Carolyn Harris: I am going to make progress.

Jessica Morden (Newport East) (Lab): I thank my hon. Friend very much for giving way. She mentioned the family courts. A prominent campaigner against the injustice that domestic abuse victims face in the family courts is Rachel Williams, who recently organised the Stand up to Domestic Abuse conference in Newport, which my hon. Friend and I both attended. Will she join me in paying tribute to campaigners and survivors such as Rachel whose courage in speaking out make a real difference to legislation such as this?
Carolyn Harris: Never not give way to a Whip—I have learnt that much since I have been here, and it always helps when it is a Whip with a Welsh accent. As I had a chair at the conference and my hon. Friend did not, I will certainly agree with her and say that Rachel is an absolute inspiration and someone we should all look up to.

Wera Hobhouse: Will the hon. Lady give way to someone with a non-Welsh accent?

Carolyn Harris indicated assent.

Wera Hobhouse: Does she agree that, in order to protect children, we need to include them in the statutory definition of domestic abuse victims and that it is disappointing that the Bill currently does not do that?

Carolyn Harris: I agree that we need to look at the definition and the impact on children. That is something that we can look at closely in Committee, and we would welcome amendments guided in that direction.

It is not just the courts that we need to look at; we also need to look at housing, which is another thing that currently allows perpetrators to control their victims. In cases of joint tenancy, only one tenant needs to end the lease, effectively allowing abusers to leave their victims homeless. The Bill needs to adopt changes to that law that would require both parties to end the tenancy and, in cases where perpetrators are convicted of domestic violence, automatically transfer the tenancy to the name of the victim. For victims who leave their accommodation by choice due to violence, the Bill needs to legislate to ensure that they automatically become a priority need for housing, irrespective of whether they have moved to emergency refuge accommodation.

Matt Western (Warwick and Leamington) (Lab): My hon. Friend is making an incredibly important point. Is it not also worth putting on record that, if we wish to ratify the Istanbul convention, we have to make sure that this legislation covers the rights of migrant women, as well as the rights of women in Northern Ireland, and has a gendered definition of domestic violence? Without those, we will not be able to say that we have ratified and, after seven years, I know that the Council of Europe will want to know why we have not.

Carolyn Harris: That was a very powerful point from a well-known champion on such issues who has now taken the opportunity to put those sentiments on record.

Jo Stevens (Cardiff Central) (Lab): I am pleased to hear my hon. Friend talk about migrant women. I represent a very diverse constituency and domestic abuse is a very significant problem among that community. Will she join me in paying tribute to Welsh Women’s Aid in my constituency, who provide so much help both to migrant women and women in south Wales?

Carolyn Harris: I have no problem in congratulating Welsh Women’s Aid. I thank my hon. Friend for her intervention. Support must be available to all victims and survivors of domestic abuse, with no restriction due to immigration status. Safe reporting systems need to be introduced to allow victims to report abuse to police and other authorities without fear of immigration enforcement.

Lady Hermon (North Down) (Ind): I thank the hon. Lady for giving way; she is making a powerful speech. I would like to go back to the reference that was made to women in Northern Ireland. She and her colleagues will be well aware that we have not had a functioning Assembly in Northern Ireland for over two and a half years, since January 2017, so we have no Health Minister and no Justice Minister. Would the Labour party give a clear commitment to join the Government, if we have no Assembly up and running again in the near future, to extend this much-needed legislation to Northern Ireland to protect women—and, indeed, some men—from domestic abuse in Northern Ireland? That would be a very valuable commitment from both sides of the House today.

Carolyn Harris: The hon. Lady will know of my commitment to legislation in Northern Ireland—I spoke this week on children’s funerals and gambling—and I would very much like to see the Assembly reconvened. Women everywhere—victims everywhere—need to be guaranteed every protection that we can offer them.
I have very real concerns about migrant victims when we eventually leave the EU. Under the EU settlement scheme, European citizens and their families will need to apply to secure their status in the UK. Survivors of domestic abuse are at particular risk of being left out of this by abusive partners in a bid to control and isolate them. The Government must ensure that legislation is in place to support these victims, allowing them to apply even after the deadline has passed in order to prevent a situation where survivors are forced to choose between staying with their abuser or being illegally resident in the UK. The Home Affairs Committee has already highlighted this scheme as running the risk of becoming another Windrush. We must ensure that the Bill gets it right in order to prevent that.

The Bill is vital legislation that will help some of the most vulnerable in our communities and undoubtedly save lives. Home should be a place of comfort, love and stability but, for an estimated 2 million adults, and very many children, it is anything but: it is a place of fear that brings with it pain and devastation. This is our opportunity to rectify that. The Government must ensure that they not only make the changes to the law but back it up with the necessary resources and funding.

Getting to this point today has been a rough ride, and there were times when many of us thought we would never see it happen, but we all recognise that this is our optimal opportunity to change the future for domestic violence survivors and their families. We must all commit to making the changes, funding the services and reducing the tragic consequences we are currently witnessing. We desperately need this legislation to be comprehensive, robust and fully funded so that we can start punishing the perpetrators and prioritising the victims. This Bill will go down in history as landmark legislation. Let us make it a Bill that we can all be proud of.

2.34 pm

Mrs Theresa May (Maidenhead) (Con): I am grateful for the opportunity to speak in this debate. I am pleased that my first speech on my return to the Back Benches should be on this topic—a topic on which I have worked both in opposition and in government. It is an issue on which I am pleased to say that the Government of which I was a member, both as Home Secretary and Prime Minister, took forward action, building on work that had been taken by previous Governments—and crucially, of course, a topic that is of such importance and significance to our society. Domestic abuse blights lives; it can destroy lives, and not just the life of the immediate victim but of the children and other family members as well.

I believe that this is a landmark piece of legislation. I am very pleased that we have seen, I think, more than 40 Members of this House wishing to speak in this debate. That shows the degree of seriousness with which the issue is taken by Members across this House. That view is shared across all parties in this House. It is good to hear of the co-operation and collaboration that there has been, and I am sure will continue to be, to make sure that we get this legislation right. But of course this is only one step. This is about changing the attitude that people take to domestic abuse. The challenge for Members of this House, the challenge for the Government and the challenge for us all is to make sure that the whole of society takes this issue as seriously as those who wish to contribute to this debate today are taking it.

As I say, I think this is a landmark piece of legislation. This Bill has been described by Government—and, indeed, by charities and others involved in working with the victims of domestic abuse—as a once-in-a-generation opportunity to make sure that we make a step change in the approach we take to supporting victims and to dealing with domestic abuse. I would like to thank my right hon. Friend the Member for Basingstoke (Mrs Miller) for the work that she and all the members of her Committee did in pre-legislative scrutiny. They did that assiduously, with great care and with great commitment. That was a very important part of the process of making sure that we get this legislation right. I would also like to thank the charities and organisations that contributed to that and have continued to push us all on this issue to make sure that we are doing more for the victims and survivors of domestic abuse.

I thank my right hon. and learned Friend the Lord Chancellor and the Under-Secretary of State for the Home Department, my hon. Friend the Member for Louth and Horncastle (Victoria Atkins), who have championed this issue and continue to do so, and have worked so hard to ensure that this legislation comes forward and will be carried forward. It is imperative that this Bill is not lost and that we are able to see it go on to the statute book, because it will affect people’s lives—it will improve people’s lives.

The Lord Chancellor himself referred to the figure of 2 million adults experiencing domestic abuse in the last year for which there are figures. Two thirds of those, of course, were women. Domestic abuse accounts for a third of violent crime and, as we heard earlier, it is estimated to cost our society £66 billion a year. This is not something that simply takes place behind closed doors and that others can ignore; it is something that affects us all. It affects our economy, it affects our society, and it affects our young people as they are growing up. We have heard various comments about experiences that people have had. Reference was made from the Opposition Benches to the issue of young people and their understanding of relationships. I remember as Home Secretary initiating a campaign of advertisements about what a good relationship was. The saddest thing was reading some of the comments that young people, particularly young women, made when they had seen those adverts in cinemas and elsewhere: comments like, “I didn’t know it was wrong for him to hit me.” This is the sadness in our society of so many people who do not know what a good relationship is, who suffer from their bad relationships, and who suffer in silence—too many, as we have heard, suffer in silence for many years before any action is taken.

Mrs Moon: I thank the right hon. Lady—I am awfully sorry, but I am still tempted to refer to her as the Prime Minister.

When I worked in child protection, I worked with a young mother in a second marriage. She said to me: “We all expect to be hit by our husbands, don’t we? It’s just this one is so violent.” That was absolutely shocking, but not half as shocking as when we were later in court, where we were taking wardship proceedings to protect the children. The husband informed the court that I was
lying—there was nothing wrong with their family or their relationship, and I was just prejudiced. The judge asked him: “Are you saying that you have never struck your wife?” After a pause, he said: “Obviously I’ve given her the odd backhander to keep her in line, but no, I’ve never been violent.” That is what we have to combat and deal with, and that is part of what this debate and the Bill must tackle.

Mrs May: I absolutely agree with the hon. Lady. That is why I trust that we will pass this legislation. We will pass it in good shape, and it will make a difference, but it is only one step. It is about getting that recognition out there of what is right and what is wrong. It is very simple: it is not right to hit somebody in a relationship. But it is more than that, which I will come on to in a minute—conscious as I am of the number of Members who wish to speak, I will touch on a small number of issues very briefly.

The first issue is one that many people looking at this legislation might feel was insignificant, but it is hugely significant—the inclusion in statute of a definition of domestic abuse. Not that long ago, a number of Government Departments were working to different definitions of domestic violence and abuse. I recall that, as Home Secretary, I tried to ensure that we could at least try to get an agreement among Departments as to what a definition might be. Having it in statute is hugely important, as is having a definition that goes beyond what most people would answer if you asked them what domestic abuse or domestic violence was, which is physical violence, and recognises all the other types of abuse that take place.

It is chilling to sit and hear a woman who has been controlled by her other half for a period of time—often for years—say how it happened slowly, and that it was difficult to recognise when it started. Little by little, however, that control was exercised until that individual’s rights as an individual human being were taken away from them. That is what we are talking about when we talk about domestic abuse, so getting that definition right are incredibly important. As the Lord Chancellor said, I hope that others will use the definition in the Bill. It is referred to as the underpinning of this Bill, but I hope that others will use that definition and recognise it.

The second issue I will touch on was referred to earlier, and that is the courts. I am sure that every Member is aware of cases—indeed, the Lord Chancellor started his speech with a reference to his case 25 years ago—in which a victim of domestic abuse has not felt able to pursue, to give evidence and to go through the steps necessary to see the perpetrator brought to justice. Fear of what will happen in court often drives people, and there is also the fact that the perpetrator might well use and manipulate them to ensure that they do not give evidence in court.

I remember when I was Home Secretary talking about one case in the west midlands. An independent domestic violence advocate was describing how a woman almost did not turn up at court, even though they had done a lot of work for her to turn up. The IDVA had gone to the home to see what the problem was, and it was very simple: the perpetrator had locked the woman in a cupboard, so that she physically could not get to court to give evidence. We have to recognise the problems that victims face.

Another issue, which has been referred to by the president of the family division of the High Court, is the question of cross-examination by perpetrators. That can be an extension—in some cases, deliberately so—of the abuse that the victim has suffered. Having the prohibition of that on the face of the Bill is incredibly important.

I want to touch on the issue of children. For far too long in this country, we thought that if a child was in the room next door when someone was being hit or coerced, that child would not be affected. Nothing could be further from the truth. I think the figure for children who have been in a home where there has been domestic abuse is that they are 50% more likely to endure such abuse in a relationship later in their lives. That is why I said earlier that domestic abuse does not just blight or destroy the life of the victim, but does so for those around the victim too.

This is important. I recognise the pros and cons when looking at the issue, but I do not want us to miss this opportunity to ensure that we properly look after the needs of children in a home where domestic violence is being experienced. I ask the Government to look very seriously at recommendations to do with children, to ensure that we do not pass a Bill into statute only for people to ask, six months down the line, “Why didn’t you?” It is imperative to look at that.

I will touch briefly on two other issues, one of which is the question of perpetrators. This is a hugely difficult topic to talk about. I am sure that we would all prefer not to have the necessity of talking about domestic abuse legislation, because we want to eradicate domestic abuse—we are very far from doing that—but, if we are to get to that point, we have to deal with perpetrators. We talk a lot about supporting victims, and that is absolutely right, but finding a way to ensure that people do not become perpetrators in the first place or, where they are perpetrators, that they cannot continue to perpetrate domestic abuse, is hugely important too. It is difficult. From talking to organisations that work with perpetrators, I know that finding the interventions that will have the best impact is hard.

Robert Buckland: My right hon. Friend is making an important point about perpetrator programmes. I think she would agree that we have to be careful to ensure that programmes are tested and are the right ones, because we do not want to make the problem worse.

Mrs May: My right hon. and learned Friend has made a very valid and important point. That is why I say this is a difficult topic. Sometimes it seems hard to talk about working with the perpetrators, but it is important that we identify the programmes that work, and that will not be one size fits all. I think the Joint Committee made that point when they looked at this issue, which was very welcome. It has to be done carefully, but we should not shy away from it, because if we wish to see an end to domestic abuse, we have to deal with perpetrators. That goes alongside issues such as education on what a good relationship is, so that we see those sorts of behaviours being stopped at the first sign, rather than being allowed to continue.
Some might say that the last point I want to make is slightly tangential to the Bill, but I want to talk about the police. A huge amount of work has been done with the police to train them to deal with domestic violence. Many developments are very helpful. For example, body-worn video cameras can ensure that film is taken when the police turn up to a reported incident, so that someone cannot say later, “Well, no, it was okay, nothing happened.” Such evidence is hugely important. The ability through the use of technology for a police officer attending an incident to know in advance whether there have been reports of domestic violence or abuse there in the past is another important element. Also—I am sure that others have had this experience—domestic abuse victims talk about the fact that if they get a police officer who has been well trained, it works well, but when someone reports an incident, it is the police officer who is on duty who comes, and they will hand on to the response unit that comes out, and such officers often do not have the same experience. We need to look at that very carefully.

We also need to do something else—this point was made to me by one of the people involved in one of the charities dealing with victims of domestic abuse. Police forces need to look at how they deal with domestic violence and domestic abuse within the force when police officers themselves are subject to such domestic abuse. If they turn a blind eye, that gives a message to their officers about how they should treat people outside the force who are reporting abuse. That aspect has not really been focused on previously, but we should focus on it. We should be encouraging police forces to ensure that they have, within their forces, the means to support such officers properly. There will be police officers who themselves are the victims of domestic abuse, and we need to ensure that forces have the ability to support those police officers.

As I say, this is a hugely important Bill. It will, I know, be subject to very close scrutiny during the Committee stage. There is so much that is good in this Bill. There are obviously issues that the Government are being asked to look at again to make sure that we get this into the best shape that it can be. However, as I said earlier, I say to everybody across this Chamber that passing this legislation is but one move. It is up to us all to make sure that we are doing everything we can to make clear to our society and to the public the horrific nature of domestic abuse, the impact it has on people’s lives and the need for us as a society to say, “Stop it.”

2.51 pm

Angela Crawley (Lanark and Hamilton East) (SNP): I am grateful for the chance to follow the right hon. Member for Maidenhead (Mrs May). May I take this opportunity to take a different approach from the one we very often take on the Opposition side of the House, which is to pay tribute to her both for her approach as the former Prime Minister of this country and for her commitment and genuine passion? As the former Prime Minister, she committed her life’s work in this Parliament to making sure that the agenda of women and girls was recognised. I am sure that the successful passage of this Bill will be a legacy that she can be proud of, and that it will rightly go down in history as the landmark legislation of the first female Prime Minister of this country. I pay tribute to the right hon. Lady for the work that she has done.

To return to the point of order made by the hon. Member for Walthamstow (Stella Creasy), may I also acknowledge her dedication and commitment to women’s rights? I think no one in this House should have to receive the treatment she has received. I am sure—I know—that the right hon. Gentleman the Speaker of this House will do everything in his power, as a champion of Back Benchers, to ensure that all the House of Commons authorities provide her with the necessary support that she requires, because no one in this House should come under fire for ultimately doing what is right and proper and what should be done, which is protecting the rights of women.

I welcome this Bill, and I agree in essence with its main principles, because domestic abuse can ruin lives and it needs to be tackled strongly. I recognise that the primary basis of the Bill will apply only to England and Wales. However, there are some limited provisions in the Bill that will have an impact on Scotland, and it is on those grounds that I want to speak today.

As the Lord Chancellor said, 2 million people in the UK are affected. Most of them are women, but not all. This is only an estimated number. It is based on the recorded statistics we have of the number of women who have bravely come forward and undergone the process of speaking out loud and saying, “I will not accept this treatment any longer”. However, it is only an estimated number because too many more women will suffer in silence and receive this ongoing treatment day to day.

I of course have nothing but the utmost respect for the law and justice and for our ability as Members of this House to produce legislation that can make a difference, but everyone in the House knows that legislation alone will not tackle this problem. I congratulate the UK Government on going some way towards taking the approach of really driving home the point that domestic violence cannot be tolerated and cannot be accepted. It is something that we want to change so that future generations will not grow up to experience this kind of world.

On this particular occasion, I think Scotland has taken a leading stance and a really strong stance against domestic abuse. In Scotland, domestic abuse accounts for almost a quarter of all violent crimes. Again, this is only an estimated figure; we have no real idea of the true figure or of the true cost that it has on people’s lives. About one in four women has experienced or reported domestic abuse at some time in their lives. It is usually perpetrated by a spouse, partner or ex-partner. Domestic abuse often includes physical violence, mental or emotional damage, or undue control or power over another person.

The SNP in government has taken a lead and taken the issue of domestic abuse seriously. I am very proud that we have been able to do that in the Scottish Government. The multiple forms of abuse are tackled by the Domestic Abuse (Scotland) Act 2018, which for the first time introduced a “course of conduct” offence. This enables not just physical abuse but psychological domestic abuse and controlling behaviours to be prosecuted at once. As many from a legal background will know, that in itself is really hard to pin down. How do we even begin to quantify undue influence or coercive control? How do we recognise that, and how do we prevent it in a criminal statute? The fact is that the Scottish legislation...
is designed to address the emotional abuse that Scottish Women’s Aid has said is, for most victims, the most traumatic and the hardest aspect of abuse to recover from. It is a really significant and important part of this legislation, and I hope that the Government will take that into consideration when they come forward with the Public Bill Committee.

In a similar vein, the Domestic Abuse Bill broadens the scope of domestic abuse legislation in England and Wales. This is the legislation we are here to speak about today, and it would be a great shame if the Bill were to be lost. Should this Parliament dissolve or prorogue again and we do not succeed in passing this legislation, it would ultimately be against all our better intentions. We want to see the Bill successfully brought through this Parliament during this term, regardless of when this term may cease.

Christine Jardine: On that very point, as the right hon. Member for Maidenhead (Mrs May) has said, this is landmark legislation. All of us may have reservations about certain aspects of it and things we may want to see amended in Committee, but it is incumbent on us to support it today and get it through so that, as the hon. Lady says, it is not lost.

Angela Crawley: Absolutely. Perhaps I should use this opportunity to say that should a future Government of any coalition have to carry forward this legislation, I hope their agenda will also be to deliver on this Bill should it not succeed in this parliamentary term. It would be a great loss and a great shame were we not to see it passed in this parliamentary term, and were the right hon. Member for Maidenhead not to have it as part of her legacy, because she rightly deserves such an opportunity.

In particular, it is welcome to see the measures to protect survivors in court, including the prohibition of the examination of domestic abuse victims by their perpetrators. It seems almost unimaginable that such a procedure is even possible. The inclusion of non-physical abuse in the statutory definition of domestic abuse, the inclusion of children aged 16 and 17, and the appointment of a Domestic Abuse Commissioner are truly welcome. While these measures go some way towards tackling a broad and multifaceted problem, I believe there are several areas in the Bill that could be improved in Committee.

Mr Jim Cunningham (Coventry South) (Lab): The hon. Lady is making a very good case. There is another dimension, because we very often get women whose immigration status, for want of a better term, is not secure. Does she not agree that the commissioner should really have her powers strengthened to look at that?

Angela Crawley: I wholeheartedly agree, and I will come on to that later in my speech.

In 2017, my colleague Eilidh Whiteford’s Bill to ratify the Istanbul convention was very much about pressing the Government to do exactly what this Bill sets out to do. I know that she, although no longer in the House, would love to see this Bill passed and to see the Istanbul convention ratified as part of her legacy. Although the Government stated their intention to bring the convention’s provisions into law, two years later we are still waiting. The Bill is an opportunity for the Government to meet those intentions, but in my opinion it fails fully to meet the requirements of the Istanbul convention. I hope more work can be done in Committee to ensure that the Bill gets us to the point where we can ratify the convention.

Women with insecure immigration status find it virtually impossible to seek protection when experiencing domestic abuse. As the hon. Member for Coventry South (Mr Cunningham) indicated, for many such women their visa status is tied to their partner or their partner has control of the necessary documents and evidence, so they are unable to escape. That goes against the crystal clear language of the Istanbul convention, which states that protection must be afforded to survivors regardless of their immigration status. I am worried that, should the Bill fail adequately to promote equality, including for those with insecure immigration status, it would risk violating our existing human rights obligations under the European convention on human rights, the Human Rights Act 1998 and the convention on the elimination of all forms of discrimination against women—CEDAW, as we all know it. In essence, we must ensure that we get this legislation right.

I am conscious that many people want to speak, so I am doing my best to wind up as fast as I can. In taking forward the Bill, we must consider the needs of people whose insecure immigration status means they have no access to public funds or housing support. Such people are routinely denied refuge spaces, safe accommodation and welfare, and therefore are stuck between becoming destitute and homeless and returning to their abuser. Every MP in the House will have a constituent, or will have supported a woman, who has had to seek refuge in temporary accommodation. That may have been their first interaction with a Government office, be it the Department for Work and Pensions or the Home Office. They need our support, so we must do better.

Frankly, the Government’s approach to welfare only compounds problems for survivors of domestic violence. Universal credit provisions, include mandatory waiting periods and payments to heads of households, create an environment that allows economic abuse and control. The SNP has repeatedly argued for universal credit payments to be processed and paid in advance rather than in arrears, and be made to more than one householder, in the form of split payments. If the Government do not make those adjustments, victims of abuse will continue to be unable to access the resources they need to leave harmful relationships.

As the SNP spokesperson for women and equalities, it is an honour to work with colleagues across the House, including the right hon. Member for Basingstoke (Mrs Miller), the hon. Member for Birmingham, Yardley (Jess Phillips) and many others, as a member of the Women and Equalities Committee. The Bill relates specifically to England and Wales, but some of its provisions will have an impact on the lives of women in Scotland. The picture painted by the Minister only highlights that we have so much further to go. Let us not get another 25 years down the line and be having the same conversation.

I am proud of my honourable friend Christina McKelvie, who, as Equalities Minister in the Scottish Government, is delivering this policy in Scotland. We can do better.
We must do better. Too many women and their families are relying on this Government to protect them, whether through policing or justice measures or through this legislation in and of itself. I hope this Prime Minister and this Government get this right so we can deliver for women across the UK.

Mr Speaker: I am extremely grateful to the hon. Lady, as the House will be, for being commendably succinct. Momentarily, a 10-minute limit will begin on Back-Bench speeches, and the right hon. Member for Staffordshire Moorlands (Karen Bradley) will be the next speaker. However, just before I call her to contribute, I think that the House will be interested to know what I have just been advised by the Minister on the Treasury Bench: namely, that the designate Domestic Abuse Commissioner, Nicole Jacobs, is observing our proceedings today. Welcome to the House. We very much appreciate Commissioner, Nicole Jacobs, is observing our proceedings today. Welcome to the House. We very much appreciate

Hon. Members: Hear, hear.

3.4 pm

Karen Bradley (Staffordshire Moorlands) (Con): It is an honour to follow the spokesperson for the SNP, the hon. Member for Lanark and Hamilton East (Angela Crawley). I welcome the Bill and the cross-party support for it.

My right hon. and learned Friend the Lord Chancellor, who looks like he may be about to go and get himself a cup of tea—I cannot blame him for that—spoke at length, although his speech was comprehensive, detailed and very passionate. I recall our joint work in Committee on the Serious Crime Bill; together, we introduced the coercive control measure that so many people have referred to. I remember being asked at the time, “Why are we doing something so difficult? How are we going to train the police? How are we going to do this?” If the answer is, “It’s too hard,” we will never do anything. I am very proud that we introduced that measure, and I feel quite a lot of pressure to live up to the speech she just delivered, which showed her commitment, her attention to detail and her absolute determination to deliver on this incredibly important issue. Without her, we would not be in this place today.

My right hon. Friend spoke about the challenges with tackling domestic violence. I recall, when I was in the Home Office, looking at what we could do to change things and at how we could change society on this matter. A number of contributors have mentioned attitudes. I am pleased that the old line, “Oh, it’s just a domestic; ignore it” is gone, but it was there for far too long. The other thing on which we have seen a difference is training for police officers. It is not everywhere—my right hon. Friend mentioned that there are police officers who have not had training—but when I was in the Home Office I saw police officers being trained to believe the victim and to take belief in the victim as the first port of call. They are trained to walk in not with cynicism but believing what the victim says. If somebody has gone to the police to report domestic violence, they are not making it up; it has taken enormous strength of character for them to get to the point of reporting it, and they need to hear the police officer say, “I believe you.”

I was struck by that as a new MP, when a constituent came to a surgery appointment and told me how every police officer she had dealt with had refused to believe her. They had said, “Oh, it’s six of one and half a dozen of the other,” and that she must have contributed in some way.

Mark Tami: Does the right hon. Lady agree that the other thing police do so often is to look at each incident as an individual incident, rather than looking for a pattern of behaviour?

Karen Bradley: The right hon. Gentleman is absolutely right. It is so important that we look not just at a pattern of behaviour but across the whole family. The troubled families programme was very good at looking at the family as a whole, seeing where domestic violence was happening and identifying its effect on children—on each member of the family.

Public awareness of the crime is another challenge we have always faced. We have talked about 2 million cases a year, but of course the number of reported cases is so much lower. Reporting is on the up, and that is very good news. We need these crimes to be reported; unless they are reported, nobody can tackle them. It is incredibly important that we improve public awareness and get an understanding of what a healthy relationship looks like versus an unhealthy relationship.

Mr Jim Cunningham: The right hon. Lady mentions something that a lot of people will be interested in: often, because the authorities do not necessarily believe them, the victim is sent back into the situation they are trying to get out of and subjected to further abuse. The other point I would make is that we should also be tackling psychological abuse.

Karen Bradley: The hon. Gentleman is right on all counts, and he takes me to my next point. One of the challenges is having the tools to tackle this crime. The problem with having only criminal measures is that the burden of proof is so high. Civil measures, which we introduced for various things, including honour crimes and domestic violence, and which of course are introduced by the Bill in the form of the new domestic abuse protection order, are very important because the burden of proof is so much lower. In the exact circumstance that the hon. Gentleman talks about, use of a civil measure means that the police can intervene earlier and prevent the crime.
Karen Bradley: I will not, if the hon. Lady will forgive me, only because I have run out of interventions. Now that I am on the Back Benches, I have to get used to not being able to take all interventions.

The other challenge is the multi-agency approach, which, again, has been talked about. We cannot arrest our way out of this problem. We have to deal with it through prevention and education. There is a role for so many agencies and organisations in ensuring that domestic violence is tackled. I recall, when I was Minister, visiting the domestic violence team at the A&E in Royal Stoke University Hospital. A nurse there, Mandy Burton, received a national nursing award for her work in bringing to the A&E department a focus on domestic violence, and on identifying it. That was revolutionary at the time—this was 2015. We need all agencies to work together to make sure that they identify domestic violence.

Dr Liam Fox (North Somerset) (Con): I hesitate to take up my right hon. Friend’s time, but would she accept that the medical profession has a key role to play? One of the places where physical violence will first be picked up is accident and emergency; one of the first places where non-physical, psychological violence will first be picked up is in general practice. Is there not a case for improving education, so that there is a high index of suspicion of domestic violence in both general practice and hospitals?

Karen Bradley: My right hon. Friend speaks with personal experience and great authority on this matter. He is absolutely right. So many agencies will have interaction with victims of domestic abuse. They need to understand the signs and indications, and need the ability and strength to intervene, because that may be an early point at which we can get in, before domestic abuse that may appear to some to be low-level—there is no such thing as low-level abuse—turns into something horrendous. We know the number of homicides a year; we need to make sure that we intervene as soon as possible, in order to prevent the very worst tragedies.

That brings me on to the Bill. It is right to describe it as landmark legislation. Putting into statute a definition of domestic abuse is incredibly important. My right hon. Friend the Member for Maidenhead talked about needing to have one definition that was recognised across all agencies and across the law. That is how we will help to identify this abuse, and get services and support in the right places at the right time. I referred to the civil powers; having more of them is very important. The civil powers mean that the victim can stay in her home with her children, while the perpetrator is removed. If abuse does not meet the criminal test, it may still meet the civil test, and of course breach of that civil law becomes a crime, which gives the police the power to act.

I am very pleased about the introduction of the Domestic Abuse Commissioner. When I was in the Home Office, we introduced the Modern Slavery Act 2015 and the Independent Anti-slavery Commissioner, who often said things that were uncomfortable for Government, but was absolutely right to say them. It is right that we should have one person working for all victims of domestic abuse.

I am pleased to see the extension of the offence of coercive control to Northern Ireland; from my previous role, I know how important that is. That reminds me of the sentence that I have probably said far more often than any other in this Chamber in the past few years: it is time for the parties in Stormont to come back together and form a Government, and do the right thing by the people who elected them. In the absence of such a Government, it is right that we take steps in the Bill to make sure that coercive control is properly recognised and dealt with in Northern Ireland.

The Bill will make a difference only if we see outcomes from it. The outcomes in my county of Staffordshire over the past few years—since I was first involved in this field—have been really quite incredible. Our police and crime commissioner, Matthew Ellis, has really made the issue his focus during his stewardship of the police. He introduced a multi-agency approach, and the New Era service, which gives victims holistic support. Last year, it supported 25,000 people in Staffordshire. That is a great credit to him, and I pay tribute to him for the work he has done.

Victims need the power to speak openly, and the police need the tools to bring persecutions, so that perpetrators are punished. When I was a Minister in the Home Office, I recall clearly making a speech for a colleague, as we all do. I talked about my work in the Home Office. One of the people there, who had been enjoying a lovely dinner, stopped eating, and at the end of the speech she asked me for a private word. It was very emotional. She said, “Twenty-five years ago, I was a victim of coercive control, though I didn’t know it at the time. I’m out of that relationship now, but everything you described was my life.” She said, “I remember the police saying to me, ‘We know he’s abusing you and treating you in a way he shouldn’t, but there’s nothing we can do. The best we can hope for is that when he comes home drunk tonight, he kicks the door down; then we can arrest him for criminal damage.’”

We need victims to know that the police have weapons, tools and ways to help them, because they put their trust in the police—we all do, quite rightly. We need to make sure that the police have the weapons that they need, so that they can deliver. That is how we will help victims to bring things out into the open, and put an end to domestic abuse.

3.16 pm

Rosie Duffield (Canterbury) (Lab): So what is domestic violence or abuse, and where do we get our ideas about it from? Often we see the same images and stereotypes on TV: housing estates, working-class families, drunk men coming home from the pub, women surrounded by children, and a sequence of shouting, followed by immediate physical violence or assault. But soap opera scenes tend to focus on only one or two aspects of a much bigger and more complex picture.

Domestic violence has many faces, and the faces of those who survive it are varied, too. There are 650 MPs in this place—650 human beings. Statistically, it is highly likely that some of us here will have directly experienced an abusive relationship, and we are just as likely as anyone else to have grown up in a violent household.

Abuse is not just about noticeable physical signs. Sometimes there are no bruises. Abuse is very often all about control and power; it is about abusers making...
themselves feel big, or biggest, but that is not how they present themselves. It is not how they win your heart. It is not how they persuade you to meet them for a coffee, then go to a gig, and then spend an evening snuggled up in front of a movie at their place. When they ask you out, they do not present their rage, and do not tell you that while they like the idea of strong, independent, successful women, they do not like the reality. They do not threaten, criticise, control, yell, or exert their physical strength in an increasingly frightening way—not yet. Not at the start. Not when they think you are sweet, funny and gorgeous. Not when they want to impress you. Not when they turn up to only your third date with chocolate, and then jewellery. Not when they meet your friends, your parents, or the leader of your political party. They do not do any of that then.

It is only later, when the door to your home is locked, that you really start to learn what power and control look and feel like. That is when you learn that “I’ll always look after you,” “I’ll never let you go,” and “You’re mine for life” can sound menacing, and are used as a warning over and over again. It is when the ring is on your finger that the mask can start to slip, and the promises sound increasingly like threats. It is then that you spend 12 or more hours at work longing to see the person you love, only to find that on the walk or tube journey home they refuse to speak a single, solitary word to you. Eventually, at home, they will find a way to let you know which particular sin you have apparently committed: your dress was too short, the top you wore in the Chamber was too low-cut, or you did not respond to a message immediately.

It starts slowly: a few emotional knocks, alternated with romantic gushes and promises of everlasting love, which leave you reeling, confused, spinning around in an ever-changing but always hyper-alert state, not knowing what mood or message awaits you. You tell yourself to be less sensitive, less emotional, to stop over-analysing every little thing. Ignore the moods—he never stops saying he adores you, right? All seems good again.

A whole week goes by: a week of summer evening walks home and maybe a drink on the way. A long weekend is booked and organised as a surprise while you are at work. The journey there is full of promise and promises—time away alone together in a place away from stress—but then it starts. In a strange city, his face changes in a way you are starting to know and dread, and in a way that says you need to stay calm, silent and very careful. He goes for a walk. You sit in your hotel room and wait. You read a city guide and plan which sights you want to visit, mentally packing a day full of fun. But he seems to have another agenda. He doesn't want you to leave the room. He has paid a lot of money and you need to pay him your full attention. You are expected to do as you are told, and you know for certain what that means—so you do exactly as you are told.

In the months that follow, those patterns continue: reward, punishment, promises of happily ever after alternated with abject rage, menace, silent treatment and coercive control; financial abuse and control; a point-blank refusal to disclose his salary or earnings, an assumption and insistence on it being okay to live in your home without contributing a single penny, as bills continue to pile up; a refusal to work, as your salary is great and public knowledge; false promises to start paying some specific bills, which you discover months later remain unpaid; and the slow but sure disappearance of any kindness, respect or loving behaviour.

You get to the stage where you are afraid to go home. After 15 hours at work, you spend another hour on the phone to your mum or a close friend, trembling, a shadow of your usual self. You answer the phone, and the sheer nastiness and rage tell you not to go home at all. So you leave work with your best friend, exhausted and shaking, and buy a toothbrush on the way, knowing that the verbal abuse followed by silent refusal to speak at all will be 100 times worse tomorrow.

Every day is emotionally exhausting. You are working in a job you love but putting on a brave face and pretending all is good, fine—wonderful, in fact. Then the pretence and the public face start to drop completely: being yelled at in the car with the windows down, no attempt to hide behaviour during constituency engagements—humiliation and embarrassment now added to permanent trepidation and constant hurt and pain. It is impossible to comprehend that this is the person who tells his family how much he loves you and longs to make you his wife.

But the mask has slipped for good, and questions are starting. Excuses are given to worried friends, concerned family and colleagues who have started to notice. One night, after more crying and being constantly verbally abused because you suggest he pay a bit towards your new sofa, you realise you’ve reached the end and you simply cannot endure this for another day or week, and certainly not for the rest of your life. Having listened intently for two whole weeks to the sound of his morning shower, timing the routine until you know it off by heart, you summon up the courage to take his front-door keys from his bag.

You have tried everything else on earth and know for certain, 100%, what awaits you that night if you do not act today. Heart banging, you hide them carefully and creep back into bed, praying he won’t discover what you have done. You know for certain what will happen if he does. You know an apology will not follow. You know for sure it will be because of what you have done and that it is all your fault. He leaves for the gym, telling you how much he adores you. He tells you to remember that you will always be his. He kisses you lovingly, as though there has not been months of verbal abuse, threats and incidents he knows you will never disclose. He tells you he will bring something nice home for dinner.

Sure enough, the next few days and weeks are a total hell—texts and calls and yelling: “You’ve locked me out like a dog”, “No one treats me that way”, “This is the last thing you will ever do”. You cry, you grieve for your destroyed dreams, you try to heal, you ignore the emails from wedding companies, but it is like withdrawal, and it takes six months.

But one day you notice that you’re smiling, that it’s okay to laugh, and that it’s been a week or two since the daily sobbing stopped. You realise you are allowed to be happy. You dare to relax and you dare to start to feel free. You realise it is not your fault and that he is now left alone with his rage and narcissism. You dare to start dating someone, and you realise that you have survived, but the brightest and most precious thing of all is realising that you are loved and believed by friends, family and colleagues who believe in you and support you.
So if anyone is watching and needs a friend, please reach out, if it is safe to do so, and please talk to any of us, because we will be there and we will hold your hand.

Mr Speaker: I thank the hon. Lady for that speech, which was simultaneously as horrifying and as moving a contribution in the Chamber as I have heard in my 22 years of membership of the House. Thank you.

3.25 pm

Sarah Newton (Truro and Falmouth) (Con): I echo your words, Mr Speaker. The hon. Member for Canterbury (Rosie Duffield) is an extraordinarily brave woman. It takes the most enormous courage to stand up in this place and say what she has said. If any of us needed a reminder of why we are here today—why it is so important that we unite across the Chamber to take this action today—she has provided it. She will have given so much hope to so many people across the country. Knowing that it can happen to someone so beautiful, brave, hope to so many people across the country. Knowing that we unite across the Chamber to take this action today—she has provided it. She will have given so much hope to so many people across the country. Knowing that it can happen to someone so beautiful, brave, strong and successful—successful enough to get to sit on these Benches—will give them the confidence, self-belief and self-worth to take action and break free from the torture she had to endure. I would like to thank her, as I am sure would everyone in the Chamber and listening at home, for being so brave as to do what she has done today. [HON. MEMBERS: “Hear, hear.”]

In the few minutes remaining, I want to raise one or two things that I would like the Minister to think about. This is an extremely good Bill. As we have heard, many Members across the House, not least my right hon. Friend the Member for Basingstoke (Mrs Miller), the Chair of the Women and Equalities Committee, have spent a huge amount of time on pre-legislative scrutiny of the Bill and as a result it is already in really good shape.

As has been mentioned, at the heart of the Bill is culture change. The Bill starts in the right place because it talks about how we need to change our attitude towards relationships so that everybody knows what a good relationship is. That must start with every child in every school being given extremely good education about what makes a good relationship.

Lyn Brown: Does the hon. Lady agree that, as well as educating every child, we need to support children who have specific difficulties as a result of witnessing violence in their homes, and that child and adolescent mental health services need beefing up and proper funding in order to do so?

Sarah Newton: I completely agree with the hon. Lady that, in addition to education, every child must be supported. We know, as has been said today, that when children grow up in a home where there is controlling or coercive behaviour, economic control or any sort of abuse, including physical abuse, they will be affected by it. Boys and girls will think, “That’s what love looks like.” Is it any wonder that so many of those affected go on to become perpetrators or victims themselves? Of course, we need to help those perpetrators understand that this behaviour is totally unacceptable, and to help those victims understand that they can be survivors and that their lives need not follow this cycle. We need to make sure that every adult who comes into contact with children understands what domestic abuse is. That means statutory training for all people in the public sector who will come into contact with children, so that they can support them to get what they need to break that cycle.

There is a group of people who are often neglected in this debate, namely older people and people with disabilities. The briefing given to us by Age UK highlights work that is replicated—I have seen it at first hand—in my constituency. I recently attended a meeting with the excellent women’s centre, which does absolutely fantastic work in my constituency, as does an organisation called SEEDS—Survivors Empowering and Educating Domestic Abuse Services. So many older women are the subject of domestic abuse, but they are the least likely to speak out about it or to have access to services. The same goes for disabled people.

Although I very much agree with the definition in the Bill, I ask the Minister to consider gathering an evidence base of the prevalence of undisclosed domestic abuse of people with disabilities, particularly learning disabilities, as well as of those with physical disabilities and older people, to make sure that we have got the definition absolutely right. I know from the homicide reviews conducted in Cornwall that there are many more examples than any of us would like to think of family members financially, economically and physically abusing and even killing an older member of their family. Clearly, much more needs to be done to recognise those families who are at risk and really struggling, so that we can prevent those avoidable deaths.

It is not just family members; it can be people who deliberately befriended vulnerable people, including those with disabilities or older people. They can work their way into people’s affections with the sole purpose of abusing them. Often it is economic abuse. The definition really matters. I would like the Minister to consider the prevalence of undisclosed abuse. If it is the case, as I feel it is, that there are people beyond the family who become close and trusted friends of vulnerable people and commit this abuse, those perpetrators’ activities should come within the purview of the Bill.

In conclusion, people are right to say that victims and survivors have waited a long time for us to have this debate. They have been campaigning vigorously to get to this point. It is now down to all of us to take really important action through this Bill, so that we can prevent the avoidable deaths and the terrible suffering that go with domestic abuse, and make sure that we consign this appalling behaviour to the history books.

Mr Speaker: I am extremely grateful to the hon. Lady, and I think the whole House will be, both for what she said and for the extraordinarily sympathetic and empathetic manner in which she said it. I knew she would do that, which is why I called her.

We will have one speech lasting six minutes by the Mother of the House, Harriet Harman.

3.33 pm

Ms Harriet Harman (Camberwell and Peckham) (Lab): It is a pleasure to follow the hon. Member for Truro and Falmouth (Sarah Newton). I absolutely agree with everything she said. I, too, pay tribute to my hon. Friend
the Member for Canterbury (Rosie Duffield), because what she said will save lives. We are incredibly proud of her, and she should be incredibly proud of herself.

There is so much hope and expectation surrounding this Bill. Every woman who has suffered from domestic violence and every child who has lived in a house subjected to the terror of domestic violence will be watching what we are doing today and wishing us forward. All those who work in the charitable sector and in refuges will be watching what we are doing and supporting it, as will all those who work in the police services. Up and down the country there are police officers who want to do more about domestic violence and are dismayed at how little they are able to do. The Bill will strengthen their elbow in their own police forces, and the same applies to the Crown Prosecution Service and the court services. The Bill will be a focus, not just as a piece of legislation but in the context of a determination to provide more support, including proper financial support—proper funding for services—and to see the whole issue in the round.

I pay tribute to every Member who is present to support the Bill, and to all the organisations that have given their support. I pay particular tribute to the Minister for Women, the hon. Member for Louth and Horncastle (Victoria Atkins), who has doggedly pressed forward with the Bill. Let me also point out, however, that we would not have a Bill to provide this focus had not the right hon. Member for Maidenhead (Mrs May) made it a priority. It is our Bill but it is also her Bill that we are discussing today.

Men used routinely to get away with murder and be charged only with manslaughter, because a man could say that, although he had killed the woman, it was not his fault but hers, as she had provoked him. That was the provocation defence, which led to a charge being reduced from murder to manslaughter. A man would say that, although he had killed the woman, it was not his fault but hers, as she had provoked him. That was the provocation defence, which led to a charge being reduced from murder to manslaughter. A man would say, "It was only because I loved her: I killed her because I loved her, and she was having an affair", or "She drove me to it, because she nagged me and wore me down, so she provoked me into killing her." I am afraid that it used to be called, at the Bar, the "nagging and shagging" defence, while in Scotland it was called the infidelity defence.

It was as recently as 2009 that the provocation defence, used in that way, was put a stop to. Now, however, another version of “She drove me to kill her—I killed her, yes, but it was her fault” has reared its ugly head. Men are now, literally, getting away with murder by using the “rough sex” defence. Although the man has to admit that he caused injuries which led to the woman’s death, he claims that it was not his fault, as it was a “sex game gone wrong”. She, of course, is not there to say otherwise. In the witness box, he gives lurid, unchallengeable accounts of her addiction to violent sex, and explains that she was so violent she would attack him, threatening him with a knife. She did not want to die; she wanted to be with him, and then he defines her. She is dead, so only he gets to tell the story. I will just say a few words about the case of the constituent of the hon. Member for Wyre Forest (Mark Garnier)—the case of the young woman Natalie Connolly. I know that the hon. Gentleman will be talking about it in due course, but the point we want to change the law to prevent men from being able to argue that “the injuries that she died by, she consented to.”

Hannah Bardell: On the subject of responsibilities, does the right hon. and learned Lady recognise that the way in which the details of such cases are reported in the media, and the way in which the narrative has grown around these issues, has a huge impact on public perception and on the behaviour of men, and violent men?

Ms Harman: Absolutely. I completely agree. Men are using the narrative of women’s sexual enjoyment of being injured to escape murder charges and face only manslaughter charges. Instead of being imprisoned for life, they are out in just a few years. The woman’s grieving family, though, are never free from their loss or the stain on her reputation. What an irony it is that the narrative of women’s sexual empowerment is being used by men who inflict fatal injuries. It is what I describe as the “Fifty Shades of Grey” defence.

The killing of Natalie Connolly is the worst case that I have come across, but it is far from the only case. In that case, not only were the relatives absolutely distraught, but the jurors were dismayed that the man had not faced a murder charge. They approached the relatives on the steps of the court and said, “What on earth happened?” They even approached me, which was unprecedented: jurors had never come to me before. We can change the law in the Bill. There is case law on this. In 1993, in R v Brown, the House of Lords, which preceded the Supreme Court, ruled that if injuries are serious a defendant cannot claim as a defence that the victim consented. We need that in statute, so that it is right there under the noses of the Crown Prosecution Service and the judges.

For years, men got away with murder, claiming, “She asked for it.” Now we have to shut down this modern version of the defence. I want to say to the relatives of Natalie Connolly that we can see that she was a wonderful young woman. We can see that she was a precious granddaughter, a devoted mother, a twin sister, a beloved daughter, a devoted mother, a twin sister, a beloved granddaughter. We recognise who she was, and that is what we want them to remember. We will get justice for her in a change in the law.

Several hon. Members rose—

Mr Speaker: I am extremely grateful to the Mother of the House. A five-minute limit now applies. I call the Chair of the Women and Equalities Committee, Maria Miller.

3.40 pm

Mrs Maria Miller (Basingstoke) (Con): It is a great pleasure to follow the right hon. and learned Lady for Camberwell and Peckham (Ms Harman). I thank her for the evidence that she gave the Joint Committee, as it helped our deliberations. I also pay tribute to the hon. Member for Canterbury (Rosie Duffield), who had enormous strength to come to the Chamber to share such a personal story. I am sure that she will take strength from the fact that those who have heard her will feel more empowered to act to put themselves into a safe position. She and I have campaigned a great deal for a number of years to get more women into the House, and I count myself lucky to have worked alongside her, given the strength and courage that she has shown today.
[Mrs Maria Miller]

I commend my right hon. Friend the Member for Maidenhead (Mrs May), because without her I am not sure that we would be here today. She had the vision to pull the Bill together and, along with Ministers on the Front Bench, to create an opportunity for a step change in the national response to this issue. I was privileged to chair the Joint Committee on the draft Bill, and I thank Members both here and in the other place who gave so much of their time, those who gave evidence and related their personal experiences and, above all, the staff of the House, who gave us the most extraordinary professional service.

This is an incredibly important Bill, but I would like to make a couple of points. First, the Government need to make clear what the Bill deals with. They have tabled some amendments and promised others, but I am not sure that the Bill is in its final format regarding what the Government want to do. The Minister might want to make sure that Members of both Houses are thoroughly briefed on the final Bill, including all amendments, before Report. This is an important Bill, but the Government introduced amendments midway through our deliberations with regard to the statutory duty on local authorities to provide refuge places. The consultation still needs to report, so perhaps the Minister will confirm that she will ensure that the House is fully briefed before Report.

Secondly, I make a plea not to Ministers but to colleagues. Members need to resist the temptation to use the Bill to remedy all the issues, concerns, and campaigns in recent years to do with domestic abuse. Some of them have been quite open about their wish to include abortion reform in the Bill, and while there is clearly a strong case for reform, with which I would agree, this is not the place to do it. I do not believe that we have the time in this Parliament to give that issue the attention that it demands. My plea is for a separate Bill, sponsored by a Back-Bench MP in the usual way, to deal with that, and to deal with it swiftly.

Hannah Bardell: I take the point that the right hon. Lady makes about time, but we should look at making the Bill as broad and detailed as possible. We should also look at the issue of data sharing. I have a constituent whose data was shared by the Department for Work and Pensions. She was being protected by the police from her violent partner. Her data was shared, and she had to be moved again. Those kinds of issues need to be addressed in the legislation.

Mrs Miller: I have a huge amount of respect for the hon. Lady, but we run the risk of derailing a Bill that is much overdue. I urge people to have some sense of restraint on what we might do to amend it.

Fiona Bruce (Con): Will my right hon. Friend give way?

Mrs Miller: I am afraid I cannot give way; I have only 20 seconds left.

The Committee was also concerned about the absence of a definition of domestic abuse victims who are children. I am reassured by some of the Government’s comments in their reply to us, but that needs further thought, as does a confirmation that the Istanbul convention will be ratified as a result of this Bill being put into force.

3.47 pm

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): I too want to begin by paying a huge tribute to my hon. Friend the Member for Canterbury (Rosie Duffield) for her bravery in speaking out, because that is a message not just to those across the country who experience coercive control or abuse but to everybody else, including those of us across the Chamber who think she is wonderful but who did not know all she was going through and who want to support her and other people who experience abuse, control or violence across the country.

It is also really important, at a time when this Parliament and the country can feel hugely divided and angry, that we have seen so many people from both sides of the House come together on an area that is so important and in which radical reforms are needed. I pay tribute to all on the Opposition side of the House, and also to the right hon. Member for Basingstoke (Mrs Miller) for the work that she and her Committee have done on this legislation. This comes at a time when the number of people dying from domestic violence is increasing, and we should not ignore the fact that in some areas the
problem is getting worse; it is not an area in which improvements are happening and we just need to go further.

I welcome the introduction of the Domestic Abuse Commissioner. I raised that issue with the right hon. Member for Maidenhead (Mrs May) in 2013, so it is good to see this happening now, but I do think that the role has to be more independent. We have seen from the experience with the anti-slavery commissioner and the immigration inspectorate that there is a need for greater independence. Many of these issues were also raised by the Home Affairs Committee in our report last October, and I welcome some of the measures for stronger powers, including prevention powers, and the inclusion of economic abuse in the statutory definition.

I want to raise four areas where I think more action is needed. First, the creation of a commissioner is not an alternative to having a proper action plan from the Home Office and the Government. The number of domestic abuse cases reported to the police has gone up by 40% in the last two years. However, over the past four years the number of cases referred to the Crown Prosecution Service has gone down by 20%. The number of prosecutions for domestic abuse has gone down by 20%. A huge systems failure is going on, and we cannot just tell ourselves it is about changing attitudes, crucial though that is. Action is needed to make the system work and to address the fact that so many cases now involve online abuse, stalking and control, making them more complex.

Our police and social services are often also badly overstretched. I have seen cases in my constituency in which obvious things were not done for victims of domestic abuse: the police were too overstretched and did not gather crucial evidence from A&E departments, for example, or individual police officers—although well intentioned—did not know about the coercive control legislation introduced in 2015. It is not enough just to change the law; we need a proper action plan to deal with the reduction in prosecutions.

Mr Tanmanjeet Singh Dhesi (Slough) (Lab): My right hon. Friend is so right about why we are here today to discuss the Bill. I, too, pay tribute to my hon. Friend the Member for Canterbury (Rosie Duffield), who spoke so eloquently and emotively. Does my right hon. Friend agree that one reason why we cannot get to grips with this issue is that the resources and support for the support network—the wonderful women’s charities and domestic abuse charities—have dwindled and been taken away? If we do not support them, they cannot support the women who need their support.

Yvette Cooper: My hon. Friend is right. Refuge, for example, has faced funding cuts of some 80% of its services over recent years—that was the evidence given to the Joint Committee. We also heard that 60% of referrals to refuges were unsuccessful because of a lack of bed spaces. I hope that in Committee we can look more closely at the recommendation from the Home Affairs Committee to have a statutory duty on local authorities to provide refuge places with sustainable funding supported by Government.

I want to raise the point about what happens to serial perpetrators, including serial stalkers. We recommended in our report that the Government should introduce a national register of serial stalkers and domestic violence perpetrators. We know from the ONS that around a third of victims of domestic abuse suffer from more than one type of abuse, with partner abuse and stalking being the most common combination. The Suzy Lamplugh Trust told us that 55% of callers to the national stalking helpline were being stalked by an ex-partner. We need more co-ordination between police and social services to address that.

In a case in my constituency, a man has just been sentenced to 11 years for violent assault. He tied a noose around his partner’s neck and lifted her off the ground. It was part of a series of sustained attacks. At the time, he was on bail for other attacks, including punching his previous partner in the face, trying to suffocate her and wrapping a phone cord around her neck. He also threatened to tie a rope round her child’s neck and drag him behind his van. Laura Richards of Paladin, the anti-stalking charity, warned that this particular man had abused at least four women before, including some years ago grabbing a 17-year-old by the hair and kneeling her in the face, and the following year grabbing another woman by the throat and headbutting her in the mouth. Yet this man was able to go on and commit the abuse for which he has now been sentenced. There are so many other cases that involve serial abuse, yet the onus is still on potential victims of domestic abuse or stalking to raise their concerns with the police, rather than agencies having a responsibility to manage the risk, identify those who are committing serial violence and make sure that action is taken before it is too late.

Let me briefly raise the other concerns we had. As well as seeing the commissioner be more independent, I hope the Government will also take further account of the gendered nature of abuse. Of course men and women can both be victims of domestic abuse, but the Minister will know that women are more likely to be the victims of abuse and of the most serious abuse. That is part of a wider context of violence against women and girls. We owe it to those who experience terrible coercive control, and to their children, who can bear the greatest scars, to ensure we use this Bill to make the maximum possible change in people’s lives.

3.55 pm

Caroline Nokes (Romsey and Southampton North) (Ind): It is always a privilege to follow the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper). She and I do not always agree on things, but I absolutely concur with her final comments to the Minister about this being a gendered crime. Of course it happens to men as well as women, but we have to look at the reality of the statistics.

I welcome the opportunity this afternoon to get this Bill out of the blocks and use this unexpected week wisely. I must also pay tribute to the hon. Member for Canterbury (Rosie Duffield) for her moving contribution. I wish, in a limited period of time, to concentrate on one element alone. Some may look at me with some surprise when I do this, and fear I find myself in the role of gamekeeper turned poacher, rather than the other way round. I am sure the Under-Secretary of State for the Home Department, my hon. Friend the Member for Louth and Horncastle (Victoria Atkins), does not need reminding of the meeting that she and I attended in May, alongside the Minister for countering extremism and my hon. Friend the Member for Charnwood (Edward...
Caroline Nokes, then an Under-Secretary at the Ministry of Justice. I was pleased to see him on the Treasury Bench for the opening of this debate. He made the point during that meeting that when considering domestic abuse it is imperative that we consider people as victims first, rather than alongside any other considerations that the Government might have. That meeting was attended by Southall Black Sisters, Imkaan and the hon. Member for Birmingham, Yardley (Jess Phillips), who has not yet spoken in this debate but who has such a wealth of experience and expertise on these issues.

I was pleased to hear my right hon. and learned Friend the Lord Chancellor talk about the need for a cross-Government approach. The meeting that I chaired and the Under-Secretary of State for the Home Department, my hon. Friend the Member for Louth and Horncastle, attended was a cross-Government one, but, as I said to those agencies represented, it was not sufficiently cross-Government. There was no representation from the Department for Work and Pensions or the Department of Health and Social Care. If we are going to address domestic abuse in all its forms, we must have all bodies around the table.

Chris Bryant: I just wonder whether we should be looking at one other Department, the Department for Digital, Culture, Media and Sport, because in my constituency and in the south Wales valleys the worst spikes, when there are so many instances of domestic violence that the police are simply not able to cope, occur when there is a big rugby or football match. I simply do not understand why all the sporting bodies cannot come together to run a major publicity campaign to try to tackle this.

Caroline Nokes: I welcome the comments that the hon. Gentleman makes and those that my right hon. Friend the Member for Staffordshire Moorlands (Karen Bradley), a former Culture Secretary, made when she said that she was trying to do what he suggests. Of course the Ministry of Housing, Communities and Local Government must also be involved. We have heard much about health, relationships and sexual education in schools, so the Department for Education also of course has a role to play.

I urge the Under-Secretary of State for the Home Department, my hon. Friend Member for Louth and Horncastle to do what she can to make sure that we are doing more for migrant women, bearing in mind that the destitute domestic violence concession is currently available only to those who come here on a family visa. We must consider those who are here as partners of refugees, those who are here on route to settlement but who have not yet got their protected status, and those who are here on tier 4 visas. We have heard much about older victims, but younger people, those who might be here as students, can also suffer from domestic abuse.

Sir John Hayes (South Holland and The Deepings) (Con): My right hon. Friend is absolutely right; we must work across Government and we must consider all vulnerabilities.

We have heard this afternoon about the varied forms that domestic abuse takes. It might be physical, financial, emotional. We have heard about coercive control. However, there is also the controlling behaviour that relates to immigration status. A victim is a victim first, and the law and agencies must recognise that.

The role of the Minister is not simply to speak—it is to listen; it is to understand. Earlier, I mentioned the cross-Government meeting held back in May. As I said, it was not cross-Government enough, but I certainly listened very carefully that afternoon to the voices of Southall Black Sisters, the End Violence Against Women coalition, and Imkaan, and their message was that we had to extend the domestic violence concession and must not allow immigration status to be weaponised— as we know that, by perpetrators, it very much is weaponised. That can be physical, in the sense of a passport being withdrawn, but it can also take the form of the simple threat that a victim is in this country only because of the status of the perpetrator, and that if they were to approach an agency they would do so at their peril, and might then be excluded from this country.

The hon. Member for Swansea East (Carolyn Harris), who is no longer in her place—I venture into this space with some trepidation—spoke of the EU settled status scheme and EU citizens. I urge hon. Members to make contact with Home Office officials and talk to them about the amazing amount of work that has gone into the resolution centre in Liverpool. When I was a Minister, I visited the centre and spoke to a wide range of brilliant caseworkers there. I hesitate to name her, but the awesome Gabi, who was passionate about helping those in the most vulnerable situations, spoke about recognising that there will be people who apply to that scheme who no longer have their passport—and who we know that, by perpetrators, it very much is weaponised. That can be physical, in the sense of a passport being withdrawn, but it can also take the form of the simple threat that a victim is in this country only because of the status of the perpetrator, and that if they were to approach an agency they would do so at their peril, and might then be excluded from this country.

I urge the Home Office and indeed all bodies around the table to address domestic abuse in all its forms, we must have all bodies around the table. We heard this afternoon about Government data sharing. Again I hesitate to go there, but there are occasions when data sharing can actually be a force for good. I would highlight the EU settled status scheme, which can combine evidence from the Department for Work and Pensions and HMRC in order to draw a picture of someone’s life in the UK that enables those who are vulnerable, who have been victims, to pull together sufficient information. There is a call centre.

Sir John Hayes: I welcome the comments that the hon. Member for Swansea East (Carolyn Harris) made earlier about EU citizens. Those who are in this country because their controlling partner has seized their passport, or who have no paperwork evidencing their stay in the United Kingdom, because their controlling partner has seized that from them and prevented them from having access to it.

We heard this afternoon about Government data sharing. Again I hesitate to go there, but there are occasions when data sharing can actually be a force for good. I would highlight the EU settled status scheme, which can combine evidence from the Department for Work and Pensions and HMRC in order to draw a picture of someone’s life in the UK that enables those who are vulnerable, who have been victims, to pull together sufficient information. There is a call centre. I sat in on some of the calls, which were handled in the most compassionate and understanding way so that victims were not put through a gruelling process but were helped to obtain their status. When I left office, there were in the region of 1,500 people working on the scheme. I hope to goodness that there remain 1,500 people working on it today, because it is absolutely imperative that we get that right for all EU citizens who are in this country.
I know that the Minister takes this matter very seriously and I am delighted that she has seized the opportunity provided by a day that we were not expecting to be in Parliament to give the Bill a Second Reading and allow us to make progress. I urge her to continue listening to the words of current and former Ministers. I know that the current Chancellor of the Exchequer was very passionate about ensuring that the review on migrant women enabled the Bill to cover more ground and enabled us to consider the domestic violence concession and do more.

I hope that the Minister heeds that, and that when the Bill moves into Committee we can all play an active part to ensure that we make it every bit as good as it can be, embracing as many individuals in this country who have been subjected to domestic abuse as possible, to give them the help that they need.

4.3 pm

Thangam Debbonaire (Bristol West) (Lab): It is a pleasure to follow the right hon. Member for Romsey and Southampton North (Caroline Nokes) and others—especially my hon. Friend. Friend the Member for Canterbury (Rosie Duffield), who is no longer in her place; I hope she is getting a nice cup of tea after making that incredibly moving and inspiring speech.

I declare my political approach: I am, as I have called myself many times, a professional feminist, and have been for 32 years; and I have been involved in domestic violence work for 32 years. That is the value that underpins my involvement, for all those decades, in anti-domestic violence work. That is not an accident; it is because the nature of domestic violence is incredibly gendered. We can acknowledge two things at once: we can acknowledge the gendered nature and at the same time acknowledge that there are male victims, and victims in same-sex relationships. I also work with the Men’s Advice Line, which supports male victims, and with Respect, the national organisation for work with perpetrators. As a perpetrator group worker at DVIP—the Domestic Violence Intervention Project—I am very proud of what I learned there and hope to bring that to my speech today.

I first got involved in this work 32 years ago, as I said, in a refuge for young Asian women in Manchester. One of the things that used to break my heart was that the young women themselves would say, “What is there to try to fix him?” When I went on to work at the Women’s Aid national office in Bristol in 1991—that is what brought me to Bristol—women used to say, “What is there that might change him?” To be fair, so did the perpetrators themselves—men who use abuse. Many of them, not all, wanted to change. Professionals I worked with—police officers, social workers and refuge workers—would say, “Why isn’t there anything that we can at least try?”

I became wary of the idea that something would always be better than nothing, and so, indeed, it proved to be, as I went on to develop the country’s first accreditation standard and a system of inspection for perpetrator programmes. The Minister is very kind, as she graced me with her first meeting as a Minister to talk about exactly this issue. She will probably recognise some of what I am going to say today. I am grateful to her for her continued interest in this matter.

We found in our work, in the late ’80s and early ’90s, that separation alone does not increase safety for survivors and, sadly, this is often the time of highest risk for homicide, serious injury, stalking, murder of children and further harassment. Women wanted the programmes because they wanted their partners to be held to account. They found that, otherwise, their partners were going to mainstream therapy, marriage guidance, drug and alcohol services, or anger management. All of those services have something to offer, but none of them has the specific focus, skills, knowledge and understanding that is necessary to do good quality work with domestic violence perpetrators, and to do it safely, because, as I have said, something can be worse than nothing—a bad programme can do more harm than good.

I declare an interest. As I have already mentioned, I helped to develop the first accreditation system, along with my colleagues Neil Blacklock and Jo Todd. I feel incredibly proud that we decided to aim high. We decided that we should aim for, not one size fits all, but a programme that, whatever its shape, conformed to a very high set of standards. We make no apology for that. As Neil reminded me on the phone only this morning, for most things which are potential causes of risk such as schools, healthcare facilities, old people’s homes, and places for vulnerable people, there are regulations and a strong system of monitoring enforcement. No system is perfect—we know that—and there are people who will not benefit from perpetrator programmes, which by definition are managers of risk and places where dangerous people are at work, and who will continue to be violent.

It is vital, therefore, that we have a good system on a statutory footing, so I urge the Minister to consider my plea that the accreditation system, which I am so proud to have helped to develop, is put on a statutory footing by some means during the passage of this Bill. I say that because colleagues in the women’s sector who work with women victims of domestic violence—I am sure that my hon. Friend the Member for Birmingham, Yardley (Jess Phillips) will confirm this—are rightly sceptical. They challenge us to do the best that we possibly can. Being held to account by the women’s sector is, in my view, essential for any decent perpetrator programme.

I knew that, when I turned up to co-facilitate a group of violent men, I could not do that without a proper linked safety service for women and ex-partners, as well as partners, and without there being proper evaluation and monitoring. While I was at Respect, I helped to commission research that evaluated the effectiveness of good programmes. I am pleased to say that, contrary to what some people say, there is good evidence on good programmes doing good and effective work. There is also evidence that bad programmes do bad work. I urge all hon. and right hon. Members, and particularly the Minister, to grasp this opportunity in both hands and to develop a really good, sound, meaningful strategy for perpetrator programmes so that we do not have the gaps that currently exist, and to ensure that the domestic abuse protection notices can have the meaning and purpose that I and—I am sure—the Minister want them to have. I thank all hon. Members for their attention and hope that, if they want to know more, they will join the all-party group on perpetrators of domestic abuse.

4.8 pm

Mark Garnier (Wyre Forest) (Con): It is a great pleasure to follow the hon. Member for Bristol West (Thangam Debbonaire), chair of the all-party group on perpetrators of domestic abuse. I am sure that her work is extraordinary and really important.
I also follow the speech a little earlier of the Mother of the House, the right hon. and learned Member for Camberwell and Peckham (Ms Harman), who talked about my constituent Natalie Connolly. Natalie Connolly, as she so rightly said, would be 28 years old now. She has a young daughter and she comes from a family of loving parents, loving grandparents, a loving sister and, of course, a loving daughter.

Natalie Connolly fell into a relationship with John Broadhurst in 2016. She was, I guess, impressed with him. He was a millionaire and she came from a relatively normal background. One Saturday afternoon, they went off to a rather extensive party. That evening, they were driven home by his driver. They went back to their house, which they were renting while their main one was being renovated, and indulged in intimate activities of an aggressive nature, which were allegedly consensual—I believe were consensual.

When John Broadhurst went to bed that night, he stepped over the bleeding, unconscious body of Natalie Connolly on the steps of their house and went upstairs, leaving her there. He came down the next morning, stepped across her now lifeless body, went and had breakfast, washed the car and called the emergency services, telling the police and paramedics that she was "dead as a doughnut"—which seems extraordinary.

Broadhurst was obviously charged with murder—the Crown Prosecution Service was going to maintain a murder case. The trial happened at the end of last year and the normal background. One Saturday afternoon, they went off to a rather extensive party. That evening, they were driven home by his driver. They went back to their house, which they were renting while their main one was being renovated, and indulged in intimate activities of an aggressive nature, which were allegedly consensual—I believe were consensual.

The charges were therefore dropped from murder to manslaughter by neglect, owing to the fact that Broadhurst had left her behind to bleed to death overnight. The problem was that to get this change of charge, the prosecution. The problem was that to get this change of charge, the process, so that the Director of Public Prosecutions can be as a House. We visited the Attorney General to see whether there could be a retrial, but he said, "Actually, no. In this particular case, the sentence was right because of the reduction of the charge." So together—actually, me being led by her and learning from her—we want to table a couple of amendments. Caroline Nokes: My hon. Friend is making an incredibly important point, and I think it is imperative that he is allowed the time in which to achieve that.

Mark Garnier: I am very grateful to my right hon. Friend.

There are two points. The first is that "she was asking for it" cannot possibly be a defence when somebody dies. Apart from anything else, the individual does not have the ability to defend themselves, and their reputation is being destroyed in front of the people they loved, the people who care for them and their friends. That is absolutely wrong. The "Fifty Shades of Grey" defence cannot be allowed.

The second point is that victims' families are not qualified to make the decision about changing the charge so that there can be a better chance of a conviction. We need people who are brilliantly clever at this—brilliant barristers who are brave enough to fight these cases on behalf of the victims. But what we can do is ensure that the decision is made by somebody who really understands the process, so that the Director of Public Prosecutions is the one who is consulted if a change is going to be made in a case pertaining to this type of injury and homicide in a domestic abuse setting. In that way, these families will get the support they need.

Natalie Connolly would have been 28 now, with a young daughter growing up in a warm family, but she is no longer with us. If there is any way in which we can remember her, we have to do something to make sure that this can never happen to anybody ever again.

4.14 pm

Jenny Chapman (Darlington) (Lab): There have been many days recently when I have not been particularly proud to be a Member of this House, but today I am intensely proud, particularly following that wonderful speech, which I will find it difficult to follow, and the contributions from my hon. Friend. The Members for Canterbury (Rosie Duffield) and for Walthamstow (Stella Creasy) and from the Mother of the House and the Chair of the Home Affairs Committee. Each and every one of them has made us feel something.

There have been too many times in this place when we have had to be hardened and stoical or put on a brave face. Today I am not going to put on a brave face. Today we have a huge opportunity to make a difference for victims of domestic abuse in our constituencies. We all know them and care for them, and I do not think there is a woman alive in this country who has not experienced some of that behaviour or who knows somebody well who has. Now we have a chance to do something about it. This is a good day.

I will be resisting, though, those who say that we should show some restraint and not try to widen the Bill. This could be a rare opportunity. We might not get another such Bill for some time. We need to look to Departments other than the Ministry of Justice and the
The fact is that we are not adequately supporting young people and intervening. Given my background, I understand very well about not wanting to criminalise young people—I completely get that—but I am not seeing a framework, criminal or otherwise, for intervening and adequately tackling these kinds of problematic behaviours. This must not be dismissed as somehow less important because it is about two people who are under the age of 16; in fact, it is more important. There is an opportunity to intervene that we are missing repeatedly.

The problem with this Bill is that we are focusing on how the system should work. In the Bill Committee, we will receive assurance after assurance from Ministers saying, “Your worry will be taken care of because of this or that measure.” I have been through this far too many times to take those kinds of assurances at face value. We must be forensic and persistent, and we must continue to debate this in the way we have this afternoon.

I have high hopes for this Bill—I really do. I think it could be Parliament at its very, very best. But we must be persistent, we must be clear about what we want, and we need to work with those heroes outside this place who really do know what they are talking about, and who we will have to go back to when we have completed this process and say, “We’ve done our best by you.”

4.21 pm

Philip Davies (Shipley) (Con): It is a pleasure to speak in this debate. We have heard two of the most powerful speeches I have heard in my time in Parliament. First and foremost by a country mile was that by the hon. Member for Canterbury (Rosie Duffield). It was one of the bravest and most powerful speeches I have ever heard not just in this place but anywhere. Her contribution to this debate will be remembered for an awfully long time, and this debate will be remembered for her contribution to it. Following hot on her heels was my hon. Friend the Member for Wyre Forest (Mark Garnier), who also made an incredibly powerful speech regarding his late constituent. If those examples do not force us into some kind of action, nothing will. It is a pleasure to follow their speeches.

I want to make points that I do not think anyone else will make, which is often my role in these debates. In all this consensus I want to try to stop the idea that we have had throughout this debate that domestic violence is a gender-based crime. It is not, and we would be doing a huge disservice if we were to run away with that idea and make this legislation work only on that basis. Men are perpetrators of domestic violence; men are victims of domestic violence. Women are perpetrators of domestic violence; women are victims of domestic violence. I will go through the figures in a second to show why it is not gender-based. We in this House have a duty to treat everybody equally before the law. I hope that it does not matter whether the perpetrator is a man or a woman—they should face the full rigour of the law regardless—and whether the victim is a man or a woman, they should have exactly the same safeguards from this House. I hope that that is what this legislation will do and I do not want to hear any ideas that it should not be like that.

For the record, the latest official figures that are available show that someone is one and a half times more likely to be a female victim of domestic violence in a lesbian relationship than in a heterosexual relationship. We should not be leaving behind those victims of domestic violence who we will have to go back to when we have completed this Bill.
violence by running away with the idea that it is gender-based. In fact, 5.1% of men reported being victims of non-sexual partner abuse with a male partner, which is exactly the same level as women have with a male partner. Men are just as likely to abuse a male partner as they are a female partner. So this is not gender-based violence—it is unacceptable violence by all sorts of people and we should treat them all equally before the law.

Mrs Miller: My hon. Friend needs to accept the fact that women are more affected by domestic violence than any other group. Does he not agree with the Joint Committee recommendation that, rather than putting it on the face of the Bill—perhaps for some of the reasons he is talking about—we should take the approach that the Government have accepted and have statutory guidance to ensure that those who commission services are clear about the need to reflect the needs of women in the services that they provide?

Philip Davies: I want all victims to get the services that they need, but we have just been hearing on our Women and Equalities Committee about instances of male victims of domestic violence. We heard very moving accounts of that recently. We all want to ensure that they get the services that they require too. This is not about either/or. I want to see everyone who is a victim of domestic violence get the treatment and support that they need. I do not care whether that is a man or a woman, and nor should anyone in this House. We should want to provide those facilities and services for everyone—whether someone is in a majority or a minority category is irrelevant.

Having got that on the record, there is much in the Bill that I support and some things that I would like to be added to it. In the time available, I want to mention the things that I would like to see added. In recent years, one of the things that I have been increasingly troubled by is the level of parental alienation, where one parent tries to turn the children against the other parent, using the child as a weapon in their dispute. That is a growing phenomenon, which I see in my surgeries and is well documented.

Clearly, in some cases, in particular when domestic violence is taking place, it is right for the parent to be removed from the whole family. I am a hard-liner on crime, as most people know, and I would have the courts treat perpetrators of domestic violence much more severely than they are at the moment. However, where there is no good reason for a parent to remove the other parent’s contact with the child, that parental alienation should in itself be seen as a form of domestic abuse. One thing that has come out in this debate, rightly, is that often the people who are the biggest victims of domestic abuse are the children. When a child is deliberately turned against the other parent for no good reason, that should be included in the definition of domestic abuse—[Interruption.] I am surprised that the SNP think that is a particular problem, but that is a matter for them to explain. They ought to meet some parents who suffer from parental alienation and then they might realise what a massive issue it is for them; often it leads to suicide. The SNP ought to think about those people.

When people make a false allegation of domestic abuse—which is also a very serious thing—the Government should consider that to be a form of domestic abuse as well in this legislation. That is one of the most terrible things that someone can be wrongly accused of.

4.28 pm

Vera Hobhouse (Bath) (LD): After the terrible scenes in the House last week, it is reassuring that this House can also be a force for good. However, there remain things on which we passionately disagree, and I refer to what the hon. Member for Shipley (Philip Davies) has just said. But I have a limited amount of time, so I will concentrate on what I want to say about the Bill.

I can testify personally to the importance that the Bill holds for survivors of domestic abuse, both in my constituency and further afield. It is a progressive reform that should be celebrated, but the Bill could go even further to protect survivors, and I am disappointed—I have mentioned this before—that children who have witnessed abuse have not been included in the statutory definition of domestic abuse victims.

People know that I am passionate about the issue of adverse childhood experiences and preventing them. Witnessing domestic abuse in childhood is a traumatic experience and we must recognise that. Adverse childhood experiences greatly increase a child’s likelihood of ending up in the criminal justice system, or of being part of an abusive relationship themselves. This is not about when they are directly abused, but about when they are witnesses. That in itself is such a traumatic event. For that reason alone we must make sure that children are included in the statutory definition. I urge the Minister to look at that again.

The Bill fails to safeguard survivors against homelessness. Under the current system, survivors of domestic abuse are not automatically placed on priority needs lists for social housing. Instead, they are required to undergo a vulnerability test—they have to go through traumatic evidence of their abuse to prove that they are vulnerable. We have already heard testimony about how retraumatising certain things are when people have to relive their experiences. We must not retraumatisate survivors. This approach means that all too often survivors end up homeless because they do not want to go through the retraumatising event. Recent studies suggest that 12% of homeless families cite domestic abuse as the reason for their homelessness, while only 2% of priority housing lists are made up of domestic abuse survivors, so we can do better: we can have a system that assumes that survivors of domestic abuse are all vulnerable, and I am disappointed—I have mentioned this before—that children who have witnessed abuse have not been included in the statutory definition of domestic abuse victims.

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in the position of having to use resources that simply are not there, or convincing a victim to go to the courts on their own because they do not have to pay. We can do better. We can use proven methods to determine if rehabilitation has worked and we can create funding methods that do not place burdens directly on to local police.

Finally—I have already said this today—I must mention the Istanbul convention, which is still unratified by this Government. Ratifying the Istanbul convention would go a long way towards addressing the concerns about the Bill. It would also prove that this Government are not afraid to match global standards on care for survivors. Ratification would mean that support systems were not just promised but guaranteed for survivors. It is time that this Government step up not only with warm words, but with meaningful actions.

The Bill will allow many more survivors to seek justice, but alone it is not enough. We must try to support survivors beyond the courts to rebuild their lives.

4.32 pm

Paul Scully (Sutton and Cheam) (Con): It is a pleasure to follow the many fantastic and powerful speeches that we have heard today. When I have spoken before in this place about domestic abuse, I have talked about the fact that it can happen to anybody. Over the last year, a number of people have come forward with very similar stories, including that they have subsequently found out that the person involved was a repeat offender, and they were perhaps the second, third, fourth or fifth individual that that person had got to, abused and then discarded.

There are some really important measures in the Bill; I will not go through them all for reasons of time. We have been working for a long time with organisations such as Women’s Aid on cross-examination in the family courts. Although this does not particularly need legislation, I would also like more awareness in the family courts of cluster B personality disorders, such as narcissistic personality disorder, so that people hearing the evidence are not taken in by a perpetrator’s superficial charm.

We have talked about economic abuse. I commend the work of organisations such as Lloyds bank, which is offering extra support to people it discovers are experiencing financial, economic and domestic abuse. It is so important that we educate others, including GPs. We heard from the former Secretary of State for International Trade, my right hon. Friend for—

The Parliamentary Under-Secretary of State for Justice (Wendy Morton): North Somerset.

Paul Scully: My hon. Friend could have intervened and given me an extra minute, by the way.

My right hon. Friend the Member for North Somerset (Dr Fox) talked about the advice GPs have given about perpetrators. In the case of Luke and Ryan Hart, the GP explained that he thought their father, who went on to shoot their mother and sister in broad daylight, was a fine, upstanding member of society. Clearly, he was totally taken in by that gentleman’s narcissistic personality disorder.

The Bill’s measures on secure tenancies raise a few more questions. Crisis raised with me and other Members the fact that people who flee abusive relationships and request emergency housing have to keep telling their story at every level. It would be fantastic to have a single advocate with whom those people could go through that process, easing the burden on them. There is nothing worse for people than having to rehash their story time and again. Not everybody is as bold and brave as the hon. Member for Canterbury (Rosie Duffield) and can use their story for such powerful advocacy. Extraordinarily, the perpetrator often stays in the property; the person fleeing has to give up everything rather than being supported to stay in their house.

I welcome the introduction of the Domestic Abuse Commissioner, which means we can start to talk about awareness. We are working on an awareness campaign that talks about entry-level red flags to stop people getting into abusive relationships in the first place. That is being led by the Daily Express, along with my former staff member, Robyn Thackara, who has become a formidable campaigner on emotional abuse issues and in particular highlights narcissistic personality disorder. They are doing a wonderful job to explain those basic things to stop people getting involved.

There is no domestic violence without emotional abuse in the first place, whether that is gaslighting or projection. Often, women—although, as we have discussed, this is not necessarily solely about women—are less like a frog in boiling water, which will leap out when it first senses danger and pain, than a frog in cold water that is heated up slowly. Women are often drawn into an abusive relationship over a period of time, until it is too late—until they have been brainwashed and, in effect, kidnapped in plain sight.

It is important to understand that, when we highlight narcissistic personality disorders and cluster B disorders, we are talking about people who cannot easily change. We therefore need to put the emphasis back on ensuring that people do not get involved in the first place and that all the organisations around them, and all of us, are aware. We need to talk about these things in the same way we talk about things such as “stranger danger” so we can look out for each other and people do not get in this position in the first place.

4.37 pm

Peter Kyle (Hove) (Lab): May I start by saying how much I and many others present appreciate the consensual nature of the debate? As well as praising the leadership of my own party’s Front Benchers, who have been fantastic on this issue, I thank the Government Front Benchers for the remarkable leadership they have shown. In particular, I thank the Under-Secretary of State for the Home Department, the hon. Member for Louth and Horncastle (Victoria Atkins), who has met me many times to discuss this and other issues. She was the first Member from the 2015 intake to go into government, so I see her as an ambassador for all of us in that intake, and she has done very well. The Minister for Health, the hon. Member for Charnwood (Edward Argar), was previously in the Ministry of Justice. Although he has now been moved to another Department, he is back here supporting the Bill. Those things do not get noticed by people observing us from outside, but they really matter to those of us who are here.

I was made very aware of the problem of cross-examination by perpetrators of domestic violence when a woman came to see me at a surgery soon after I
became a Member of Parliament. She had suffered so much abuse—she had been raped multiple times, she had been knocked unconscious and she had been hospitalised more than a dozen times—but the perpetrator of those crimes, from prison, summoned her to family court on three separate occasions. She told me that on the third occasion she had to ask the taxi driver to stop on the way home so she could vomit in the gutter because of the experience of being cross-examined by the perpetrator of the crimes against her. She told me that if she was summoned a fourth time, she would capitulate and give him whatever he wanted. She was broken, not just by the criminal who raped and abused her, but by the system that allowed her to be cross-examined by him, and that allowed the abuse to continue under the nose of judges, and in front of police—the very people the state appoints to support and protect women like her.

After a huge campaign, both from Members from across the House and in the media, the Government finally gave way and agreed to make a change. I credit Mr Speaker with granting me an urgent question on the subject in January 2017, almost three years ago, at which the Government relented for the first time and promised to change the law. The right hon. and learned Member for North East Hertfordshire (Sir Oliver Heald), then Minister for Courts and Justice, said in response to the urgent question:

“This sort of cross-examination is illegal in the criminal courts, and I am determined to see it banned in family courts, too.”

He reiterated the urgency thus:

“work is being done at a great pace...the urgency is there.”—[Official Report, 9 January 2017; Vol. 619, c. 25-27.]

That is important. The woman I mentioned cried with joy at the news that there would be a change. In her words, she felt liberated; a weight had been lifted from her shoulders.

However, we must recognise the scale of the suffering that has been since the Government gave that commitment almost three years ago. While we celebrate the Bill finally bring brought in, there has been much suffering as a result of the delays. As Lord Justice Munby said on Radio 4 recently:

“Every day that passes exposes more victims to what is intolerable. Today, in court somewhere in this country, there will be someone—a frightened victim—being let down by the system. It must stop”.

I pay tribute to Lord Justice Munby for the support that he has shown for the changes.

In the time left to me, I want to mention quickly the role of Domestic Abuse Commissioner. It is essential that we get that role right. We have seen how Brexit eclipses everything in this Chamber; we urgently need an independent, strong voice for victims of domestic violence that can rise above that.

Jess Phillips (Birmingham, Yardley) (Lab): Does my hon. Friend share my concerns about how this place can scrutinise the new commissioner? I have absolutely no doubt that they will work in the best interests of all our constituents, but perhaps we are not yet sure how we will find that out.

Peter Kyle: My hon. Friend raises an incredibly important point. The Home Affairs Committee, after much deliberation, wanted the commissioner to be independent of Government and to report directly to Parliament, and I agree. The Joint Committee on the draft Bill suggested that there be Cabinet Office involvement to avoid conflicts of interest in the Home Office reporting line. It is important to stress that the Children’s Commissioner is independent of Government and Parliament. The Information Commissioner’s Office is independent, even though it is supported and sponsored by the Department for Digital, Culture, Media and Sport. The independence of those organisations, even though they report every year to Parliament, is absolutely essential. That kind of independence would give a credible, powerful, unignorable voice to victims of domestic violence.

We hope that Brexit is in its endgame, but even if Parliament passes a deal, we will then enter years of negotiation and turmoil in this House. We need to make sure that we never lose our voice on domestic issues such as this, and particularly on support for victims of violent crime such as domestic violence. As the Bill moves into Committee, I urge a detailed re-examination of the reporting line to the commissioner, to ensure maximum independence for them, the greatest voice for abuse survivors, and maximum benefit to our body politic from the commissioner’s role. The commissioner-elect is here; I say to her and others observing the debate that I am not criticising her role but making sure that she has all the powers she needs. If she uncovers something that needs to be voiced and that needs to change, and we are too busy, or the media are too occupied, to listen to her voice, and if that is buried in the normal Home Office reporting line, that will be to her detriment.

4.45 pm

Tim Loughton (East Worthing and Shoreham) (Con): I am delighted to follow my constituency neighbour, the hon. Member for Hove (Peter Kyle), but I am also rather daunted—daunted because I am not a woman, because I am not Welsh and because whatever I say I am fated, along with everybody else, to be in the shadow of the outstanding contribution from the hon. Member for Canterbury (Rosie Duffield). If ever anyone needed evidence that domestic abuse takes on many guises, puts on many faces and can insidiously target anyone in any place, it was her emotional, harrowing and brave contribution.

I agree with everything that has been said, and I very much welcome the Bill. I want to comment on a few things that are not in it, however, rather than on what is. As we have heard, this is not just about changing legislation; it is about changing culture and the way we look at domestic abuse. We must demonise it wherever it rears its ugly head.

I want to concentrate on the impact on children. As we heard from the former Prime Minister, that is often overlooked. When I was Children’s Minister, I was shocked to find that three quarters of safeguarding cases had domestic violence at their heart. Incredibly, one third of domestic violence cases start during the pregnancy of the woman victim. When women are abused in the home, the impact can traumatisé the children. When they are forced to flee, the disruption to the lives of those children, particularly if they are of school age, is immense. Refugees tell us that around half of their residents are children, while 770,000 children...
live with an adult who has experienced domestic abuse in the previous year, according to the Children’s Commissioner. It is the most prevalent risk affecting children in need.

I was very proud, along with the hon. Member for Swindon East (Carolyn Harris), to be part of the “On the Sidelines” report by the London domestic abuse charity Hestia, in collaboration with Pro Bono Economics and the “UK Says No More” campaign. It highlighted that one in four women and one in six men experience domestic abuse in their lifetime, but that the millions of children exposed to it in their homes are too often considered merely witnesses to the abuse, rather than victims themselves. When children are exposed, they can suffer in the short, medium and longer term, and it is also intergenerational, as we have heard in so many cases. Over half of people suffering domestic abuse as an adult experienced it as a child: “Well, it happened to my mum when I was growing up, so inevitably it’s going to happen to me, isn’t it?” That is an extraordinary culture that we absolutely must dispel.

Children need to feature more prominently in the Bill. Domestic abuse is the single most common factor that leads to children requiring support from local authority children’s services—and we know the pressure they are under. I have spent a lot of time on the doorstep with social workers. I spent a week being a social worker in Stockport. I met a fantastic and very experienced domestic violence specialist social worker who was the linchpin of that safeguarding team, a great authority who joined together various agencies. It is, however, a postcode lottery whether that experience is available in local authorities.

We need to embed in local authority delivery domestic abuse specialists able to draw together all the agencies involved to ensure an effective and comprehensive local offer. I welcome the national Domestic Abuse Commissioner, who started two weeks ago, but there is also a case for local domestic abuse commissioners—high-profile figures who can ensure that local authorities are living up to their duties to provide a local service. I believe that can be done only by including in the Bill a statutory duty on funding. By working with this cohort of expert frontline providers, the Domestic Abuse Commissioner could have a stronger role in strengthening planning at local and national levels to ensure that all are protected from abuse. That would help to embed the impact of domestic abuse on children in local safeguarding teams as well.

As an aside, I believe that health visitors have an important role to play, too, as an early warning system. Over the previous year, according to the Children’s Commissioner, children’s services have seen an increase of over 1,000 cases. That demonstrates the importance of children’s services in the local safeguarding landscape. As he says, it is a false economy to stint on this.

Karen Bradley: I pay tribute to my hon. Friend. He was an excellent Children’s Minister and speaks with great authority on these matters. I was struck in the briefing document by the cost of domestic abuse and the fact that just a 0.1% decrease in the prevalence of domestic abuse would pay for the measures in the Bill. As he says, it is a false economy to stint on this.

Tim Loughton: As with so much to do with child safeguarding, getting it wrong is the most expensive thing.

We need to do much more work on prevention. We should task the Domestic Abuse Commissioner with looking at not just how we respond and making sure that perpetrators are locked up, but how we can prevent it in the first place, and better education in schools about what constitutes an appropriate relationship is an important part of that.

I want to make a few other quick points. Proper funding of refuge places, which has been promised by the Government, is essential. There was still a shortage of refuge places last year. It is not just a question of money, though; technical factors are also impeding the availability of urgently required beds. Women without children who are fleeing violence and who seek safety in refuges are not automatically considered to be in priority need of housing. I have been told by refuges that in some cases women are staying in hostels for several years, which is again a false economy, when they could be in independent housing, living safely with their children. We also need to give children who are living in refuges priority access to schools, as we have done for children in care and adopted children.

We have to look holistically at the issue. It is not just about better funding for refuges; it is also about making sure that we have better services across the board, including specialist domestic abuse service providers, child support workers, outreach workers and especially better jointed-up working for women fleeing local authority areas when they have to go to a refuge. We need a network of refuges across the country.

This is a fantastic Bill. It can be improved. It is long overdue. Let us not ruin it by making it too complicated.

Angela Smith (Penistone and Stocksbridge) (LD): I am pleased to follow the hon. Member for East Worthing and Shoreham (Tim Loughton), who concentrated on and spoke eloquently about the impact of domestic abuse on children. I, too, want to concentrate on putting children first and will focus my remarks on how domestic abuse is considered in the family courts.

Members will recall the debate I secured on this issue in September 2016. In my speech I referred specifically to a tragedy suffered by my constituent Claire Throssell as a way of illustrating as powerfully as I could the need for reform. Claire is with us today, sitting in the Under-Gallery, and I welcome her to the debate. I make no apology for recounting again in this Chamber her account of what happened on that dreadful day when her boys were murdered at the hands of their own father. I only wish the hon. Member for Shipley (Philip Davies) was in his place to listen.

“It took just 15 minutes on the 22nd October, 2014, for my life and heart to be broken completely beyond repair. I had warned those involved with my case that my happy, funny boys would be killed by their own father; I was right.

My boys were both with their father on that October day, and at around 6.30 pm he enticed Paul, nine, and Jack, 12, up to the attic, with the promise of trains and track to build a model railway. When the boys were in the attic, he lit 16 separate fires around the house, which he had barricaded, so my sons could not get out and the firemen could not get in.

Only 15 minutes later… the doorbell rang at my mum’s. (We were staying there temporarily after the separation.)

‘It’s the boys, they must be early,’ my mum said—but I knew that wasn’t right. The boys would have run into the house and
straight into my arms; they always did after a visit to their dad. They were frightened of him—he was a perpetrator of domestic abuse. The statutory agencies involved in our case knew this.

I opened the door. Blue lights were flashing.

‘There’s been an incident at your former home; the boys have been involved in a fire...’

Running into the hospital, the first thing I saw was Paul receiving CPR. A doctor, drenched in sweat and exhausted, told me they were withdrawing treatment.

I held Paul in my arms. I begged him to try, to stay, to not leave me.

He looked at me, smiled, and the life left his beautiful blue eyes. His hair was wet with my tears as I kissed his nose. Then Paul, my boy, was taken out of my arms and into another room. There was no further chance of touching him; his little body was now part of a serious crime enquiry.

I can never read those words or hear them—and I know the Minister feels the same, because she has sat with me and listened to Claire—without feeling the enormous loss Claire has suffered. But Claire is brave. She has chosen not to turn in on herself but rather to embrace love as a means of dealing with her tragedy. She has chosen to protect all children, if she possibly can, by making sure that the law is changed.

By that I mean reform of the family courts. We need access to special measures in those courts to separate survivors from the perpetrators, as well as special protection rooms, entrances and exits, and screens and video links. Clause 53, in part 1, provides for that to apply in the criminal courts, but we need to amend the Bill to ensure that it is extended to the civil and family courts.

Jess Phillips: Does the hon. Lady agree—and Claire’s case speaks to this more loudly than almost any that I have ever heard—that the presumption of access by an abusive parent has to end?

Angela Smith: I completely agree. Indeed, I was about to say exactly that.

We need to extend the ban on cross-examination by perpetrators to the family courts, because the Bill does not do that at present, and, more than anything else, we need to change the culture of the family courts. Claire’s children died after their father won the right to unsupervised contact. The domestic abuse that she had suffered from Darren Sykes was not taken seriously by any agency, or by the courts themselves. It was assumed that his children would be safe in his care. The judge who made that judgment is still practising in the family courts in Barnsley.

The research on this indicates clearly that a man who abuses his wife or his partner is more likely to abuse his children. We therefore need to end the assumption of contact when there is a risk to a child from domestic abuse, as called for by Claire and by Women’s Aid, and we need a ban on unsupervised contact when a father is awaiting trial, or is on bail, for domestic abuse offences. The Bill, as it stands, does not deliver such a provision. We also need to ensure that the definition of domestic abuse in the Bill includes coercive control as a source of harm to children. That point has been made by many other Members today.

The Bill needs to be amended along those lines if it is to be fit for purpose. That is the legacy that Claire has campaigned for—a positive legacy that would stand as a tribute to her children—and, in the name of Jack and Paul, we have a moral responsibility to secure these protections for all our children. Let us not miss this golden opportunity to secure the change that we need.

I support the Bill, but it can be better, and I hope that the Minister will agree when she sums up the debate.

4.56 pm

Trudy Harrison (Copeland) (Con): It is very difficult to follow the speech of the hon. Member for Penistone and Stocksbridge (Angela Smith), who talked of the terrible tragedy that happened to Paul and Jack, and to Claire Throssell, who is here in the Chamber today. I commend her bravery and courage in coming forward, and that is actually quite relevant to what I am going to speak about.

I am particularly pleased to speak in such a collaborative debate about such an important subject, and I commend the Government for introducing this landmark Bill. We have heard about harrowing cases today, and all of us will be supporting survivors of domestic abuse in all its forms in our communities. I welcome the focus on supporting survivors, because I have seen in my own constituency the enormous, positive difference that effective support can make.

The Ministry of Justice recently funded the brilliant Women Out West centre in Whitehaven, which was founded by the equally brilliant Rachel Holliday, and it is in that centre that I have met domestic abuse survivors. The recurring theme that I find so awful is the family courts system, and, specifically, the most dreadful cases in which mothers have been victims and, as survivors, have bravely and courageously sought help, only for a secretive family court to decide on the cruelest act, which is to remove their children. There can be no stronger bond than the bond between mother and child, and to have that bond torn apart is unthinkable, but it is far too often the outcome for mothers who seek help, or flee an abusive home and an abusive relationship. In some cases, the children are placed—by the state, by the family courts—directly in the hands of the perpetrator, with devastating consequences, as we have just heard.

I have been working with Safelives. I support its calls for cultural change in children’s social care, the Children and Family Court Advisory and Support Service and the judiciary, and for the prohibition of unsupervised contact for any parent who is on bail for domestic abuse-related offences or undergoing the hearing process. The fear of social services is too often cited as the single main source of stress, and the cases of perpetrators of domestic abuse going on to abuse and even murder the children we are supposed to protect are a tragedy of our times.

At my local women’s centre, I learned of a survivor of domestic abuse. She is a qualified nanny who can continue to look after other people’s children, but her own children were taken away from her by the family courts and placed in the care of the perpetrator, who has no biological connection with them. I commend the work of everyone who is campaigning to #getmhome. In support of the Bill, I commend all those—the organisations, the survivors and everyone else—who have worked hard to shape it and steer it to be as effective as possible. I reiterate the requirement for specialist domestic abuse training before cases reach the family courts which, I add, need to be looked at seriously.
5.1 pm

Ruth Jones (Newport West) (Lab): I am pleased to be able to speak in this important debate. It is really pleasing that the atmosphere is one of unity, dignity and calm, as we all work together to get this Bill through and improve it.

I pay tribute to many hon. Members in the House who are strong champions of fairness and equality, who refuse to allow the Bill to die. Many of them have been in the House a lot longer than me, and should be proud of their record. I specifically want to mention my hon. Friends the Members for Swansea East (Carolyn Harris) and for Birmingham, Yardley (Jess Phillips), my right hon. Friend the Member for Hackney North and Stoke Newington (Ms Abbott) and, of course, my hon. Friend the Member for Canterbury (Rosie Duffield), who is no longer in her place. Her contribution this afternoon was amazing, and many people outside the House will take heart from it.

The Bill has the potential to transform our response and reaction to domestic abuse. We have an opportunity to make history and genuinely protect those who need our solidarity, and to raise up those who have been ignored for too long. However, the Bill as it stands falls far short of meeting and achieving its full potential. One in four women experience domestic abuse in their lifetime; two women a week are killed at the hands of their partner or ex-partner; three women a week die by suicide as a result of the abuse they have experienced; and 2 million people experience domestic abuse in England and Wales every year. I make no apology for restating those shocking statistics. They are why it is essential that this incredibly widespread, devastating form of abuse is given the attention that it deserves, and that we use the Bill to deliver the reform that we all know is well overdue.

To deliver those reforms we need to improve the Bill, which must be amended to include reforms to universal credit and to housing and immigration law. Most importantly, the statutory definition of domestic abuse must be amended to reflect the reality of this crime—namely that women make up the overwhelming majority of victims and survivors, and more than 25% of victims are over 60. The Bill must be amended so that all survivors are protected from the traumatising practice of being cross-examined directly by the perpetrator. Can we imagine how horrific and intimidating it must be to have broken free of an abuser and come face to face with them once again in the courtroom?

I hope that the Government will advance the Bill through the House and the other place as swiftly as possible. The Minister must guarantee that it receives the attention and support that it deserves. Opposition Members and, I suspect, many Government Members will hold the Government accountable until the Bill receives Royal Assent and the funding from the Treasury that it needs and deserves.

Lastly, I would like to say a word about strong women: the strong women on the Opposition Benches to whom I pay tribute for their activism, campaigning and championing of this issue; and the victims of domestic abuse, to whom I say, “Stay strong, ask for help, and Members of the House are with you.” With a strong Domestic Abuse Bill, strengthened in Committee, we will be able to prove that inaction, apathy and ignorance will come to an end once and for all.

5.4 pm

Ben Bradley (Mansfield) (Con): I have sat here listening to this debate and been taken to thoughts and memories of my own, which has led me to cross out almost the entirety of my speech, to the great frustration of my staff. I have probably wasted a lot of their afternoon. I often find in this place, particularly when I end up with a very short time to speak, that I need to skip things that would duplicate what others have said. Perhaps I will stick to talking about personal experiences.

I want to pay tribute, as many others have done, to my right hon. Friend the Member for Maidenhead (Mrs May) for her incredibly considered, experienced and passionate speech. Although many people have worked on this issue, the Bill should be considered a flagship and a real bastion of her time in No. 10. It is a hugely important legacy for her as an individual, as well as for the House. I also want to pay tribute to the hon. Member for Canterbury (Rosie Duffield) for her incredibly passionate and moving speech, which took me back to an experience that I will mention shortly. Her speech has every right and reason to lead the news later, but it will not do so because Brexit will once again kick other news off the agenda. Her speech was incredibly important in its own right and it will help people, even aside from this legislation.

I said that the hon. Lady’s speech reminded me of something. I recently ran the Mansfield 10K, which also made me cry, albeit in a slightly different way. That was a painful cry, but I survived it none the less. I ran the 10K to raise money for the charity Nottinghamshire Independent Domestic Abuse Services—NIDAS. I have been working with it for two years, since I was elected. Like so many charities around the UK, it helps people in their time of need, and it has helped more than 5,000 people in Mansfield and Ashfield over the past five years. That is an area of roughly 180,000 people, and the fact that it has supported 5,000 people in five years just goes to show the extent of this issue in my part of the world. We have some of the worst figures for domestic abuse anywhere in the country.

The Under-Secretary of State for the Home Department, my hon. Friend the Member for Louth and Horncastle (Victoria Atkins), came to visit NIDAS, and we both had a really interesting time hearing about the services it provides. It was also a very emotional visit. I find myself feeling increasingly emotional since I had children—I do not like to admit how much that is the case—and I sat in that room crying as I listened to the accounts of some of the women who had been supported by the charity. In particular, a piece of creative writing that one of the women had done through her therapy, supported by the charity, was really moving. The contribution from the hon. Member for Canterbury brought that back to me, so I thought I would recount that experience.

Many of the Bill’s obvious benefits have been discussed in this debate, including preventing victims of domestic abuse from being cross-examined by their perpetrators, and the creation of the new Domestic Abuse Commissioner role, which I hope will ensure that the focus of scrutiny continues long after we stop talking about the Bill in this place. Another example that brought me back to a personal experience was the idea of broadening the domestic abuse definition in law.
The hon. Member for Swansea East (Carolyn Harris) on the Opposition Front Bench mentioned older people and talked about how the over-75s do not necessarily get the same support. I can give the House an example from a working-class community that I represent. For a lot of people who were married in the 1950s or 1960s, the husbands would have had the money and paid their wives a housekeeping allowance on a weekly basis. In many parts of my community, that is still the case. It is something that we do not necessarily see or recognise, and these days we in the Chamber would all probably think that it was unacceptable, but it persists and we do not even notice it in many cases. I was reminded of it by a point made by the Opposition Front Bench, and it is something that we can now prevent, hopefully through the passage of this Bill and by providing a clear definition to help some of those women to come forward and say, “Actually, I now realise that this is not right.” Obviously there is a more detailed debate to be had throughout the community if we are to get all this right. As was mentioned earlier, even a tiny reduction in domestic abuse will make the Bill pay for itself. If these measures make anybody feel safer or bring perpetrators to justice, the Bill will have done its job, and for that reason I trust that it will have unanimous support in the House today.

5.9 pm

Naz Shah (Bradford West) (Lab): I would like to put my thanks on record for the leadership shown by both Front Benches on this important Bill.

For me, the debate is very personal, because domestic abuse has shaped everything I stand for and is what put me on the journey into Parliament. It is brilliant that once the Bill goes through women will have services available and we will have enshrined the definition of abuse in law. That was not always the case, and some women experienced so much abuse, when the services were not there, that they were driven to kill. Twenty-seven years ago, there was such a woman who killed her abuser and went to prison for 14 years. That woman was Zoora Shah, and she was my mum.

Jess Phillips: Does my hon. Friend agree that the recent case of Sally Challen has given voice to the issue? Hopefully, legal change will continue through the Bill to allow people to understand that some of these issues are not simply black and white, but the reality of the lives of people who have been terribly abused. The worst that can happen to a family can easily happen, as she is saying.

Naz Shah: I agree with my hon. Friend and thank her for that timely intervention.

Twenty-seven years ago, when Zoora Shah did not have the right services, she went to prison for 14 years. At the time, she did not tell her story. I am talking about this in this debate because I want to talk about specific services for BAME women, especially specialist services that understand domestic abuse, as my former colleague on the Home Affairs Committee mentioned.

It is more complicated for women of BAME heritage. It is about having specialist services for women from black and minority ethnic backgrounds who understand the culture. When a lady called Tahmina rang me on a Saturday morning three years ago to say that a girl in Pakistan had been murdered, I could identify it straight away as an honour crime. That girl was not just murdered and buried; she became a campaign and a cause, ensuring that we talk about honour crime and about her rape, and continue to try to seek justice for her.

I have an understanding of honour and the impact of it on me. I will describe it in the words that my dear friend Sal used to me last week:

“Izzat”—honour—

“is the shroud that covers me, woven from the threads of my identity, integrity, values and the decisions that I make.”

I am emphasising honour because my mother served extra time in prison—she could not speak up because of the impact of honour. It is a code of conduct in my community by which we behave.

It is apt today that I talk about honour in a different context. Yesterday, The Guardian reported that in my election campaign in 2017 I had felt suicidal because I was dishonoured. My opponent, having a background from my community, knowingly ran a campaign in which a man in the community stood up and actually said, “When we buy a dog, we check its pedigree. Look at Naz Shah’s character, look at her demeanour, her chaal chalan”—as he put it—“and how she presents herself”. What The Guardian did not report was that in this email I equated that to honour abuse, and I do not say that lightly, as a daughter of a woman who at one point in giving evidence about her abuse referred to herself as having become a “mattress” to men. When someone who comes from that background ends up being a Member of Parliament and the shadow Minister for Women and Equalities, sitting on these Green Benches able to represent the voices of those who are dead and buried thousands of miles away—

Peter Kyle: I am extremely grateful to my hon. Friend for her speech, which is very wide ranging. She is cramming a huge amount into a short time, but we are learning a huge amount. She has mentioned the importance of having staff who are trained in issues relating to different ethnicities and BAME backgrounds and cultures. Does she agree that now that the Government are finally recruiting more police officers, it is essential that these issues are taken into account, as we have the opportunity to get more people into police enforcement?

Naz Shah: I thank my hon. Friend for his comment. I absolutely agree with it, which is why I am so passionate. I teach and deliver the diversity session at the national
police strategic command course, because I want my experiences to influence that change so that we have a reflective workforce—the police officer, judge and solicitor I mentioned—for all these women.

Importantly, we must recognise that the experiences of women from BAME backgrounds are different. They impact upon us differently and they have ramifications for us. I was literally feeling suicidal during that campaign because my very fabric was being attacked publicly—honour really does play a part. When we talk about men who kill women because of “honour”, because they have been “shamed”, because it has impacted upon their izzat, I want this House to recognise the severity of that—of what it means. Even today, as a woman, I did not recognise my own forced marriage until I was in my 30s. I did not recognise that I was involved in marital rape until I was in my 40s. That is what domestic violence is.

As a proud survivor, I will say this to this House: we may be taking this into account and putting £300,000 into BAME specialist services, but that is not enough. We need much more for those women. We need that specialist service, in order to understand the experiences of migrant women—the experiences of women who do not have English as a first language. We need specialist services.

Peter Aldous (Waveney) (Con): It is a privilege to follow the hon. Member for Bradford West (Naz Shah) and to take part in this landmark debate. We have heard so many memorable contributions from all around the Chamber. This Bill has been a long time in coming, and although there has been much prior scrutiny it is very welcome. It provides the framework for tackling a crime that has scarred people’s lives for generations. The personal cost is enormous and the impact upon society is devastating. Good work is already being done, whether by the Waveney Domestic Violence Forum or the police and crime commissioner for Suffolk, Tim Passmore, but in many ways they are working with one arm behind their back. We need to empower them. This Bill can do that, but to be fully successful it must be underpinned by adequate funding, proper support for victims, and the promotion of a cultural change in society and across the whole public sector.

The Lord Chancellor and the Under-Secretary of State for the Home Department, my hon. Friend the Member for Louth and Horncastle (Victoria Atkins), must take great credit for doing an enormous amount of preparatory work on this Bill. They have done much of the heavy lifting, but, as he stated, this Bill must not be viewed as the sole responsibility of his Department; it must be owned across government. We need to take down those departmental silos.

Refuge draws attention to one of the unintended consequences of universal credit that must be addressed—the need to reform those aspects of UC that currently facilitate and exacerbate economic abuse. Those reforms would include paying universal credit separately by default and abolishing the five-week delay for survivors. Refuge is also seeking an amendment to protect survivors of domestic abuse from the trauma and intimidation of being directly cross-examined in court by their perpetrator, which is inappropriate and wholly unacceptable. SafeLives urges the need for reform in the court system, and highlights the need for specialist support for adult and child victims through the family courts. It also emphasises the need for better funding of a larger number of independent domestic abuse advisers.

Nowhere—no home, no workplace—is a guaranteed sanctuary from domestic abuse. No one can be sure that they will never be a victim, but there are those who are more at risk—women, rather than men; children, who will carry the devastating impact throughout their life; and, as our society ages, older people, as my hon. Friend the Member for Truro and Falmouth (Sarah Newton) highlighted. That is a concern that Age UK has also highlighted. To age-proof the Bill, it has made four recommendations as to how it can be improved; I hope that the Government will take those on board.

The Bill has a great deal to commend it. It provides the framework in which we can eliminate a stain on society that has been there for too long. It must be a catalyst for change. This debate has provided an opportunity for the House to be seen at its best, led by the hon. Member for Canterbury (Rosie Duffield) and ably supported by my hon. Friend the Member for Wyre Forest (Mark Garnier) and the hon. Members for Penistone and Stocksbridge (Angela Smith) and for Bradford West (Naz Shah). We need to put aside our differences, come together and put in place a new way of doing things that can mean such a great deal to so many.

5.17 pm

Diana Johnson (Kingston upon Hull North) (Lab): This has been a very hard debate to listen to, with some truly remarkable speeches.

When I became the MP in Hull North, I was told that it would be possible to fill the local football stadium, which holds 25,000, with all the domestic abuse perpetrators in the city, and that in a class of 30 pupils, you could expect three or four to be living with domestic abuse at home. This morning, a constituent emailed me to say: “I was abused domestically for 30 years which included physical abuse—including getting my head smashed against a wall. I suffered the range of coercive control in which for periods of time I could not access money.”

I know that police in Hull respond to 800 calls per month around domestic abuse. I am very aware how important this Bill is, therefore, and I was very pleased to be asked to serve on the pre-legislative scrutiny Committee. That Committee made strong recommendations, and the Bill would be better if all of those were accepted.

However, the Bill is only part of the solution. We need to ensure that work on domestic abuse is properly resourced, and that it co-ordinates with the ending violence against women and girls strategy that the Government have put forward. Hon. Members have spoken about many issues. The need to ratify the Istanbul convention and the needs of migrant women must be addressed, as must our concerns about the DWP, especially universal credit, and the role of the health service.

I want to comment on two issues. First, the recruitment of the Domestic Abuse Commissioner is widely welcomed; the commissioner could be a very powerful agent for change. However, I have already expressed in the House my surprise that the Home Office went ahead and recruited to that post on the basis of the December 2016 job description, which was a part-time post with accountability to the Home Office alone. The scrutiny
Committee’s recommendation was that it should be a full-time post, and that accountability should be looked at and addressed. When we took evidence from the Independent Anti-slavery Commissioner, we heard from him that the best way of doing that was to put the accountability on the Cabinet Office and have the reporting mechanism into the Cabinet Office, not the Home Office, to provide that cross-Government approach to this issue. I hope that the Minister will reflect on that, because I am sure that amendments will be tabled in Committee to that effect.

My second point relates to women who are suffering domestic abuse and having their lives controlled. In particular, I am referring to their fertility being controlled and to them being coerced into unwanted pregnancies. This, of course, goes to the heart of women’s bodily autonomy. The Bill before us is an opportunity for us to recognise this particular problem. As the Minister knows, sections 58 and 59 of the Offences Against the Person Act 1861 says that, where a woman procures an abortion, she faces life imprisonment. The Abortion Act 1967 allows abortion in certain limited circumstances, but we know from Women on Web, which provides assistance to women who are seeking terminations, that the current law is not working for women, particularly for women who are suffering domestic abuse. Between May and June 2019, of 100 women who came forward, a third were not able to access abortion services because of domestic abuse and controlling behaviour, seven were hiding their pregnancy from a non-supportive partner, and one had been raped.

A few weeks ago, this House agreed to decriminalise abortion in Northern Ireland, which means that sections 58 and 59 of the 1861 Act will no longer apply from early next year. We now need to do the same in this Bill to protect the women in England and Wales who could face the full might of the law under sections 58 and 59 of the 1861 Act and ensure that women, including those in very desperate circumstances, are not criminalised. I am sure that the Minister will expect that, at some point during the passage of this Bill through the House of Commons, this issue will be raised, and the House will be asked to a vote on it to put women in Wales and England in the same position as, hopefully, women in Northern Ireland.

5.26 pm

Luke Graham (Ochil and South Perthshire) (Con): It is a real privilege to speak in this debate. Over the past few weeks, the House has been criticised for some of our performances. Much of that has been set right by many of the speeches that have been made across the House today.

As other colleagues have mentioned, the majority of the Bill is devolved. However, just two weeks ago, when I was visiting Connect Alloa, a new youth club in my constituency, I was asked by a young person to raise the profile of domestic abuse, which is why I am speaking in this debate. There are several issues in the Bill that are pertinent to Scotland and I will come on to them shortly.

I am lucky that my constituency of Ochil and South Perthshire covers the two counties of Perth and Kinross and Clackmannanshire. In Perth and Kinross, we have below average rates of domestic abuse—incidents per head are far below the Scottish average—whereas rates in Clackmannanshire are consistently higher than the Scottish average. In fact, in Clackmannanshire, we have the highest incidence of domestic abuse per head in all of Scotland, so we have an issue. This is something that I have raised in this House before. I have also raised it when visiting Women’s Aid, locally and nationally, and local women’s refuges. My office works regularly with police and community groups to help various constituents with many different issues, which manifest themselves not only in deprivation, but in domestic abuse.

One of the problems we have when we come into this is that constituents not only face truly harrowing situations and real difficulties, but find it difficult to navigate a system that often relies on local government authorities to supply the majority of support, and the standards in different local authorities are inconsistent. For example, a constituent who moves between Clackmannanshire and Perth and Kinross will sometimes experience different levels of support in those two counties. Furthermore, we have many examples of people who have been married in the south or in Northern Ireland and swap into different parts of the UK. The transfer becomes an issue as there are issues about support and agencies are not talking to each other. When people are at their lowest point, the services are not delivering the level of support that they require. There are also issues about protection and about trying to provide people with a proper opportunity to start again when, of course, they are leaving a seriously abusive relationship.

A lot of this policy is devolved and, as many people in the third sector have said, some of the legislation in place in Scotland has set a gold standard, for which I praise my MSP colleagues. It is good that England, Wales and other parts of the UK will now be joining that standard. One thing to note, though, is that there is currently no commissioner in Scotland. When going through the Bill, there was an element of disappointment and frustration on my part as someone who has raised this issue in the House and Westminster Hall several times, and had promises from the Dispatch Box that the UK commissioner would cover the entire United Kingdom. This is important because of the transfer issues that I just mentioned—the fact that many constituents live their lives day to day, not through different levels of government.

People transfer between the counties of England, Wales, Northern Ireland and Scotland on a very regular basis, and we need to ensure that they are getting the same level of support and the same standards wherever they are in the UK. I hope Ministers will address that when summing up, and tell us how they are going to take this forward in the next stage of the Bill. Indeed, I will be working with colleagues across the House to table amendments to ensure that the UK commissioner is UK-wide—not in order to take powers away from anyone, but to maintain and promote good practice through the way in which the role is defined in the Bill.

My final point is a minor one about the extraterritorial powers included in the Bill. Obviously it is incredibly important that the legislation pertains to the entire United Kingdom, and I hope that all the national agencies will co-operate. Domestic abuse has an enormous impact on our constituents and their families’ lives. Everyone should be entitled to the support and services
that are available across the United Kingdom. When people are at their lowest point, they should have access to services that support them when they need it. We must ensure that no constituent is left behind.

5.31 pm

Alex Norris (Nottingham North) (Lab/Co-op): It has been a privilege even to sit and listen to the debate, never mind to contribute to it, particularly given the contributions from my hon. Friends. I was lead councillor for commissioning in the pre-legislative Committee so ably chaired by the right hon. Member for Charnwood (Edward Argar), in getting us to this point. I hope that the Minister will take my comments today in that spirit as we seek to build on this work.

If we rewind the clock seven days to pretty much this time last Wednesday, hon. Members will remember that we had a very difficult session in this place. We all have our version of events and our reasons why we think it was as it was. But collectively we know that, whatever those reasons, we all left with our reputations diminished. More importantly, the reputation of this place was diminished, and that is bigger than all of us. It is therefore really good and important that a week later, we have shown that when we come together in a spirit of co-operation and compromise, sharing our mixed and diverse experiences, we truly make an impact. It shows that the best days for this place are truly ahead—no more so than with this Bill.

This Bill will stand up for thousands of people across the country who are currently suffering abuse, and will hopefully avert it for many thousands of others. My views on the Bill are a matter of public record. I was lucky enough to serve on both the Home Affairs Committee when we had an inquiry on the Bill, and on the Joint Committee so ably chaired by the right hon. Member for Basingstoke (Mrs Miller), so it is pretty clear what I think about the Bill and where we should go next, but today I want to focus briefly on three things.

Refuges are a precious national asset, and we ought to think about them as such. They are literally the difference between life and death for a vulnerable individual. High-quality, accessible provision is critical, but it needs to be a national network too, because a woman in my community in Nottingham is as likely to need a refuge in Birmingham tonight as they are to need a refuge close to home. But at the moment there is a toxic combination of a reduction in support—Refuge reports cuts to 80% of its services since 2011, at an average of 50%—and significant demand, with almost 60% of all refuge referrals being declined. This does not and will not work, and the Bill is a golden opportunity to get us to a position where we have a fully funded national network underpinned by statutory status. It is therefore disappointing that the Bill does not have a legal duty to provide. I hope that the Minister will expand a little on the thinking behind that, because both the pre-legislative Committee and the Home Affairs Committee majored on the value of this duty, which I believe is shown by the evidence.

There is also scope to be clear about the need for specialist services. I was lead councillor for commissioning in my local authority for three years. Local authority commissioners are under extraordinary financial pressures, which pushes councils to more generic commissioning, which is cheaper and more flexible. That will not work for refuges, so we should be clear in the Bill about our expectations.

Matt Western rose—

Mr Speaker: Order. From now on, if we have interventions, it will mean that other people will not get in, which would be a great pity, so it would be better not to intervene at this stage. If the hon. Gentleman insists, he will of course be in order, but he will be stopping other people speaking.

Alex Norris: We heard in both Committees about the dangers that single payments were creating. We know that split payments on request will not work. No one is going to march their abuser down to the jobcentre and ask for split payments. If the Bill is not the vehicle for addressing split payments by default, what is that vehicle? If the change does not require primary legislation, why do we not get on to it?

With reference to having a gendered definition, it is welcome to have a statutory definition of domestic abuse for the first time, but it is a failure to define it and not even mention women or girls. Of course men are victims too and require the best possible support, but we cannot lose sight of the fact that domestic abuse is a gendered crime. It is gendered in the volume of victims, in the level of violence perpetrated and what it leads to, and, crucially, in its root causes. I have heard Members from across the House today talk about our noble and lofty goal to eradicate domestic abuse. I join Members in that cause, but if we think we can do that in a Bill that does not talk about why domestic abuse happens or what we are doing when we condition our young boys and men to value themselves differently from women, we will never eradicate it.

We must take a stand. I remind Ministers that, in both the pre-legislative Committee and the Home Affairs Committee, we came up with workable solutions after great discussions. I hope that they will consider adopting them at the next stage in the Bill’s progress, because this is going to be a great Bill. We are coming together, we are doing a great job on it and I cannot wait to see it proceed.

5.36 pm

Fiona Bruce (Congleton) (Con): I welcome this Bill. Having sat through the whole of this debate, I want to pay tribute to the many Members from across the House who have made such moving speeches, which I cannot even begin to follow. I want to record my support
for the Bill and the support that it enjoys across the House. It has been a privilege to be here today. Last week we saw the House at its worst; today we have seen it at its very best.

I agree with colleagues from across the House who have said that we should learn from reviewing the role of the anti-slavery commissioner and ensure that the Domestic Abuse Commissioner is truly independent of Government. I agree, too, with the many Members who have said that we must remember the impact of domestic violence on children. We must help to break the inter-generational cycle of abuse.

The Joint Committee on the Bill said:

“The cost of domestic abuse to the health service is high. We believe that a campaign to raise awareness and challenge behaviour should be undertaken...Such a campaign could be targeted particularly on online pornography sites.”

I want to touch on that point, because I want Ministers to give more thought to the fact that watching pornography online, particularly violent pornography, is clearly recognised as a causal factor in domestic abuse. I hope that the Government will take action to counter it through amendments to the Bill, but there is also—if I may mention it in this debate—action that Ministers can take today.

The Government have rightly said that one of their achievements is having “committed to introduce age verification for viewing online pornography through the Digital Economy Act”.

However, there has been an unfortunate delay in the implementation of that world-leading legislation because of a failure to notify the EU. The Government acknowledged that on 20 June. As it happens, the three-month standstill period with the EU ends at midnight tonight. Assuming the EU does not come back tonight with completely inadequate scrutiny, amendments to an unrelated Bill. To learn our lesson on this, we need only look to the unforeseen circumstances now about to play out, sadly, in Northern Ireland later this month, with a five-month lacuna in the law on abortion there about to start because this place rushed through, with completely inadequate scrutiny, amendments to the Northern Ireland (Executive Formation etc) Bill.

5.41 pm

Tracy Brabin (Batley and Spen) (Lab/Co-op): It has been an absolute honour and privilege to be part of this debate. Certainly, no one was unmoved by the contributions by my hon. Friends for Canterbury (Rosie Duffield) and for Bradford West (Naz Shah). These personal contributions make so much difference to women outside this place.

In attempting to write my speech, and also listening to contributions from other MPs, what strikes me is the names of women and children throughout the year, and years previously, who were murdered as victims of domestic abuse. This Bill could not be more needed. The Home Secretary said yesterday at the Conservative party conference that the Conservatives are now the party of law and order once again. I would gently encourage Conservative Members to say to the Home Secretary that the way to bring murder numbers down is by committing 100% to this Bill.

We need to encourage the Government to accept the gendered nature of domestic abuse, with women being twice as likely to experience domestic violence and men far more likely to be perpetrators. As the Istanbul convention says, “it should not be overlooked that the majority of victims of domestic violence are women and that domestic violence against them is part of a wider pattern of discrimination and inequality.” I urge the Government to think again about ratifying the Istanbul convention.

I want to congratulate the family of Clare Wood for creating Clare’s law, including Clare’s dad, my constituent Michael Brown. The domestic violence disclosure obligation is vital in fighting domestic violence, but the heartbreak is that it is a postcode lottery, and only 45% of requests are granted. Early disclosure could save a woman’s life, so it is heartbreaking that this right to know and right to ask is a postcode lottery. When women are desperate—when they do need to get away—the Government must accept this obligation.

As my colleagues have said, refuges must be available. Over 400 women a week are denied a place of safety because there is not capacity. This is absolutely criminal. They go back to situations and we know what the conclusion is. We have heard their names today. We need significant research suggesting that there is a relationship between the consumption of pornography and sexually aggressive behaviours, including violence. The Government should take an evidence-based approach to addressing the harms of pornography. This is an opportunity for them to do so.

I thank my right hon. Friend the Member for Basingstoke (Mrs Miller) for her work on the Bill, and also for today stating that this is not a Bill to have tagged on to it the issue of abortion. That is right because, leaving aside the question of under what circumstances abortion should be available, reform of the technical aspects of the law underpinning abortion is extremely complex and should not be undertaken by using Back-Bench amendments to an unrelated Bill. To learn our lesson on this, we need only look to the unforeseen circumstances now about to play out, sadly, in Northern Ireland later this month, with a five-month lacuna in the law on abortion there about to start because this place rushed through, with completely inadequate scrutiny, amendments to the Northern Ireland (Executive Formation etc) Bill.
greater clarity on the definition of domestic abuse, including distinctions between intimate partner abuse and other forms of family abuse. We heard from my hon. Friend the Member for Bradford West that BAME victims of abuse must also have extra special resources to support them.

In the short time remaining, I will mention some of my constituents. Lucy, a young woman with a son, has suffered. The hon. Member for Copeland (Trudy Harrison) alerted us to the Kafkaesque nature of the family courts. Her son has been taken from her and placed with the dad, and the mum is really concerned about the son’s welfare. We must support these women to ensure that no child suffers because of the arcane nature of some of the family courts.

Jess and Kirsty were victims of economic abuse, driven to the brink by partners stealing from them and blocking legitimate sales of joint properties. The problem is that the banks have no legislation and cannot support. The police cannot support because no legislation is in place. These women are therefore pushed into poverty, often on to benefits and into temporary bed and breakfast, and the children suffer; all because the men in their lives are able to afford to drag them through the courts and strip them of their hard-earned cash and safety net. The Bill needs to go further with the banks so that they show flexibility and understanding when survivors are struggling to get out of financial agreements, such as a joint bank account or mortgage.

I pay tribute to my own council, Kirklees, in particular cabinet member Councillor Viv Kendrick, for taking a proactive approach to the issue. Just this week, Kirklees launched its own domestic abuse strategy based on a model used by the SafeLives charity. The partnership approach recognises that domestic abuse is not just a criminal problem or problem affecting children. It brings together, holistically, the police, clinical commissioning groups, safeguarding groups, community rehabilitation companies, the probation service, housing associations, drugs misuse services and more to tackle the problem, sharing information and pushing prevention and early intervention.

I must also mention meeting a young woman who was a victim of domestic violence and was saved by Sure Start. I also encourage the Government to think about those services for women with children.

5.46 pm

**James Cartlidge** (South Suffolk) (Con): It is always a pleasure to follow the hon. Member for Batley and Spen (Tracy Brabin). I echo all hon. Members who rightly said that, following what we might describe as the rumblustiousness of previous days, today we have seen the Chamber at its best, with some amazing, moving and powerful speeches, not least that of the hon. Member for Canterbury (Rosie Duffield).

I strongly support the Bill, but I want to raise an aspect that is not covered by it, which is that of coercive control in a professional relationship, specifically the relationship between therapist and client. This relates to the traumatic case of a constituent of mine. Her daughter was one of a group of young women—all from very affluent backgrounds, not coincidentally, because they were targeted as such—who in 2008 attended an art school in Italy, where they came into contact with a self-appointed therapist or, as she called herself, life coach.

The therapist practised dream therapy and professed to specialise in personal development. Over the course of the next year, the therapist saw up to a dozen of those women for regular therapy sessions. By early 2014, only three women were still seeing the therapist, one of whom was my constituent’s daughter. By that time, two of the women had broken off all contact with their friends and families, and had rejected their inheritances. The reason was that the therapist had used a tactic known as false memory placement. She placed into the minds of those girls, those impressionable young women, false memories of being abused by their own mothers. That has been proven and substantiated since, but when the case came to the Crown Prosecution Service, it had to conclude that legislation did not cover that specific outrage.

The current legislation refers to abuse in a domestic setting, and this is the Domestic Abuse Bill—I entirely understand that; nevertheless, in the case of my constituent, there was a crime—call it what one might, but it was theft, the theft of love. The love between mother and daughter was indoctrinated out, being replaced by false hate based on false memories. This is a terrible story, which previously received quite some media coverage, but I will not name anyone because parts of it are still ongoing.

The key thing is that, for me, it would be preferable if the definition of A and B in the Bill was confined not just to family members, partners or ex-partners, but to other types of relationship where coercion and control can happen. I can tell the House that I am aware from other parliamentarians that this problem is not restricted to the case I have mentioned. There have been other cases. The hon. Member for Swansea West (Geraint Davies) has tried to bring forward a Bill connected with the qualifications of therapists. Previously, Lord Garnier tried to amend the Bill so that it could be a crime to use coercion and control in a professional setting. That is certainly what I would like to see.

I do appreciate the fact that the Under-Secretary of State for the Home Department, my hon. Friend the Member for Louth and Horncastle (Victoria Atkins)—she is doing brilliant things—has previously seen me about that case. I understand that the desire in the Home Office is to focus on the domestic context, but the fact is that the incident has had profound domestic ramifications, as hon. Members can quite imagine. The good news is that my constituent’s daughter did eventually get in contact and has returned, but there are many ongoing implications of the case.

As I say, I know from other parliamentarians, including Lord Deben, that there are many other cases like that one. I hope that, in the course of the Bill’s passage, we can look at the specific, relatively niche cases in which the crime of coercion and the use of certain psychiatric tools can emerge but that would not be covered by the Bill as it is currently drafted. I hope to be able to explore that at a later stage, if at all possible.

5.51 pm

**Jo Platt** (Leigh) (Lab/Co-op): May I take this opportunity to thank those on both Front Benches for their work on this Bill? I would also like to thank colleagues, particularly my hon. Friends the Members for Bradford West (Naz Shah) and for Canterbury (Rosie Duffield), for their contributions.
Before I talk about the Bill, I would like to pay tribute to Leanne McNuff. Leanne was the sister of my soon-to-be brother-in-law. Leanne was murdered in 2012 by her ex-partner in the most horrific circumstances—in front of their then four-year-old son. I know how this has affected the lives of all involved, and that grief will never go away, but I would like to think that this debate and any legislation passed by this House will go a long way to protect victims—and give Leanne’s family some comfort—so that crimes like this do not happen again.

May I welcome the broad intentions behind the Bill? It is a step in the right direction to give victims greater support and protection, but it is only a small step. A recent local case has exposed just how enormous the burden is that victims of stalking are expected to carry, and it has displayed gaps in support that these proposals will not fill. My constituent Nikita contacted me after she was subject to a horrific stalking ordeal, which included threats to her life and her children. Her perpetrator has now thankfully been moved to a psychiatric intensive care unit, but this has not been the end of her ordeal—far from it. He has been placed in an NHS unit less than a third of a mile from Nikita’s house. She has jumped into him in a local shop, and she has found him outside her house. Nikita can also see the NHS unit from her bedroom window.

Understandably, this is causing Nikita severe anxiety and concern for her safety and the safety of her family, but instead of moving the perpetrator away, Nikita finds herself offered new housing by the local authority, and she is expected to accept this move away from her support network. The expectation seems always to be on the victim to change their life. Indeed, when I wrote to the local NHS about their decision to place the perpetrator so close to Nikita’s home, it referred to its policy of placing individuals where they are close to local connections with friends and family in the community that they are familiar with.

The system has totally failed Nikita, and I am concerned that the Bill may become a lost opportunity to implement meaningful reform that protects the victims of domestic abuse and stalking. That underscores why we need a whole-system approach from across society not only to provide immediate support, but to prevent the unacceptable guilt or sense of wrongdoing that many victims feel when they are expected to change their life so dramatically. While this Bill contains many steps in the right direction, even if they are long overdue, it should go further. Until every victim of domestic abuse is given the protection, support and justice they deserve, we cannot rest. I hope that stories such as Leanne’s and Nikita’s bring to light just how far we have to go before society treats the victim with the dignity, compassion and basic respect that they deserve.

5.55 pm

Huw Merriman (Bexhill and Battle) (Con): One of my frustrations with being in this place is that I am often harangued by constituents who tell me how appallingly behaved the House is, but when I give them examples of the House at its best, they have rarely seen it. I very much hope my frustrations with being in this place is that I am never break out into applause in the Chamber, but such was the feeling I had when the hon. Member for Canterbury ( Rosie Duffield) spoke that I did so for the first time. I also pay great credit to the hon. Member for Bradford West ( Naz Shah) for her bravery and for shining a light on issues for particular groups that, to be frank, it is very difficult for me to talk about in the same manner. She represents her community so well. I pay tribute as well to my right hon. Friend the Member for Maidenhead (Mrs May). It is much easier to say “the Prime Minister”, and I wish I was still saying it, but it was remarkable to hear our former Prime Minister talk about this Bill, which she worked so hard to bring forward. I pay great tribute to her for all the work she has done to serve us.

It is hugely important that we not only shine a light on domestic abuse but do something about it. It is important that we raise awareness and understanding, but we must also improve the justice system and strengthen delivery for victims of abuse. If we do that, we will give them a voice and the ability to vanquish those who ruin their lives. It is essential that the Bill delivers for victims.

That is why I want to focus on what may occur in Committee. It is essential that the Bill remains roughly in a shape that allows it to succeed. There is a great danger that if it is overloaded with too many amendments, it ultimately will not deliver in the way we have discussed. Therefore, although I agree strongly with my hon. Friend the Member for Congleton ( Fiona Bruce) about abortion reform, which I very much favour, I do not believe this is the right Bill to deliver that reform. I will vote for that reform when it comes, but I worry that there would be an impact on this Bill if it were used in that manner.

I also note the understandable desire to look again at the definition of domestic abuse. It is absolutely right that we recognise the disproportionate impact it has on women, which is understated, but if we insert that in the definition, we may well lose sight of what should be the definition in legislation. It is more important that we have strict guidance that ensures that, for example, local authorities take that disproportionate impact into account when making funding decisions. I look to Ministers to ensure that the Bill is strong enough that services reflect the disproportionate impact of domestic abuse on women.

There have also been calls for relationships between under-16s to be included in the definition of domestic abuse. If we did that, we would need to be very aware of the impact of criminalisation on under-16s and ensure that there were age-appropriate consequences. If the perpetrator is over 16 and the victim is under 16, that is child abuse. We must ensure that we do not lose sight of that.

On barriers to justice, it makes a great deal of sense to extend the prohibition on cross-examination by perpetrators to family courts and, indeed, civil courts. However, I have received petitions suggesting that we would need to think very carefully about how our family court system, for example, would look if we also prohibited cross-examination where domestic abuse was alleged rather than demonstrated, and if we widened the definition to include online abuse.

I am very concerned about the difference in local authority funding for statutory and non-statutory services. We are losing far too many non-statutory services,
which are often those to do with prevention and early intervention, and which prevent us from needing statutory services. Looking closely at statutory requirements in the Bill would help us to deliver its aims.

6 pm

Jess Phillips (Birmingham, Yardley) (Lab): I pay massive tribute, as everybody has done, to those who have spoken, particularly my hon. Friend the Members for Bradford West (Naz Shah) and for Canterbury (Rosie Duffield), and the hon. Member for Wyre Forest (Mark Garnier), whose contribution was so moving.

When we in this place talk about these things, people really are watching. Victims of domestic abuse will today feel that we care about them, and even if that is all we achieve today, that is a good thing to have done.

I notice that during this debate, Prorogation 2.0 has been announced. Somebody sent me a tweet saying that there is a view that Parliament will prorogue—sorry, shut down—again. I want assurances from the Minister, when she sums up, that we will use Standing Order No. 80A—

The Parliamentary Under-Secretary of State for the Home Department (Victoria Atkins): I am delighted to be able to confirm that. Indeed, the carry-over motion is on today’s Order Paper. The Bill is carrying on.

Jess Phillips: Super-duper. I am delighted to hear that.

As everybody else has said, it has been an honour to work on the Bill over the past three years—I wish it had been only one or two—not only with Front Benchers on both sides on the Chamber, but with the right hon. Member for Maidenhead (Mrs May) and others who are no longer on the Front Bench, including the right hon. Member for Romsey and Southampton North (Caroline Nokes). She spoke of having listened; I feel delighted to have been in the meeting about migrant women under the Bill that she spoke about so eloquently. Also, I should mention the people sitting in the Box—the civil servants we have worked with to get the Bill in front of us today, and to carry it over. It has been a real privilege to help ensure that this place recognises the effect of domestic abuse on our communities.

For the past three weeks, I have been fighting for us to come back to this place just for the sake of this moment, this day—just so that we could get this Bill back into this place. I found myself in the treasured position of defender of the Domestic Abuse Bill, as though it were mine. It is not mine; it is a Government Bill, and that needs saying. However, as a defender of the Bill, I will defend the point that improvements certainly need to be made to it.

As the right hon. Member for Maidenhead stated, in the Bill’s next stages we absolutely must aim for it to be for all victims and all women—I am not afraid to say “all women” in this context. I truly mean that. It does not matter what a person’s status is; if my hon. Friend the Member for Canterbury has taught us something today, it is that it does not matter who someone is: the primary thing we should see when they first disclose abuse is what happened to them. It should not matter if they were born in this country, if they are here on a spousal, student or refugee visa, or if they are an EU citizen. What we should see in front of us is the person, and we should ask what we can do to help them.

The Bill needs a huge amount of work in that area—not just around migrant women, but around disabled and older women and LGBT people.

With all the good work being done in here and across Departments we still need to stop essentially just seeing a benefit-dependent woman with a couple of kids in a refuge. Disabled women are being turned away. I ran refuges and I think we had two disability access beds out of hundreds of beds. It is simply not enough any more. We live in a society where we have to take need into account, no matter what. We have to take into account the likelihood of someone being abused if, for instance, they are a carer or have someone caring for them who can easily control them.

I want to say one final thing—I could speak for weeks and weeks, but I won’t. The statutory duty on refuge accommodation is so welcome. I had to explain to my husband what it was when the Ministers rang to tell me they were going to do it. I was not allowed to tell anyone, but I really wanted to tell someone. My husband was slightly nonplussed. We were promised at the time of that brilliant step forward that there would be £90 million in the next comprehensive spending review. We have now had that comprehensive spending review and it was not there. I would be grateful if the Minister could tell us where the cash will come from.

6.5 pm

Vicky Ford (Chelmsford) (Con): It has been a true honour to listen to this historic debate. It is a landmark Bill and this needs to be a watershed moment, not only in how we protect victims of domestic abuse, but in how we stop that abuse happening in the first place.

I would like to put on the record my deep respect for my right hon. Friend the Member for Maidenhead (Mrs May), who never forgot the importance of this work, despite the many other responsibilities she had as our Prime Minister. I also thank the Minister and my right hon. Friend the Member for Basingstoke (Mrs Miller), whom I enjoy working with on the Select Committee, and I particularly thank the hon. Member for Canterbury (Rosie Duffield) for letting us into her heart today.

I recently had the opportunity to speak to a barrister who spent decades specialising in family law cases and who shared with me many examples. We spoke about some of the specifics of the Bill—the importance of a legal definition, the practical support—but what he said was most important was the overall message it would send: that domestic abuse is simply not acceptable, that society stands behind the victim, and that we will not tolerate giving a hiding place to perpetrators.

As a constituency MP, over the past couple of years I have often had victims of domestic abuse come to speak to me because they do not know where else to turn. They are fearful of their abusers and that if they speak out the system will be loaded against them. Those who are brave enough to call for help are fearful during the investigation and in the court process, especially if they have to give evidence in front of their abuser, because they have heard that witnesses can sometimes be intimidated. That fear leads them to suffer for years in silence. It is the fact that the Bill takes action to address these issues that has been welcomed by so many organisations that support victims up and down the country. I would especially like to put on the record my thanks to Safer Places in Essex.
[Vicky Ford]

Many Members have called for action in specific areas, and I would like to mention three. First, I have had cases of parents or siblings who suspect that their son or daughter, or brother or sister, is the victim of violence—they have seen the evidence with their own eyes—but who do not know where to go for advice, and if they report the situation, they find themselves powerless to protect their loved one. Can we look again at these cases of family members who want to help?

Recently, I had a case of a couple where the victim was renting a shared private property with her abuser. Both tenants needed to give permission to cancel the tenancy, so one tenant could not get out of the property without the other’s approval, meaning they were trapped in their home. Can we look at the tenancy law in these cases?

Finally, we have seen time and again how online abuse tips over into real-world violence. I recently met representatives of the Revenge Porn Helpline. They are helping thousands of people, and nearly all of the cases involve women. They explained to me how threats of revenge porn trap the victim of violence in the abusive relationship. They shared their concerns that, as the internet moves into deepfake videos, it will be possible to superimpose someone’s face on to another person’s actions, send the video over the internet and use it as a threat to hold that person in an abusive relationship.

The digital world is evolving at an exponential rate. Time and again we explain to people that we are working on online harms in order to keep people safe, but the work in that space has to accelerate.

6.10 pm

Kate Green (Stretford and Urmston) (Lab): It is a privilege to participate in this debate, and I congratulate all colleagues who have been involved in bringing the Bill to this point.

I will speak briefly about a particular group of women who have experienced domestic abuse and violence: women who offend. According to Ministry of Justice data, 57% of women in prison and under community supervision who have had an assessment are, or have been, victims of domestic abuse. Research suggests that the true figure is, in fact, likely to be very much higher. Some women are particularly vulnerable—for example, those with learning disabilities—and, as we heard earlier from my hon. Friend the Member for Rhondda (Chris Bryant), some will suffer traumatic brain injury, a situation disproportionately reflected in women in the penal system.

The Prison Reform Trust report of 2017, “There’s a reason we’re in trouble”, makes clear that for many of these women it is specifically the abuse that drives them to offend. Many offend as a result of coercive control or abuse or threats by an intimate partner. That can lead them to commit offences such as shoplifting, theft, fraud or dealing in illegal substances. The Crown Prosecution Service and sentencers do, of course, take account of that context for a woman’s offending behaviour, but the approach can be patchy and inconsistent. It would be appropriate, therefore, to consider introducing, through the Bill, statutory protection in such circumstances.

We have a precedent for that in the Modern Slavery Act 2015, section 45 of which provides victims of human trafficking and modern slavery with a statutory defence if they are compelled to offend. That opens up a route to proactive early case management. It allows all agencies, including the courts, to become more adept at recognising and responding to circumstances that should indicate either that there is no public interest in prosecuting a case or that a statutory defence should apply.

We do not have equivalent statutory protection in relation to victims of domestic abuse who are driven to offend in not dissimilar circumstances. There is a common law defence of duress, but it applies only in restrictive circumstances. Introducing for victims of domestic abuse a new statutory defence equivalent to that in section 45 of the Modern Slavery Act would lead to improvements in how they are dealt with in the criminal justice system, including identification of victims and provision of support. It would also help the UK meet its international legal obligations.

I understand that Ministers are considering that possibility. Indeed, it was pleasing to hear the Minister of State, Ministry of Justice, the hon. and learned Member for South East Cambridgeshire (Lucy Frazer), who has responsibility for prisons and probation, refer specifically to that at the Prison Reform Trust’s recent transforming lives conference. As the Bill continues its parliamentary passage, I hope that the option will be taken to include statutory protection for survivors of domestic violence and abuse who offend. I look forward to hearing from the Minister, in her final remarks, the Government’s attitude to that proposal.

6.15 pm

Debbie Abrahams (Oldham East and Saddleworth) (Lab): Let me add my congratulations and thanks to everyone who has been involved in the Bill’s introduction. Let me also pay tribute to the many moving speeches we have heard today. The debate has brought out the best in this place, but I want to mention in particular the moving accounts given by my hon. Friends the Members for Canterbury (Rosie Duffield) and for Bradford West (Naz Shah).

We need to recognise that, although we are taking a momentous step, it is sad that we need to be here to introduce a Bill such as this. It is a sad indictment of our society. Given that leaders have such an important role in determining the culture and tone of society, we have to ask what that says about the quality of our leaders and our leadership. Although we have legislation which says that women are equal to men, we all know that that is not the case. Unless we address the power inequalities that women face in their jobs, whether they relate to gender pay gap or glass ceilings, it will be a challenge to tackle the power inequalities in their relationships. We need to address the two together. I should like to hear from the Minister how the Government will go about adopting the whole society approach—not just a cross-departmental approach—that has been recommended by Women’s Aid.

In the remaining time that I have, I want to add to the comments that have been made today, and also to ask specific questions about our public services and, in particular, our social security system. We need to ensure that the system is supportive, and does not impede women—or men—who may want to escape from abusive relationships. We have already talked about universal credit and the single household payment that is the norm. I know that the Minister will refer to the alternative
payment arrangements that are available, but someone in an abusive relationship may have problems with access to those. The wait of at least five weeks for universal credit is a penalty in itself, but women in refuges may wait for double that time, especially if they have had to leave without any paperwork. One of my constituents, Suzanne, was very brave and left an abusive relationship, but was moved from tax credit to universal credit because of her changed circumstances—the so-called natural migration—and is now £400 a month worse off. The two-child limit is another issue that must be addressed.

I also want to say something about disabled women. As I told the UN Committee on the Rights of Persons with Disabilities when it was investigating breaches in the convention on the rights of persons with disabilities back in 2015, disabled women are twice as likely to experience domestic abuse as non-disabled women. That abuse may be physical, emotional, sexual or financial, and the abusers may be personal assistants or, in many cases, carers. We must ensure that that is recognised.

Finally—I am being quite brief today, Mr Speaker, which is not like me at all—the Equality and Human Rights Commission has said that there needs to be a statutory approach to ensure that public services support both men and women, and has drawn particular attention to the importance of the social security system, which I have already mentioned. That needs to be a human rights approach, and those services need to be adequately funded.

6.18 pm

Dr Sarah Wollaston (Totnes) (LD): In my time as a GP and also as a forensic medical examiner, I learned very quickly never to make assumptions about who are the victims of domestic abuse, or about how much courage it takes to come forward because of the extent to which such abuse isolates and terrorises its victims.

I pay particular tribute, as others have done already, to the hon. Members for Canterbury (Rosie Duffield) and for Bradford West (Naz Shah) for sharing their deeply moving personal stories. They will have done so much to encourage others to come forward and take that first step to safety—and this is about safety. Two women a week are killed at the hands of their current or former partners. We also need to do something about the under-reporting of the number of women who take their own lives as a result of being in abusive domestic relationships. We must ensure that there is proper reporting, and also better reporting of the gendered nature of this crime.

It is the job of this House to do all those victims justice and to make sure that the services are there to meet them when they come forward. Likewise, we must ensure that the criminal justice system responds rapidly and sensitively, and that services are also there for perpetrators and we do more on prevention and early intervention, because this crime goes through cycles of generation. Those who have witnessed terrible abuse may be more likely to become abusers themselves.

I will touch briefly on protection orders, on tackling variation, and on alcohol and services. I welcome the change in the Bill to domestic abuse protection orders rather than orders for domestic violence prevention. Those provisions will take us a lot further. It is encouraging that the Bill gets rid of the 28-day limit and that there will be an increased number of settings in which people can apply for the orders and more individuals who can do so.

There is much to welcome but, as the Minister has set out, that takes time. The Stalking Protection Act 2019 received Royal Assent in March, but sadly it will not come into force until the new year. However much we welcome the legislation, we know that there will be a delay. When the Minister responds to the debate, will she explain how we tackle variation in the existing orders? She will know from Home Office data that there is huge variation. For example, three orders were applied for in one assessment period in Cambridge, as opposed to more than 250 in Essex. There can be no reason for that kind of variation. Some data from Her Majesty’s Inspectorate of Constabulary show that the use of the orders had gone down. Will the Minister set out what we are going to do to encourage the uptake of existing orders while we are waiting for the improved version to come into force?

I would particularly like to touch on the role of alcohol, because I do not think it has come up in the debate so far. Of course, alcohol is never an excuse for violent crime, but typically 25% to 50% of perpetrators have been using alcohol at the time of the offence. In particular, we know that there is a link with the very violent forms of domestic abuse—in those cases, alcohol is twice as likely to be involved. Will the Minister look at how we can take an evidence-based approach to alcohol in our policy? Will she set out what she is going to do to review alcohol policy so that we can make a difference to domestic abuse, as it is a significant factor?

Services must also be available for perpetrators. We are going to introduce protection orders, and it is welcome that there will be positive as well as negative requirements. If people are referred, those services need to be in place so that they can respond. I am out of time, so I shall conclude.

6.23 pm

Liz McInnes (Heywood and Middleton) (Lab): I am grateful for the opportunity to make a contribution to this important debate. It has been my privilege to be here for the whole debate and to hear many brilliant speeches, particularly the amazing speech by my hon. Friend the Member for Canterbury (Rosie Duffield), whose courage in speaking about the domestic abuse and coercive control that she suffered will give others the hope and courage they need to speak up and get away.

I pay tribute to the Mother of the House for raising the issue of the “S&M” defence in relation to the terrible death of Natalie Connolly, which was the subject of a powerful speech by the hon. Member for Wyre Forest (Mark Garnier); and to my hon. Friend the Member for Bradford West (Naz Shah), who spoke courageously of her own family experience and the needs of BAME women under the Bill.

I particularly want to raise the effect of domestic abuse on children and their inclusion in the Domestic Abuse Bill. Under the Bill, the definition of domestic abuse would not extend to relationships between persons under 16 years old, but this subject has been hotly debated. The Children’s Society is arguing for a wider definition and suggests that an age limit of 13 years would be more appropriate, to include teenagers who
are in relationships and experiencing violence or abuse and to allow for an early response to prevent abuse from escalating. This view is supported by the Office of the Children’s Commissioner, but opposed by Action for Children to ensure that abuse of under-16s is always regarded as child abuse. However, the NSPCC makes the point that child abuse can include the emotional impact of being exposed to harm as a result of witnessing the abuse of one parent by another. It says that by failing to recognise children as victims in law, the Government are missing a crucial chance to give young people an extra layer of protection.

At the Labour party conference last week, I met a representative from Barnardo’s. She was delighted that the Bill was going to be discussed, and she welcomed the Government’s commitment to it. However, she talked to me about the impact of domestic abuse on the lives of vulnerable children. Living in an abusive household is hugely traumatic for children and can cause long-lasting emotional scars. Without the right support, children in this situation are at risk of becoming trapped in a lifelong cycle of violence. These children need access to vital services such as counselling and mental health services so that they can recover from the harm they have suffered and work towards a positive future.

Research demonstrates that specialist children’s services reduce the impact of domestic abuse and improve children’s safety and health outcomes, which is why it is so concerning that dedicated support for children and young people is falling. The Joint Committee supported retaining the age limit of 16 because of concerns that a consequence of lowering it would be the criminalisation of perpetrators under 16 years old. However, the Joint Committee recommended that the Government conduct a specific review of how to address domestic abuse in relationships between under-16-year-olds, including age-appropriate consequences for perpetrators, and I hope to see the results of that review and that guidance colouring the way in which we debate this Bill.

Women’s Aid has recently launched a website called LoveRespect to support teenage girls at risk of relationship abuse and to challenge myths around the nature of coercive control. Teenage girls may not realise that they are experiencing relationship abuse, and they are less likely than older women to call a helpline. Researchers found that two thirds of teenage girls who had been in abusive relationships did not recognise the behaviour as such. This highlights the importance of educating young people on what healthy relationships should look like. Having a bad boyfriend should not be seen as an acceptable rite of teenage passage. We need to get the impacts of coercive and controlling behaviour into the Bill, given that it will inform efforts to address domestic abuse and guide the response of agencies and statutory services. It is vital that the needs and experiences of children are reflected on the face of the Bill.

6.28 pm

Ruth George (High Peak) (Lab): I welcome the opportunity to take part in this debate and the spirit in which it has been conducted across both sides of the House. There has been an atmosphere of support, particularly to those who have experienced coercive control and violence, and that is very welcome. I also very much welcome the bravery of my hon. Friends who have spoken out about their own personal experiences. We need people to recognise across the House and across the country that this can happen to anyone, and that everyone can need our support at some time. I hope that the atmosphere of this debate can feed through into a zero tolerance of domestic abuse and coercive control, because these things are happening too widely. With 2 million adult victims and millions of child victims, this is happening in a substantial number of households across every constituency and across every walk of life.

There are so many areas that we need to cover in the Bill, in other Bills and in other Departments, as I said to the Secretary of State in an intervention earlier. From my personal experience on the Work and Pensions Committee, I can say that the first is the way in which the benefit system does not support women who are leaving violent or coercive relationships. They can be left without even the fare for a taxi to get away from the household they are living in. It is welcome that each Jobcentre Plus now has a domestic violence specialist, but unless people are prepared to come forward and declare that they are a victim of domestic violence—or exhibit the signs strongly enough for it to be recognised—it will not be recognised.

The former Secretary of State for Work and Pensions declared that universal credit payments should go to the main carer in the first instance, and I hope that that will be done. Just 60% of payments go to the main carer, and that is not good enough. It means that for 40% of parents on universal credit the money does not go to the main carer, and it is important that that happens.

Other hon. Members have mentioned the two-child limit, the benefit cap, and the local connection rules for housing, which often mean that women who have escaped a relationship simply cannot get by and have to return to a violent environment. That is just not good enough.

We also need to make sure that employers support victims of domestic abuse. I worked for the shopworkers union, USDAN, and the reps did some fantastic work learning about the signs of domestic abuse and how to support victims. We are still seeing employers seeking to avoid giving paid leave to victims of domestic abuse; failing to allow them flexible working; and refusing to allow them to change to another branch of the firm if they have had to move away from their original address. These are all simple ways in which employers can support victims of domestic violence.

We also need to make sure that those who work on the frontline are protected from third-party harassment. In a shocking case, one of my constituents had been abused in a long-term relationship. She left the relationship, and her ex-partner came to the shop where she worked to threaten, harass and violently assault her. Even though she had a protection order against him, her employer told her that it was not good for the image of the company for her harasser to turn up, and if she did not stop him doing it, she would lose her job. We cannot have victims of third-party harassment from any member of the public—and, particularly, victims of abuse—not receiving protection under the law. I hope that the Minister will look at including that protection in this Bill or another that comes forward very soon.
We need to make sure that victims of domestic abuse feel that they can come forward in any situation, whether they are claiming benefits or in work. I hope that the Bill will enable us all to make that happen.

6.33 pm

Catherine West (Hornsey and Wood Green) (Lab): It is a pleasure to be the final contributor from the Back Benches in this amazing debate. It has been a fantastic debate in which we have heard the personal stories of my hon. Friends the Members for Bradford West (Naz Shah) and for Canterbury (Rosie Duffield)—and how moving were their accounts.

I want briefly to pay tribute to three of my constituents who are experts in this field. The first is Harriet Wistrich, a barrister from the Centre for Women’s Justice, who led the work on the Sally Challen case. I am sure that my hon. Friend the Member for Bradford West (Naz Shah) for her extraordinarily moving contribution, both about her mother and her experience as a survivor. Her speech, too, will reverberate far beyond this House. Her achievements are an inspiration to others.

The second person I briefly wish to mention is the outgoing chief executive of Solace Women’s Aid, Mary Mason, a constituent of mine and an expert in her field. Her life has been dedicated to improving the situation for women, and I am sure everyone in this House would like to thank her for the years and years she has given to women who have been facing violence.

The final person I wish to mention is a woman who has tragically passed away but who also did an amazing amount of work. I understand that she worked closely with the right hon. Member for Maidenhead (Mrs May) in developing not only the beginnings of this Bill but the Modern Slavery Act 2015. I refer to Denise Marshall, who tragically passed away due to cancer a couple of years ago but who did an incredible amount for Eaves, a fantastic charity that works closely with government to promote better services for women.

Each of us will have a domestic violence charity or statutory sector service in our constituency, and mine is Hearthstone. What is wonderful about it is that it is based in the local authority but it has its hands on the allocation of housing. Before, when best practice was considered to be in the voluntary sector or civic society, it could be an advocate, but being based within the council allows Hearthstone to keep a close eye on allocations. It is therefore in a great position to assist women who are escaping domestic violence.

I wish to make two quick points that we have to consider when we finalise the Bill. The first relates to women and families who have no recourse to public funds and the second relates to women on different spousal visas. A number of Members have mentioned that today, and I want to mention it so that we can be assured that it is looked at once again before Third Reading. I would be grateful if the Minister clarified what view she is taking on different immigration arrangements, as there are women who are trapped in violent relationships because of their spousal visa arrangements. We desperately need that element of the Bill to be sharpened up before it goes to Third Reading.

Matt Western: My hon. Friend is making some extremely important points. Does she agree that there are two issues here? The first is about access to accommodation, particularly for women who have been in refuges. There is a lack of capacity in council house provision, so authorities are struggling to place women out of refuges and those women are then spending considerably longer than expected in refuges. The second issue is the lack of provision within local police forces of specialist officers who can deal with victims of domestic abuse.

Catherine West: I thank my hon. Friend for that intervention. The right hon. Member for Maidenhead put it well in her good speech: this is not just about the legislation. We have to have resources, more police and more services at local level. We can have the best legislation in the world, but if we cannot enforce and we cannot prevent, what is the point of our sitting here and having beautiful legislation?

6.38 pm

Nick Thomas-Symonds (Torfaen) (Lab): It is a privilege to reply to the debate this evening, which has shown the House of Commons at its very best. I wish to start by paying tribute to the right hon. Member for Maidenhead (Mrs May), who made what I believe to have been her first speech from the Back Benches since leaving office as Prime Minister. She set the tone of the debate and said that domestic violence was not something that should ever be viewed as being “behind closed doors”. That attitude was prevalent in the past and we must do all we can to ensure that it is not prevalent in the future.

I pay tribute to my hon. Friend the Member for Canterbury (Rosie Duffield) for making a courageous and extraordinarily moving speech. Not only did it have a considerable impact on everyone in the House who heard it, but it will have an extraordinary impact on everyone outside this House and give them extraordinary confidence about speaking out in the dignified way she has done today.

I also pay tribute to my right hon. and learned Friend the Member for Darlington (Jenny Chapman), who spoke very well for her remarks about serial perpetrators; to my hon. Friend the Member for Bristol West (Thangam Debbonaire), who drew on her experience of working in the domestic violence field in the past; to my hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper) for her remarks about the harrowing Natalie Connolly case. I am sure that amendments will be tabled in Committee that relate to the issues that were identified in that case.

I am grateful to my right hon. Friend the Member for Normanton, Pontefract and Castleford for her remarks about serial perpetrators; to my hon. Friend the Member for Bristol West, who spoke very well about the Bill’s potential impact; and to my hon. Friend the Member for Hove (Peter Kyle), who spoke very well about an issue to which I shall return—the cross-examination of victims in the family courts by their perpetrator.

My hon. Friend the Member for Newport West (Ruth Jones) spoke about the various people who have had an impact on the Bill’s coming into being. I pay tribute to my hon. Friend the Member for Bradford West (Naz Shah) for her extraordinarily moving contribution, both about her mother and her experience as a survivor. Her speech, too, will reverberate far beyond this House. Her achievements are an inspiration to others.
I thank my hon. Friend the Member for Kingston upon Hull North (Diana Johnson), who spoke about controlling behaviour; my hon. Friend the Member for Nottingham North (Alex Norris), who spoke about refuge funding; my hon. Friend the Member for Batley and Spen (Tracy Brabin), who also mentioned the need for reform of the family courts; my hon. Friend the Member for Leigh (Jo Platt), who spoke very movingly about the experiences of Leanne and Nikita; my hon. Friend the Member for Birmingham, Yardley (Jess Phillips), not just for her speech but for all her extraordinary work in this area; my hon. Friend the Member for Oldham East and Saddleworth (Debbie Abrahams), who talked about the importance of a whole-society approach; my hon. Friend the Member for Heywood and Middleton (Liz McAlpine), who spoke about the impact of domestic violence on children, and my hon. Friend the Member for High Peak (Ruth George), who spoke about reform of universal credit. It was fitting that my hon. Friend the Member for Hornsey and Wood Green (Catherine West) ended with a tribute to charities in this area, who do so much across all our constituencies to make lives better.

The Bill has produced a remarkable degree of welcome consensus in the House today, but it will clearly need work in Committee. I will start with the definition of domestic violence. I agree with the former Prime Minister, who said that it was clearly a step forward to have a statutory definition. Reading clause 1, though, it seems to me not to include abuse perpetrated by a person in a position of trust. I believe the hon. Member for South Suffolk (James Cartlidge) mentioned an example of it, but there may be other examples in the domestic context that are not quite covered by clause 1. I ask the Minister to go away and look at that issue. Hon. Members across the House have picked up other issues, including the impact on children and the gendered nature and impact of domestic abuse, that need to be considered as the Bill progresses.

I welcome the appointment of a Domestic Abuse Commissioner, although I consider that person should be full time. The commissioner must obviously have the powers to provide the strategic oversight that we need, and to hold public authorities in this area properly to account.

I welcome the domestic abuse protection notices and domestic abuse protection orders, and the extension of special measures for complainants mentioned both by the Lord Chancellor and the Chair of the Justice Committee in their opening speeches. I consider that the domestic violence disclosure scheme should be on a statutory footing, and I am pleased to see that in clause 55. As many hon. Members have mentioned, one of the issues with domestic violence is that it is often the victim who ends up homeless. I welcome in the Bill the suggestion of new secure lifetime tenancies in England, which is a step forward.

I return, though, to the issue of cross-examination in the family courts. It has been the case for some time in the criminal courts that perpetrators of domestic abuse could not cross-examine their victims in person. It is high time that that protection was extended to the family courts. However, as I think the Joint Committee picked up, it does not seem to be mandatory; it still seems to be at the discretion of the court. The last thing we would need is for that to be inconsistently applied; it should be consistently applied across the system. That point that has been picked up already.

There are other issues, of course, that are not a part of the Bill as it currently stands. There is, for example, no statutory duty to fund refuges, but we all know that refuges are in dire need of more funds. There also needs to be a whole look across Government at other policies that have a huge impact in this area, including, for example, to whom universal credit is paid and the five-week wait, just to mention two particular issues that clearly have an enormous impact on domestic violence that the Government need to consider.

My hon. Friend the Member for Hampstead and Kilburn (Tulip Siddiq), in an intervention, mentioned migrant women, which is a very important issue. They are too often denied the chance to apply for indefinite leave to remain and prevented from accessing the public funds and the services they require. I urge the Government once again to go away and look at that situation.

This Bill before us today clearly contains a series of measures that will be welcomed across the House, but I urge the Government to keep an open mind in Committee about various issues that will arise in the course of this Bill. If the Government are willing to be constructive, we can, together, make it a much better Bill. I do pay tribute to those on the Government Front Bench and, indeed, to my hon. Friend the Member for Swansea East (Carolyn Harris) for the work that they have done so far. I urge them to continue working together to make this a truly historic Bill of which we can all be proud.

6.46 pm

The Parliamentary Under-Secretary of State for the Home Department (Victoria Atkins): I hope that colleagues will forgive me if I depart from what Ministers normally do in winding up—which is to look at our files and the prepared speeches that our wonderful officials write for us—and speak from my heart because this has been an extraordinary debate. We have had the most compelling, the most heartfelt, the most heartbreaking examples of domestic abuse laid out before us. I cannot hope to do justice to those accounts in the short time that I have, but I will do my best. Any points that I have not been able to cover, I will, of course, write to hon. Members and put letters in the Library.

There have been 38 Back-Bench speeches in this debate and every single one has had an extraordinary contribution to make to the Bill. I should say that I am particularly grateful to the Lord Chancellor, who joins me on the Front Bench. I also want to record my thanks to the Under-Secretary of State for Justice, my hon. Friend the Member for Aldridge-Brownhills (Wendy Morton), who is replacing—if he can be replaced—my hon. Friend the Member for Charnwood (Edward Argar) for the work that they have done so far. I urge them to continue working together to make this a truly historic Bill of which we can all be proud.

In those 38 speeches, many, many experiences—horrific experiences—have been put before us. Hon. Members have very much drawn us into the lives, the suffering and, as I have said, the heartbreak of millions of our fellow citizens, whether constituents or not.
There are a few names out of an incredibly long list that I will mention because they have caused such an impact in the Chamber and, indeed, outside the Chamber. The first is that of Natalie Connolly. My hon. Friend the Member for Wyre Forest (Mark Garnier) and, indeed, the right hon. and learned Member for Camberwell and Peckham (Ms Harman), the Mother of the House, set out the agony that the Connolly family have gone through in the case coming before the court concerning their dear daughter, Natalie, the facts of that case and of similar cases. I cannot help but be horrified by some of the experiences that victims of sadomasochistic sexual acts, which defendants then claim as a defence in court, have gone through. It is extraordinary and I will very much go away and reflect on the matter. It may not be this Bill that deals with that, but I do think that we must look at it very carefully and see what more can be done.

The next set of names that I think the House was touched by—I am very mindful that Claire is here in the Gallery—are those of Claire, Jack and Paul Throssell, represented very ably by their Member of Parliament, the hon. Member for Penistone and Stocksbridge (Angela Smith). I have had the privilege of meeting Claire and listening to her experiences at first hand. I would challenge anyone not to be incredibly moved by Claire’s story and not to be haunted by her story for many, many days after they have heard it, so I thank and salute Claire for being here today and working on behalf of other victims.

The hon. Member for Leigh (Jo Platt) mentioned Leanne and Nikita. I thank her for bringing their experiences into this debate.

Then we move on to our friends and colleagues who have themselves been incredibly brave in describing their own experiences. My friend the hon. Member for Bradford West (Nia Shah) talked about her mother Zoora, and of course about her own experience of forced marriage. I am very keen that we all understand that although the words “forced marriage”, “FGM” and so on are not in the Bill, they are examples of the categories of behaviour that we have set out in the definition, and they will be in the statutory guidance, so people should be under no illusion: we consider those acts within intimate relationships to be examples of domestic abuse.

Then, of course, there was the account of our friend the hon. Member for Canterbury (Rosie Duffield). I sat here listening and thinking, “She is doing a very good job of representing her constituent. This is a terribly sad tale.” It was not until she said, “and then you introduce him to the leader of your party” that I shook myself a bit and thought, “My goodness—are we on a journey different from the one that I had anticipated?” She used words that every person who works in the field of domestic abuse will recognise, such as “hyper-alert” and “abject rage”. She spoke of bills piling up and of similar cases. I cannot help but be horrified by some of the experiences that victims of domestic abuse today than we have seen in a very long time, and I thank her sincerely for her contribution.

This Bill is truly groundbreaking, and I am delighted that we have agreement on that. I fully accept and acknowledge that we are not all agreed about parts of it, and of course that will come through in the scrutiny of the Bill. But we have this Bill before us today because of the determination, commitment and grit of my right hon. Friend the Member for Maidenhead (Mrs May). I think it is extremely telling that, after some 20 years on the Opposition and Government Front Benches, she has chosen as her first contribution to speak in this debate about a cause that is very close to her heart. I am extremely grateful to her not just for her contribution today, but for the fact that we have this Bill and are driving this work forward in Government.

There are other colleagues I feel obliged to mention, because I see this as a Bill that is owned by the entire House. I must thank my right hon. Friend the Member for Staffordshire Moorlands (Karen Bradley), who started the journey by bringing in, with the Lord Chancellor, the controlling or coercive behaviour offence. I also thank the hon. Member for Truro and Falmouth (Sarah Newton), who was my predecessor in this role and who insisted on the terminology of economic abuse being included in the definition, because our understanding of it is so much better than it was even a few years ago. Though wanting to spare the blushes of a member of the Whips Office, I must also thank my hon. Friend the Member for Nuneaton (Mr Jones) because when he was on the Front Bench in another guise, he worked hard on the secure tenancies provision that we now see in the Bill.

As I say, I consider this to be a Bill that is owned by the whole House, and I thank colleagues across the House for their work not just today, but in the run-up to Second Reading. That includes, of course, the hon. Member for Swansea East (Carolyn Harris). I tried to learn some Welsh before I got to this part of my speech, but I am afraid that it is beyond me. I also thank the “professional feminist”, the hon. Member for Bristol West (Thangam Debbonaire), who does so much work—work that we are now much more comfortable talking about—tackling the perpetrators, including serial perpetrators, to stop the cycle of abuse.

I also thank the hon. Member for Hove (Peter Kyle) for his work on cross-examination—it is always a pleasure to work with him—and, of course, the hon. Member for Birmingham, Yardley (Jess Phillips), who has been and continues to be a staunch advocate for victims of domestic abuse. I look forward to grappling with some of the more difficult issues with her in due course.

I am delighted that the Bill received the level of pre-legislative scrutiny that it did through the Joint Committee, which was chaired so ably by my right hon. Friend the Member for Basingstoke (Mrs Miller). Her leadership and that of others on the Committee has meant that the Bill is in a better place than it was before they scrutinised it. We have accepted many of the Committee’s recommendations and there are still recommendations that we are working on and may add in Committee. I thank every member of the Committee and its Chair.

The hon. Member for Torfaen (Nick Thomas-Symonds) asked Ministers to be open hearted. We are absolutely open hearted in admitting that this Bill is not yet in the place that it should be. It has to be perfected through scrutiny. In particular, hon. Members have rightly raised the issue of refuges. Hon. Members may recall that, when the Bill was introduced, the Ministry of Housing, Communities and Local Government’s consultation on refuge accommodation was still live, so by definition we could not make amendments to the Bill or add clauses at that stage. However, we are working through the
consultation responses and I am confident that we will be able to move amendments in Committee, which I very much hope will meet with hon. Members’ approval.

I am conscious, too, of the comments made by the hon. Member for Bradford West and others about specialist services. I myself have been on a learning curve when it comes to the particular requirements of women who are perhaps suffering cultural difficulties as well as abuse, in the more conventional sense that we would understand, in the home. That will very much form part of our review of those services.

Colleagues have also rightly been holding me to account on funding. This year’s spending review, being a one-year review, is unusual, but we are clear that funding will be a priority in the 2020 spending review and we will push for appropriate funding for all the important services that hon. Members have mentioned.

I also acknowledge the concerns about migrant women. Women—all people who are suffering domestic abuse—must be viewed as victims first and foremost. We have not got it right yet with migrant women, but we are conducting a review, as we told the Joint Committee we would. We are looking at everything and will do our best to bring forward those proposals in Committee. There might be things that we can do that do not need to be in primary legislation. The House should bear with us while we work through the review and we will see what more we can do.

Colleagues have rightly mentioned the definition. There have been many thoughts about whether it goes quite far enough. I am very conscious of the contribution from my hon. Friend the Member for South Suffolk (James Cartlidge), who raised the impossible situation that a constituent and their family found themselves in with a person—a therapist—in a trusted position. There are concerns about positions of trust.

I have just had my dress tugged, because if I do not sit down before 7 o’clock, the Bill will fall, so forgive me if I stop mid-sentence, Madam Deputy Speaker. I very much hear colleagues’ concerns about the definition and, if I may tackle the gendered point, we absolutely acknowledge that domestic abuse predominantly affects women. However, we are conscious that, of the estimated 2 million victims in our country, about a third are male. We cannot ignore those victims. In fairness, I do not think that anyone is suggesting that we should, but we are going to make the gendered nature of the crime apparent on the face of the statutory guidance, which I think will be significant.

To sum up, as my right hon. Friend the Member for Maidenhead said, this statute is only part of the solution. There is consensus that we all have to ensure that people begin to understand what domestic abuse entails, that the relationships that they are entering into are not healthy and that girls growing up can expect much better from relationships in their adulthood. That is absolutely what this law and the non-legislative measures coming from relationships in their adulthood. That will very much form part of our review of those services.

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To sum up, as my right hon. Friend the Member for Maidenhead said, this statute is only part of the solution. There is consensus that we all have to ensure that people begin to understand what domestic abuse entails, that the relationships that they are entering into are not healthy and that girls growing up can expect much better from relationships in their adulthood. That is absolutely what this law and the non-legislative measures are directed at. The Bill is vital, but there is so much more that we need to do to ensure that everybody understands that domestic abuse is everybody’s business.

Madam Deputy Speaker (Dame Eleanor Laing): Thank you. What an excellent, thoughtful, constructive, calm debate. I sincerely hope that those who observe our proceedings will see just how well Members of this House behaved when we were bringing about an important piece of legislation that actually affects the lives of millions of people.

Question put and agreed to.

Bill accordingly read a Second time.

DOMESTIC ABUSE BILL (PROGRAMME)

Motion made, and Question put forthwith (Standing Order No. 83A(7)).

That the following provisions shall apply to the Domestic Abuse Bill:

Committal

(1) The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

(2) Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Thursday 21 November 2019.

(3) The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Proceedings on Consideration and up to and including Third Reading

(4) Proceedings on Consideration and any proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which proceedings on Consideration are commenced.

(5) Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.

(6) Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and up to and including Third Reading.

Other proceedings

(7) Any other proceedings on the Bill may be programmed.—[Mr Marcus Jones.]

Question agreed to.

DOMESTIC ABUSE BILL (MONEY)

Queen’s recommendation signified.

Motion made, and Question put forthwith (Standing Order No. 52(1)(a)),

That, for the purposes of any Act resulting from the Domestic Abuse Bill, it is expedient to authorise the payment out of money provided by Parliament of:

(a) any expenditure incurred by virtue of the Act by a Minister of the Crown; and

(b) any increase attributable to the Act in the sums payable by virtue of any other Act out of money so provide.—[Mr Marcus Jones.]

Question agreed to.

Business without Debate

DEFERRED DIVISIONS

Ordered,

That, at this day’s sitting, Standing Order No. 41A (Deferred divisions) shall not apply to the motion in the name of Secretary Priti Patel relating to Domestic Abuse Bill: Carry-over.—[Mr Marcus Jones.]

Question agreed to.
DOMESTIC ABUSE BILL: CARRY-OVER

Motion made, and Question put forthwith (Standing Order No. 80A(1)(a)).

That if, at the conclusion of this Session of Parliament, proceedings on the Domestic Abuse Bill have not been completed, they shall be resumed in the next Session.—(Mr Marcus Jones.)

Question agreed to.

Welsh Language

Motion made, and Question proposed, That this House do now adjourn.—(Mr Marcus Jones.)

7.2 pm

Glyn Davies (Montgomeryshire) (Con): Diolch, Madam Deputy Speaker. Rydw i’n falch iawn o gael y cyfle i wneud arafith am yr iaith Gymraeg yn San Steffan heno. Thank you, Madam Deputy Speaker, for the opportunity to speak about the Welsh language here in the Palace of Westminster tonight.

I tabled my request for this Adjournment debate for several reasons: first, because I believe the Welsh language to be of such importance that it should be on our agenda here at Westminster at least once in every Parliament; and for the rather more selfish reason that this may well be my last speech in the House of Commons before I retire at the forthcoming general election, and I wanted to speak on an issue of special personal interest and importance to me.

Nick Thomas-Symonds (Torfaen) (Lab): First, on a personal level, I want to wish the hon. Gentleman very well in his retirement. I have always enjoyed debating with him over the years we have been together in this House. Secondly, I commend him for his choice of topic for this final debate. Many parents in my constituency—increasing numbers, actually—seek Welsh-medium education for their children, and it is great to see him here putting that forward on a national stage.

Glyn Davies: It is good to find myself, and anticipate finding myself, in agreement with quite a few Members in the Chamber, which is probably quite pleasant.

I speak with a special personal interest in that Wales and matters Welsh have been absolutely my focus as an MP, my overriding interest, and almost at times, I think, my obsession since being elected in 2010, as they have been throughout my 40 years in public life before that. Other hon. Members will have their own perspectives, which will inevitably sometimes be different from my own. The first half of my comments will be about the history of the Welsh language and where it has touched on my own life, before I share thoughts about attitudes and investment for the future.

I was born in Montgomeryshire, or Sir Drefaldwyn in Welsh. I have always lived there, and I have no ancestors who were born anywhere except in Sir Drefaldwyn—at least that I know of. More unusual is that I think every single ancestor spoke Welsh as their first language. Again, that is as far as I know, but I have gone to a lot of trouble to try to find out.

There were two main reasons why my five sisters and I were the first generation not to be bilingual—we were Davieses, Llyords and Evanses, and everyone was bilingual until my generation. First, my parents moved from the Welsh-language villages of Llanerfyl and Pontrobert to the predominantly English-language villages of Castle Caerinion and Berriew. The second reason was more significant and pertinent to this debate. At that time, and for some time before, Welsh was seen as the language of failure. It was simply not encouraged. It was the age of the Welsh not. I do not remember hearing my parents, both first-language Welsh speakers, ever speak
Welsh in front of the children. That is not in any way a criticism; it was not at all unusual at the time. That had an impact on all of us.

I left education aged 16, to join my father on the family farm, during a long period of his illness. However, I fancied myself as a writer, and in the early 1960s I wrote an essay for an eisteddfod competition, “The Future of the Welsh Language”. We could write in either English or Welsh, it was 20,000 words—quite significant—and it involved weeks of research. My reward was to win the chair and to be crowned bard, but the key point that I want to make is that my essay predicted the end of Welsh as a spoken language—not at all an uncommon belief at the time. Many academics would have taken the same view. But time has proven my conclusion to be too pessimistic. The future, as it so often does, decided to take a rather different course.

Throughout the period of my youth, the inevitable reaction was a strong pro-Welsh language protest movement, in response to the long-term decline. There were marches and protests, and even properties burnt down. There were Saunders Lewis, Lewis Valentine, Gwynfor Evans and others well known in the history of Wales. There was also the early development of the political voice of Wales, and of Plaid Cymru. In fact, as I have admitted in this Chamber before, the first time that I voted it was for Plaid Cymru, as it happens—[Interruption.] I have told my own party, so it will not come as a shock.

Crucially, from the mid-20th century, there was a change of political attitude. I have no desire to make any partisan or political points, except to record my pride that my party played a significant and proactive part in that change. Mrs Thatcher's Government established S4C with what I shall call encouragement from the UK Government. The biggest advance, in my view and that of many others, was the Welsh Language Act 1993, when Lord Wyn Roberts was such a key player.

Today, we have reached the stage in the recovery of the Welsh language at which the Welsh Government have formally adopted the aim of there being 1 million Welsh speakers in Wales. That is beyond the imagination of any of us 20 years ago. I do not know how realistic that aim is, but 20 years ago it would have been laughed out of court. We can now have that sort of serious reward was to win the chair and to be crowned bard, it is essential to ensure that the language is not only available but accessible. Someone should be making sure that Welsh speakers are encouraged to use the Welsh language by default. In some instances, such as the Disclosure and Barring Service scheme, we need to look at how to ensure that happens—we are looking at the future now. I briefly congratulate the hon. Gentleman, and I hope that we will have a few more speeches from him, but this is a very worthwhile one.

Glyn Davies: The right hon. Lady makes a very good point, which could be spread to quite a lot of other areas as well. Our means of communication change so much, and we always have to be looking forward to different ways of ensuring that the language has its place.

Jim Shannon (Strangford) (DUP): I rise—

Glyn Davies: I will take another intervention. I will allow others, although I would prefer them to be on the Minister later because I want to finish my comments.

Jim Shannon: May I add my thanks to the hon. Gentleman for all the debates he has been involved in, and for his work on the all-party groups in which I have sat alongside him? I thank him for his contribution.

The hon. Gentleman mentioned minority languages. As an Ulster Scots speaker and one who loves the language, I believe there is something beautiful in speaking with our cultural and historical tongue. Does he not agree, however, that it is inappropriate to use any of our historical languages as a political weapon—it is very important to take them forward as something we love, because of what they mean, rather than to try to use them for any other purpose—and that any attempt to do so must be vehemently and actively opposed by any true historical linguist?

Glyn Davies: Again, I very much agree with that point. Because Welsh language policy is devolved, I accept that our role here at Westminster is largely, though not exclusively, a supportive role. The main policy levers lie with the National Assembly for Wales, but in my view it is important that the UK Government make clear policy statements that we support constructive policy objectives, rather than just pay lip service. Over time, we have seen some objections to interventions designed to grow and protect the Welsh language, because they do carry responsibility and cost. However, I hope we can allow others to support a policy that all children should have meaningful contact with the Welsh language, and that we can support increasing opportunity to use Welsh outside the education environment, particularly in the workplace. Personally, I believe we should encourage more learning of Welsh through sport and culture, and where young people take their forms of entertainment.

Ruth Jones (Newport West) (Lab): I thank the hon. Gentleman for securing the debate. I know that he has indicated his intention to stand down at the next general election, so although he and I do not always agree on a lot of policy areas, there are some areas in which we stand united—our love for Wales, for example—and I thank him for his service to date.

I am a Welsh learner, but my husband is a Welsh speaker naturally, so I know how important our national language is and how much we all still welcome the Welsh
Welsh landscapes, wonderful mountains and really what makes Wales special. Yes, we have wonderful Union. I hope that is not seen as too controversial. It is but we retain a responsibility for it. We must not just must not do that. Welsh language policy may be devolved, suddenly take it off the agenda and forget about it. We their desk that day, to devolve something and then when the pressure is on them to deal with what is on all worthwhile. I am going to miss it when I am not here.

Frosty morning at half-past 7 to speak to the audience of over to Millbank or College Green on a cold, wet, Welsh, in Welshpool, Newtown and all over the place. It quite a lot, many people now engage me on the street in become sufficiently fluent to appear on Welsh media and I could not speak with her.

I do not know whether there is anybody left now, but one of the very last people who could speak only Welsh. She lived in Dolanog and was monolingual Welsh. She was one of the very last people who could speak Welsh. I do not know whether there is anybody left now, but she died when she was 97 and she was one of the last, and I could not speak with her.

Anyway, I decided to learn Welsh, and because I became sufficiently fluent to appear on Welsh media quite a lot, many people now engage me on the street in Welsh, in Welshpool, Newtown and all over the place. It is incredibly satisfying. It is just reward for struggling over to Millbank or College Green on a cold, wet, frosty morning at half-past 7 to speak to the audience of “Post Cyntaf”. To me it is a huge reward and makes it all worthwhile. I am going to miss it when I am not here.

We Welsh MPs must resist a “devolve and forget” attitude. I sometimes think it is so easy for Ministers, when the pressure is on them to deal with what is on their desk that day, to devolve something and then suddenly take it off the agenda and forget about it. We must not do that. Welsh language policy may be devolved, but we retain a responsibility for it. We must not just put Welsh language policy in a box. It is an issue for every Department, not just the Wales Office.

Welsh is a Great British language. It is older than English. Backing the Welsh language is backing the Union. I hope that is not seen as too controversial. It is what makes Wales special. Yes, we have wonderful Welsh landscapes, wonderful mountains and really wonderful Welsh people, but other parts of the United Kingdom have special landscapes with special people and special mountains. In my view, where Wales is unique in the UK is that we have our own distinctive, widely spoken Welsh language. We must never, ever forget that.

7.16 pm

The Parliamentary Under-Secretary of State for Wales (Kevin Foster): Diolch, Dirprwy Llywydd. [Interruption.] I thought it was worth an attempt. I congratulate my hon. Friend the Member for Montgomeryshire (Glyn Davies) on securing a debate on this important issue. He is a known champion of the Welsh language and campaigner for the right to use Welsh in the House; the Secretary of State for Wales has worked alongside him to see Welsh spoken in the Welsh Grand Committee.

This debate is timely as this is UNESCO’s International Year of Indigenous Languages, the purpose of which is to raise awareness of the critical risks historic languages face and their value as vehicles for change, knowledge systems and ways of life. Indigenous languages play a crucial role in enabling communities to participate in their countries’ economic, cultural and political life.

My hon. Friend was absolutely right to say that this cannot be a matter of “devolve and forget”. The UK Government are committed to supporting the UK’s indigenous languages. As he touched on, Welsh is recognised as an official UK language and is one of the oldest living languages. It is also one of the greatest inheritances for our Union as a whole, so we have a responsibility to protect it and develop a strong future for it. We also have a duty to represent the communities we serve and to understand that, for many people, both fluent speakers and learners, the Welsh language forms an integral part of their identity—their British identity as well as their Welsh identity.

It is good to see that, far from what my hon. Friend’s essay concluded back in the 1960s, almost 30% of Wales’s population aged three and over now say they can speak at least some Welsh. We are therefore seeing progress towards the aspirations of Cymraeg 2050, which aims for there to be 1 million Welsh language speakers by 2050 and for the Welsh language to be part of everyday life in Wales, empowering and representing Welsh speakers and their communities.

Jeremy Lefroy (Stafford) (Con): I congratulate my hon. Friend the Member for Montgomeryshire (Glyn Davies) on his fantastic speech. In counties such as mine—in Staffordshire, Shropshire and Herefordshire, which border Wales—huge numbers of our constituents mine—in Staffordshire, Shropshire and Herefordshire, which border Wales—huge numbers of our constituents go on holiday to Wales and enjoy Wales. We would like at least the opportunity to learn Welsh in our areas. We would like it at least to be offered as an option in some of our schools and colleges. It is vital. I have tried to learn Welsh; I have not had much success so far, but as I too am stepping down at the next election, it is something that I hope to do in the future.

Kevin Foster: Putting my Union hat on briefly and speaking as Minister with responsibility for the constitution, it would be wonderful to see more of the culture of our Union being spread across it, including opportunities to study the Welsh language—and Welsh law, given the nuances that there are, following the devolution of
law-making powers to the Welsh Assembly. I am sure that my hon. Friend the Member for Montgomeryshire would be happy to help my hon. Friend the Member for Stafford (Jeremy Lefroy) learn a bit more Welsh after their joint retirement from this place. It would be good to see schools offering to teach Welsh. Certainly the Office of the Secretary of State for Wales will at every opportunity look to promote the ability to learn Welsh, and not just in Wales, so that people in the rest of the Union can get an understanding of the language, and the rich culture attached to it.

The UK Government will continue to support the targets I have outlined, and will use every opportunity to promote them. My Department is proud to have lead responsibility for the Welsh language in the UK Government, and for ensuring it becomes the language of success, rather than what it was once described as being.

Jane Dodds (Brecon and Radnorshire) (LD): Diolch yn fawr iawn. I pay tribute to the hon. Member for Montgomeryshire (Glyn Davies), who is a good friend, I hope, for the work that he has done in Montgomeryshire. I thank him for his service to his constituency. I am sure that he would agree that there is a real need for more Welsh teachers. I was lucky enough to attend a Welsh school, and to have a name who lived with us who—well, I am sure the Minister will agree—the important thing was to have Welsh teachers in my Welsh school. I hope he supports the initiative being taken to promote the recruitment and training of Welsh language teachers.

Kevin Foster: I thank the hon. Lady for her intervention. Of course I support the work being done in Wales to recruit more Welsh teachers. Immersion in a language is the best way to learn it. There is only so much that can be learned in a classroom. It is important to see the language used, and be able to use it for real, not just, as was touched on in one or two interventions, in an educational setting. It is important to be able to see it online and in media, and obviously to be able to speak it with friends.

As part of the work being done by the Office of the Secretary of State for Wales, at the National Eisteddfod in August, the Secretary of State, together with the Welsh Language Commissioner, Aled Roberts, launched new guidance for UK Government Departments when planning and delivering bilingual communications targeted at audiences in Wales. This guidance, endorsed by the Government Communication Service, is the first of its kind for the UK Government. Included in this guidance are recommendations and good practice on designing and creating quality bilingual content in areas including events, consultations and campaigns. This guidance will support people working across both Governments, in Wales and in Whitehall, to help us achieve the Cymraeg 2050 ambition, ensuring the Welsh language is visible, audible and, above all, accessible.

My Department has also promoted Welsh as part of Wales Week in London. I was proud to see every aspect of Welsh cultural life represented, alongside showcases of Welsh culture and identity, tourism, and food and drink products; I particularly enjoyed the latter two. We also celebrated our champions of the Welsh language. My Department has sought a commitment from all UK Government Departments to preserving and promoting the Welsh language. I am pleased to say that 11 UK Government Departments now have a Welsh language scheme, including most recently the Cabinet Office. As some may be able to guess, there has been a series of bilaterals between me as Under-Secretary of State for Wales and me as the Minister with responsibility for the constitution. I found very persuasive my argument that the Cabinet Office, as the Department that very much takes the lead for constitutional and Union matters, needed to resolve the issue and get a Welsh language scheme in place.

It is not just the Office for the Secretary of State for Wales taking the initiative in promoting Welsh language and culture. My colleagues in the Foreign and Commonwealth Office have encouraged its network of posts to mark St David’s day across the overseas network. This year’s activities included a digital campaign highlighting Welsh culture, including the Welsh language.

Bringing Welsh to a global stage does not stop there. The Department for International Development launched Connecting Classrooms through their Global Learning Programme, which connects Welsh pupils and teachers with schools all over the world. The FCO and DFID are examples of Departments playing their part in promoting the Welsh language.

The UK Government are also funding award-winning creative output, providing bilingual services and developing initiatives where Welsh plays a central part. This includes the Department for Digital, Culture, Media and Sport, which has announced that Welsh language programming will benefit from up to 5% of its young audiences content fund and audio content fund, with the aim of stimulating the creation of dynamic and distinctive Welsh language productions from the independent sector.

The UK Government have also committed to maintaining S4C’s funding at its current level for 2019-20. S4C does not just make a contribution to the promotion of the Welsh language; it also makes an important contribution to the creative economy in Wales. It recently moved its headquarters from Cardiff to Yr Egin in Carmarthen, and I am proud that through the Swansea Bay city deal we will be supporting the next phase of this move, which will generate major and positive change to the creative and digital economy of Wales. This will ensure the Welsh language will be seen and heard not only throughout Wales but beyond its borders.

The UK Government are also supporting civil servants to learn Welsh. For example, the DVLA is one of many departments registered as an employer with the National Centre for Learning Welsh, and as a result over 280 of its staff have registered to undertake online Welsh language training courses. It is also championing Welsh in its service provision and has developed a new “Welsh language call handler of the year” award category in its annual contact centre awards to recognise the importance of providing excellence in this service.

The UK Government are constantly looking to improve our Welsh language services. Most recently, the Department for Work and Pensions implemented a Welsh version of the universal credit online system and is ensuring that all its digital services are in Welsh as well as English. It has also undertaken a number of Welsh language-specific recruitment exercises to ensure it has enough Welsh-speaking
work coaches. This has been considered a leading case study of best practice for Welsh language recruitment, and it has been sharing its experience with other UK Government Departments.

Welsh language considerations are also being embedded in other Departments. The Home Office has Welsh language champions who raise the profile of the Welsh language across the Department and its arm’s length bodies. It has also run successful campaigns in the Welsh language on forced marriage and female genital mutilation. I hope this gives the House a flavour of the UK Government’s passion for and commitment to the Welsh language.

I would like to end on a personal note. It is sad news that my hon. Friend the Member for Montgomeryshire will be standing down at the next general election. The £55 million announced today for the mid-Wales growth deal is perhaps another example of what he has achieved for his constituents during his time in the House. I know that his support for the Wales Office has been greatly appreciated by me, my predecessors and the Secretary of State for Wales, and he will be greatly missed in this Chamber. The House will also lose a great champion of the Welsh Language. That said, we will be delighted, I hope, to welcome back in his place another champion of the Welsh language, Craig Williams.

Question put and agreed to.

7.27 pm

House adjourned.
Nicky Morgan: My hon. Friend is absolutely right to say that our local museums play a really important part in our local heritage and culture. I am thrilled to be heading up this Department, and I hope very much that we will be able to find the funding. I will be having conversations with the Treasury to ensure that we are investing in places, and in the feeling of place, right up and down the country, and I know that he will want to be involved in that process locally.

Tim Farron (Westmorland and Lonsdale) (LD): Is the Secretary of State aware that the Government’s plan to put a £30,000 salary floor on migrants entering the UK will massively damage the tourism industry in the Lake District and the Yorkshire dales, leaving many unable to fill vital positions? Representatives of the tourism industry and I have spoken to Ministers past and present about the need to massively lower that figure. Will she listen?

Nicky Morgan: I hope the hon. Gentleman will know that I am a Minister who always listens. He represents a beautiful part of the world in the Lake District, whose benefits I have been delighted to enjoy on many visits. I am very aware of this issue, which is obviously under active consideration. One point is that post 1 November, the UK will be able to set its own immigration policy that is right for this country. We are aware that the tourism sector is reliant on domestic talent, but also on recruiting from overseas.

Mr Philip Hollobone (Kettering) (Con): Kettering is very much in my heart because I go through it at least twice a week on the East Midlands Trains service to and from my constituency. I am delighted to hear that Wicksteed Park is supported by the Heritage Lottery Fund, and it will be celebrating its centenary in 2021. Will the Secretary of State ensure that Wicksteed Park is at the forefront of her mind whenever she considers tourism?

Nicky Morgan: As my hon. Friend knows, Kettering is very much in my heart because I go through it at least twice a week on the East Midlands Trains service to and from my constituency. I am delighted to hear that Wicksteed Park is supported by the Heritage Lottery Fund. This goes to the heart of the fact that there are some real treasures up and down the country. This is about the importance of place and ensuring that we invest in it.

Online Disinformation

2. Gavin Newlands (Paisley and Renfrewshire North) (SNP): What recent steps she has taken to tackle fake news and disinformation online.

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Matt Warman): Tackling disinformation is a key Government priority, and in our online harms White Paper we seek to take a world-leading approach to doing just that. We also seek within that to develop a media literacy strategy that tackles it through the people who are reading it.
Gavin Newlands: Civil servants have said they cannot see how the data being gathered by gov.uk could help with Brexit preparations. With the Cambridge Analytica scandal still fresh in the memory, along with the arrogant refusal by Dominic Cummings to assist the departmental Select Committee with its inquiry in any way, does the Minister not see that another mass data gathering exercise in the run-up to an election is a huge red flag for all those worried about a free and fair process?

Matt Warman: It is important to say in this context that what the Government are doing, via the Brexit website or any other website, is, first, nothing out of the ordinary, and secondly, serves a very useful purpose in ensuring that we, just like businesses, know our users.

Jeremy Wright (Kenilworth and Southam) (Con): I warmly welcome my hon. Friend and his fellow Ministers to their leadership roles in this remarkable Department.

I urge my hon. Friend to translate the online harms White Paper into legislation as swiftly as possible, and invite him to agree that doing so is not just good for the United Kingdom, because it will create a regulator with the authority to enforce a proper duty of care on online companies, but will also be an act of global leadership, whether or not other countries are acting as swiftly as we are.

Matt Warman: I begin by paying tribute to the great work that my right hon. and learned Friend did in overseeing the birth of the online harms White Paper. He is completely right: we should be proud in this House that he is determined to seize it. The legal playing field against big tech; will he tell the House that he is determined to seize it?

Matt Warman: We are absolutely determined to tackle these vital issues, because we know that the behaviour of social media companies is not always acting in the best interests of all our constituents. Of course we will look at any proposals that are advanced by the Labour party, but it is important to say that we need to get this right, and that requires us to work with industry, as well as against it.

Football Governance

Jeff Smith: Football clubs are not just economic, or even sporting, entities: they are, as we have seen in the sad case of Bury, often the heart of their communities and of key significance in the lives of individual fans, without whom they are nothing. So would the Minister support legislating to give fans a right to be represented in boardrooms, to gain more influence over their clubs?

Nicky Morgan: I thank the hon. Gentleman very much indeed for his question. I should have said that my hon. Friend the Minister for Sport, Media and Creative Industries is sorry not to be here; he has given apologies, I think, both to your office, Mr Speaker, and to Opposition Front Benchers. He is overseas on departmental business.

I entirely agree with the hon. Gentleman about the importance of local football clubs and their place in the community, and the importance of bringing people together. We are obviously open to dialogue and we know how strongly fans feel about their investment in their clubs. We want to see how the EFL review goes and whether in fact there are wider questions to be asked too.

Gareth Thomas (Harrow West) (Lab/Co-op): Further to the question asked by my hon. Friend the Member for Manchester, Withington (Jeff Smith), the Premier League clubs and the Football Association have been resisting the idea of a supporter being elected to the board of football clubs for a very long time. Why should the EFL review be any different?

Nicky Morgan: We have seen what happened to Bury and very nearly happened to Bolton over the summer, and we know how strongly people feel about this. We need to let that EFL review happen, but it might be that there are some wider questions that we should be asking too.
Online Abuse

4. Vicky Ford (Chelmsford) (Con): What recent steps has her Department taken to tackle online abuse.

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Matt Warman): Online abuse is unacceptable and far too prevalent. Close to half of UK adults say that they have seen hateful content in the last year alone. As has been mentioned, we published the online harms White Paper in April. It tackles legal but harmful and also illegal content, including hate crime, harassment and cyber-stalking. We will seek to bring that forward.

Vicky Ford: Recent events have highlighted the high levels of online abuse faced by Members of Parliament, especially women. The threats of violence and intimidation towards those in public life undermine democracy and cannot be acceptable. The Jo Cox Foundation is calling on all political parties to commit to a joint standard of conduct to uphold the highest standards in public life. Does my hon. Friend the Minister support that initiative?

Matt Warman: I pay tribute not only to my hon. Friend for the work that she has done in this area, but to the foundation for the work that it is doing. She is right that we should seek to do all we can, cross-party, not only to discourage the abuse that she speaks of, but to encourage people to come into politics. That will not happen so long as the level of abuse is as it is, and we will look closely at the proposals, as well as those others that have come forward.

Ian C. Lucas (Wrexham) (Lab): Has the Minister, or anyone in his Department, had discussions with the Chancellor of the Duchy of Lancaster concerning these matters since the Chancellor was appointed?

Matt Warman: I have discussed aspects of this with the Minister for the Cabinet Office, who obviously reports directly to the Chancellor of the Duchy of Lancaster, and I will continue to do so.

Mr Peter Bone (Wellingborough) (Con): The Minister says that the abuse is unacceptable, and he is right. Some time ago, there was a picture on the internet of my young son being executed, but nobody seems to be able to do anything whatever about this. We say it is unacceptable, but we do not seem to be able to do anything. What are the Minister’s ideas?

Matt Warman: My hon. Friend is completely right that, as things stand, we are not able to take the action that we should be able to. It is also important to say that social media companies themselves have also not taken the action required of them in a civilised society. The online harms White Paper and its journey into legislation will be a crucial method of tackling this, but it is not the only one, and I would like to continue to work with the social media companies to bring forward much more rapid progress.

Tom Watson (West Bromwich East) (Lab): Good morning, Mr Speaker. May I welcome the Secretary of State to her new role and, on behalf of my team, welcome her team to their new roles too?

The cyber-security fund forms part of this Government’s approach to combating harmful online activity, but serious doubts have been raised about the fund’s management. Given the concern, can the Minister or the Secretary of State confirm today whether Hacker House is a UK-based company?

Matt Warman: As the hon. Gentleman knows, we discussed this subject in an urgent question earlier this week. As far as Companies House is concerned, and as far as all the due diligence that was done at the time was concerned, Hacker House met all the criteria. He also knows, however, that we are looking into this matter, and that a review will report to the House by the end of this month.

Tom Watson: Last week, the Minister made a statement to the House in which he gave the impression that Hacker House was UK-based when he referred to a UK phone number owned by the company. My team phoned it and it was answered by a woman in California.

The Minister mentions Companies House. I looked at the Companies House website this morning and saw that there has been a registration detail change—one of the principal directors now registers their state of residence as the United States. So I remain concerned, not least because Hacker House’s accounts show receipt of a loan of £700,000 from one of the company’s directors. Can the Minister assure us that this unusual transaction was not used to unlock a taxpayer-funded Government scheme?

Matt Warman: I assure the hon. Gentleman that we are having a review that will look into all these matters. As he knows, the residence of an individual director is not one of the defining characteristics of whether a company is based in the UK.

Free TV Licences: Over-75s

5. Rachael Maskell (York Central) (Lab/Co-op): If she will make it her policy to maintain free TV licences for people over the age of 75.

The Secretary of State for Digital, Culture, Media and Sport (Nicky Morgan): The Government are very disappointed with the BBC’s decision on the future of the TV licence concession. We know that older people in particular value television as a source of companionship and entertainment, and as a way to stay connected with the world. I have met the chairman of the BBC board and the director-general of the BBC, and I have asked them to do more to help those affected by the decision.

Rachael Maskell: Promises matter, and people who are elderly, lonely and housebound are not interested in squabbling in this place or in excuses—they want that promise honoured and their free TV licence. So will the Secretary of State say why she made a promise at the election, why she is letting down older people across the country and what she is going to do about it?
Nicky Morgan: Of course this is not a promise that I made, because I took this job only in July, but the hon. Lady is right to say that there was a commitment. There was also an agreement with the BBC in the 2015 funding settlement; we committed to increase the licence fee in line with inflation and close the iPlayer loophole. She is right to say that the people are not interested in squabbling in this place, be it about TV licences or anything else. If older people are entitled to pension credit, they will get the help they need. The BBC will also be working to ensure that others are aware of that entitlement and the other support that is available.

Liz Twist: We are in the midst of a loneliness epidemic, and for many older people television is their main source of company. For those who are housebound or live on their own, it is a window to the wider world. There are 5,170 households in my constituency who live on their own, it is a window to the wider world. For those who are housebound or live on their own, it is a window to the wider world.

Nicky Morgan: As the hon. Lady also knows, we are the first Government in the world to appoint a Minister to lead work on tackling loneliness, and last year we published the world’s first Government strategy on loneliness and secured £20 million of new grant funding for projects run by charities and community groups to bring people together. We know that there are people who are not claiming the pension credit who would be entitled and would fall into the categories she has mentioned. I hope that she, like me, as a local MP, will work with all local agencies to make sure that everyone who is entitled to that support gets it.

Media Intrusion

6. Martyn Day (Linlithgow and East Falkirk) (SNP): What recent steps has he taken to tackle incidences of media (a) intrusion and (b) violations of privacy?

The Secretary of State for Digital, Culture, Media and Sport (Nicky Morgan): The Government firmly believe in press freedom. Clearly, that freedom comes with a responsibility to ensure that it is not abused. It is not unreasonable to expect the press to act with understanding in relation to sensitive personal stories. It is not for Government to arbitrate, but it is important that we have systems in place so that individuals can take complaints to independent bodies to be assessed.

Martyn Day: Last month saw yet another example of a high-profile sports figure having to deal with tabloid newspapers publishing deeply personal and distressing information about his family’s private life. Leveson was supposed to change the way such publications operated. Does the Secretary of State agree that incidents such as that seem to suggest that it is just business as usual, with sales and profit being put before individuals’ rights to privacy?

Nicky Morgan: I thank the hon. Gentleman for his question. All of us have complete empathy with the strong feelings of both Ben Stokes—I believe that is the story the hon. Gentleman is referring to—and Gareth Thomas, who experienced a similar invasion of privacy in the same week. Decisions on whether the press’s actions in those cases were in breach of its agreed standards should be made by the independent regulatory bodies. The press said it wanted to be self-regulated. I await to see in these particular examples, if complaints are made, how that self-regulation works.

Alex Norris (Nottingham North) (Lab/Ci): In March last year, the current Secretary of State for Health and Social Care stood at that Dispatch Box and axed the second part of the Leveson inquiry because he said that the culture in the media had changed. When we look at what has happened to the Duchess of Sussex, Gareth Thomas and Ben Stokes, we see that the culture of invasion of privacy has not changed. The Secretary of State says it is not for the Government to arbitrate such matters, so will she now resurrect the independent inquiry and let us properly move this forward?

Nicky Morgan: I thank the hon. Gentleman for his question, but I do not agree. The media landscape has changed significantly in the six years since the Leveson inquiry report was published. We believe that the steps we have taken mean that to continue with part 2 of Leveson is no longer appropriate, proportionate or in the public interest.

Hannah Bardell (Livingston) (SNP): The family of my Livingston constituent Kirsty Maxwell have faced the unimaginable tragedy of losing her in suspicious circumstances in Benidorm in 2017, when she fell to her death from a balcony. To compound that horror, they have since had to face repeated violations of their privacy and intrusion from some journalists and media outlets. Does the Secretary of State agree that we have a duty of care to our citizens, especially those who have been traumatised and faced a loss of such magnitude, to protect their privacy and the memory of their loved ones? Will she meet me to discuss this and the recommendations that will be in my upcoming report on deaths abroad and support for families when they face media intrusion?

Nicky Morgan: I would of course be happy to meet the hon. Lady to discuss this issue. I am very sorry for everything that has happened to Kirsty’s family and friends after that unimaginable tragedy. I hope that at our meeting we can discuss whether in fact complaints have been made and how the system of self-regulation has worked in that case.

Heritage-led Regeneration

7. Richard Graham (Gloucester) (Con): What assessment she has made of the effectiveness of heritage-led regeneration projects.

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Helen Whately): There is overwhelming evidence from academics and respected organisations such as Historic England that heritage-led regeneration provides substantial economic and social benefits. Last month, we were delighted to announce a £95 million investment in high street heritage action zones, which will support ambitious projects to revive our historic high streets, thereby boosting local economies and quality of life throughout the country. I congratulate

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my hon. Friend on his constituency’s successful bid for £1.9 million from the scheme to revitalise Gloucester’s cathedral quarter.

Richard Graham: The Government have done wonders for heritage regeneration, and I am grateful for the Minister’s confirmation of the successful bid by Gloucester’s cathedral quarter to the heritage action-zone fund, which will enable the medieval Fleece hotel to be regenerated after two decades of sitting shut. My hon. Friend knows that culture is also important for inspiring young people to stay and work in small cities. Will she consider setting up a small pot for the 15 unsuccessful runners-up to the cultural development fund?

Helen Whately: My hon. Friend is a tremendous campaigner for heritage funding in his constituency. In fact, since he has been MP for Gloucester, his constituency has secured more than £15 million from the National Lottery Heritage Fund, and it has now secured close to £2 million for a heritage action zone. But clearly my hon. Friend wants more. He asked about the cultural development fund, which also supports the use of culture and heritage as a catalyst for regeneration and economic growth; the Government are monitoring the success of the fund and will in due course consider whether there will be future rounds of funding.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): I do not know whether the Minister is aware, but we value heritage a great deal in Huddersfield. We have more listed buildings than Gloucester, Bath and York, and we are keen to have our fair share of the money for regeneration. Will she look into the role of some of the people high up in English Heritage who seem to want to stop any positive, forward-looking project if they do not like it?

Helen Whately: I believe that the hon. Gentleman’s constituency was successful in securing some support from the heritage high streets action-zone scheme, so I congratulate his constituency on that. I look forward to seeing that funding make a positive impact in his area.

Leaving the EU: Creative Industries

8. Thangam Debbonaire (Bristol West) (Lab): What assessment her Department has made of the effect of the UK leaving the EU on the UK’s creative, digital and media industries in the last three months. [R] [912543]

14. Ellie Reeves (Lewisham West and Penge) (Lab): What recent assessment she has made of the effect of the UK leaving the EU on the UK’s creative industries. [912549]

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Helen Whately): The UK’s creative, digital and media industries are a global success story. Our creative industries continue to outperform the wider economy: their value went up from £95 billion in 2016 to £102 billion in 2017. As Europe’s leading techies, will be able to work across the EU as they do now—as they need to do to make a living—if we leave with or without an agreement, taking their instruments, their kit and their merchandise in a system that works across borders without carnets or additional costs?

Helen Whately: We are talking to the industry about exactly those concerns. I have already had some conversations along these lines, as has the Secretary of State, who met UK Music earlier this week. It is true that, when the UK leaves the EU on 31 October, free movement as it currently stands will end. In the event of a no-deal exit, creative professionals will need to check whether they need a visa or a work permit for the EU country that they are visiting. I am very optimistic that we will get a deal, and I would encourage the hon. Lady to vote for it when she has the opportunity to do so.

Ellie Reeves: The Musicians Union states that most UK musicians rely on performing and touring in the EU to make a living, so a bad deal or a no-deal Brexit will jeopardise their careers. I have listened to what the Minister has had to say, but we are almost at Brexit date. What discussions has her Department had with the Home Office about creating a musician’s passport that is inexpensive, lasts for a minimum of two years, and would do away with the need otherwise for permits, permissions and so on, which are unsustainable for the music industry?

Helen Whately: I very much appreciate the hon. Lady’s concerns and those of the industry, as I have already said. The Secretary of State, in fact, spoke to the Musicians Union earlier this week. We are acutely mindful of the concerns that exist, but I will say yet again that the best way through this is to have a deal and, when there is the opportunity to vote for one, I encourage her please to do so.

Robert Neill (Bromley and Chislehurst) (Con): I refer to my entry in the Register of Members’ Financial Interests.

I agree with my hon. Friend about the importance of a deal, but she will recognise that the concerns of the Incorporated Society of Musicians are legitimate and need to be addressed. Will she also speak to those who run our major opera companies? Britain is a world leader in this regard and the ability to fly in replacements—often from the EU—at the last minute for roles, which, often, very few people can actually sing, is very important to our international status in this art form.

Helen Whately: As my hon. Friend will know, I am new to this post, but I very much look forward to talking to representatives from the opera sector and making sure that we continue to support this hugely successful part of our economy as we leave the European Union.
Topical Questions

T1. [912550] Daniel Zeichner (Cambridge) (Lab): If she will make a statement on her departmental responsibilities.

The Secretary of State for Digital, Culture, Media and Sport (Nicky Morgan): As I said earlier, this is my first oral questions since I was appointed, and I am thrilled to be holding this role and working to make the country better connected and more creative.

This week, the Government announced £5 billion further to support the roll-out of gigabit connectivity, delivering greater connectivity to those who need it. Hon. Members will be aware of our ongoing work to keep people safe online and our proposals around age verification for online pornography. I wish to notify the House that the standstill period under the EU’s technical services and regulations directive expired at midnight last night. I understand the interest in this issue that exists in all parts of the House, and I will update the House on next steps in due course.

Finally, I am sure that the whole House will want to congratulate Dina Asher-Smith, who won a 200 metres gold medal at the World Athletics Championships. She is the first British woman to win a major global sprint title and the first Brit to win a world or an Olympic sprint title since 1993.

Daniel Zeichner: The Government have been taking out full-page newspaper adverts, including in the Cambridge News, to warn businesses of the issues ahead. On data issues, they have been inviting businesses to take out standard contractual clauses. One business in my constituency tells me that they will have to take out 72,000 such clauses, so will the Secretary of State tell us how many clauses will have to be negotiated for the entire economy and how many are actually in place?

Nicky Morgan: The hon Gentleman is right that, if we are not able to reach a deal with the European Union, one of the ways—the recommended way—to handle the transfer of personal data is to insert standard contractual clauses. Inevitably, many private businesses are, of course, reliant on, or focusing on, running their business, but I refer really to many private businesses, of course, reliant on, or focusing on, running their business, but I refer really to what my ministerial colleague, my hon. Friend the Secretary of State for Digital, Culture, Media and Sport, has tried to make that as easy as possible. Inevitably, the Information Commissioner’s Office has full details. We handle the transfer of personal data is to insert standard contractual clauses, and the Information Commissioner’s Office has full details. We handle the transfer of personal data is to insert standard contractual clauses, and the Information Commissioner’s Office has full details. We are very conscious that online anonymity will of course look at the benefits and costs of online anonymity. We are very conscious that online anonymity can be important for purposes such as whistleblowing, but we all also know that people hide behind anonymity as keyboard warriors.

As part of our online harms work, we will of course look at the benefits and costs of online anonymity. We are very conscious that online anonymity can be important for purposes such as whistleblowing, but we all also know that people hide behind anonymity as keyboard warriors.

Stephen Kerr (Stirling) (Con): The Stirling constituency is the third worst constituency for mobile phone coverage in Scotland. What are the Government doing to remedy this?

Matt Warman: As part of our online harms work, we will of course look at the benefits and costs of online anonymity. We are very conscious that online anonymity can be important for purposes such as whistleblowing, but we all also know that people hide behind anonymity as keyboard warriors.

Matt Warman: Yes, it is new money, but it is also very much intended to ensure that our rural areas do not lose out in the search for greater connectivity. My hon. Friend will know from his constituency work just how important it is that businesses and households in his constituency are fully connected to the internet and how important that is for driving up productivity in our economy.

Cat Smith (Lancaster and Fleetwood) (Lab): Given that spending on youth work has fallen by £880 million since 2010, I was very interested in the Government’s announcement this week, but note that it is just £50 million a year in revenue for the sector. Given that at least 760 youth centres have closed their doors and 14,500 youth and community workers have lost their jobs since 2010, does the Secretary of State think that the announcement of just 60 new youth centres really cuts it?

Nicky Morgan: I do find it extraordinary that there is no welcome—only criticism—from the Opposition Front Bench for this £500 million youth investment fund to be spent in myriad different ways. Actually, the sector has shown itself to be very strong and resilient. Of course, it is typical of the Labour party to focus on buildings and facilities, not on what is going in or on the support offered to young people.

Bob Blackman (Harrow East) (Con): Further to that answer from my right hon. Friend, let me say that the £500 million youth investment fund is warmly welcomed across the country. What steps will she take to ensure that young people can participate in sport, drama and music as a result of the fund?

Nicky Morgan: My hon. Friend is absolutely right. I can give him that reassurance. Access to art, drama, sport, and other creative and cultural activities is an absolute right and entitlement for young people. I am delighted and excited to find that this Department is responsible for youth policy outside of school hours. I hope that my hon. Friend will encourage organisations in his constituency to put in bids for this funding when details are announced.

T2. [912551] David Hanson (Delyn) (Lab): On the question of online abuse, what steps are the Government taking with regard to those who pour out bile while hiding behind anonymous accounts, so that these people can be held to account for their comments?

Matt Warman: As part of our online harms work, we will of course look at the benefits and costs of online anonymity. We are very conscious that online anonymity can be important for purposes such as whistleblowing, but we all also know that people hide behind anonymity as keyboard warriors.

Stephen Kerr (Stirling) (Con): The Stirling constituency is the third worst constituency for mobile phone coverage in Scotland. What are the Government doing to remedy this?

Matt Warman: As my hon. Friend knows, we have recently announced £5 billion that will cover connectivity in all its forms, and that will of course include Scotland.
It is probably worth saying that I recently met Paul Wheelhouse, my opposite number in the Scottish Government. We got on well and will work well together. It is a good job that we got on well, because broadband needs all the help it can get under the Scottish National party.

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Helen Whately): That is an excellent proposal. I have already visited the Tate since becoming a Minister, and I am well aware of the huge amount of work that it and other museums and galleries do to ensure that their collections are available around the country and to support other parts of the country as well as London.

Jack Lopresti (Filton and Bradley Stoke) (Con): A number of my constituents are stuck with a single broadband provider, which is in a monopoly position, so it is charging very high prices for very poor service. What steps are the Government taking to ensure greater competition, which will drive down prices and improve the service?

Matt Warman: We are acutely conscious that the best possible mark is one driven by competition. As we take forward our huge investment to ensure a better connected country, one of our key long-term aspirations will be to develop greater competition.

T3. [912552] Gareth Thomas (Harrow West) (Lab/Co-op): Major national cultural institutions such as the Tate should put their brands as well as the art in their collections behind efforts to support regional and local art galleries and museums. Will the Minister therefore encourage the Tate to support proposals for pop-up Tate galleries at art galleries such as Harrow Arts Centre, which serves my constituents?

T4. [912553] Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): We have been waiting since July for the Government to raise the charity lottery annual sales limit to £50 million. Every month of dither and delay means good causes across the UK missing out. When will this widely supported and carefully consulted on policy finally be delivered?

Helen Whately: As the hon. Gentleman knows, the Government ran a consultation from June to September 2018, reviewed the 1,600 responses and concluded that the per-draw limit for society lotteries would increase from £4 million to £5 million and that the prize limit would increase from £400,000 to £500,000. The Government are committed to making sure that the regulatory framework for lotteries is appropriate and that both society lotteries and the national lottery can thrive. The Gambling Commission will, however, run a consultation seeking views on additional transparency measures before the new limits are implemented.

Robert Courts (Witney) (Con): It has been another brilliant year for National Citizen Service schemes in Witney, through which young people learn vital life skills and have great fun at the same time. Will the Minister please confirm that the scheme continues, and will continue, to have the Government’s full support?

Nicky Morgan: I am happy to provide that commitment. We think the National Citizen Service is a fantastic scheme. I think it is the fastest growing youth activity scheme in the country. My hon. Friend has obviously enjoyed his visits to see it; I very much enjoyed my visits to NCS in Loughborough.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): Yesterday, the Premier League announced a new chief executive, who will face the same old problems: lack of financial transparency, lack of fan engagement and disreputable ownership. The Secretary of State talked about the English Football League review, but she cannot leave our premier sporting and economic asset in the hands of the vested interests of self-regulation. Will she urgently meet fans to ensure that whatever the results on the pitch—as a Newcastle United fan, I know that they can be up and down—fans are the winners off the pitch when it comes to the financial regulation of football?

Nicky Morgan: The hon. Lady is right to say that being a fan of a football club is quite an emotional experience; it can be a bit of a rollercoaster. I think that we ought to see how the new appointee decides to embrace the role, but of course I and the Minister with responsibility for sport are always very happy to meet organisations.

Damian Hinds (East Hampshire) (Con): Gigabit fast would be fantastic, but a bit fast would be great for many East Hampshire homes and businesses. What comfort can my hon. Friend give to not just the hardest-to-reach 20% and 10%, but the hardest-to-reach 5% and 3%?

Matt Warman: My right hon. Friend is absolutely right to raise this issue. In some ways, we have look at the very hardest-to-reach areas first, because while it is important to upgrade commercial areas to gigabit levels, it is in areas where there is very often no broadband at all that we will make the greatest social and economic impact.

Jeff Smith (Manchester, Withington) (Lab): Age UK has warned that the changes to eligibility for a free TV licence are likely to result in a big increase in fraudulent activity targeting vulnerable elderly people. Is that not yet one more reason why the Government should stop outsourcing their social policy and commit to keeping TV licences free for all over-75s?

Nicky Morgan: The BBC has provided assurances that it will deliver the most sensitive possible handling for those who are affected and will work with older people’s groups, charities and voluntary organisations to design a bespoke system to support all those over 75 that will include new easy payment plans and an information and advice programme. We want everyone who is eligible for pension credit to make sure that they claim it, so that they get the benefit of the free TV licence.

Mr Philip Hollobone (Kettering) (Con): I declare my interest as a member of Kettering Borough Council. Will the Secretary of State join me in congratulating the council on its decision to match-fund its successful £2 million bid for a heritage action zone in Kettering.
town centre with a further £2 million, and does she agree that that £4 million proactive investment in the local high street must be good news for the local economy?

Nicky Morgan: I am delighted to congratulate Kettering Borough Council on its match funding. It shows that Government investment will often unlock other funding, whether from the private sector, the local authority or others, to make sure that our high streets are the thriving places that we all want them to be.

ATTORNEY GENERAL

The Attorney General was asked—

EU (Withdrawal) (No. 2) Act: Implementation

1. Thangam Debbonaire (Bristol West) (Lab): What discussions he has had with Cabinet colleagues on the implementation of the European Union (Withdrawal) (No. 2) Act 2019.

The Attorney General (Mr Geoffrey Cox): I cannot, as the hon. Lady will know, comment on the content of Cabinet discussions, but she will understand that I regularly meet ministerial colleagues to discuss important issues of common interest. It would be inappropriate for me to comment on the detail of those discussions, and I am bound by the convention that neither the fact nor content of Law Officers’ advice is disclosed outside of the Government. I make it clear to the hon. Lady that the Government will obey the law, the Prime Minister is subject to the law, and this Government will comply with it.

Thangam Debbonaire: Notwithstanding all that, I am going to ask the Attorney General a nice yes-no question. The Act requires the Prime Minister to ask for an extension unless Parliament has agreed a withdrawal agreement or agreed to leave without one, so will the Attorney General confirm that, if Parliament has not done either of those things, the Prime Minister would be acting unlawfully if he nevertheless took us out of the EU on 31 October? Yes or no?

The Attorney General: What I can confirm to the hon. Lady is that the Government will obey the law.

Mr Peter Bone (Wellingborough) (Con): If Parliament agrees a deal, does that satisfy what is known as the Benn amendment?

Thangam Debbonaire: It is an Act.

Mr Bone: Sorry—the Benn Act.

The Attorney General: If Parliament agrees a deal, having had one brought before this House, that fulfils one of the conditions that means that no extension has to be sought.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Hypothetically speaking, if the Government were seen to be breaking the law, who would arrest the Prime Minister? Would it be the Met?

The Attorney General: I do not think it is for me to comment on ridiculous speculations and hypotheticals of that kind, but it is good to see the hon. Gentleman looking calmer this morning.

Mr Philip Hollobone (Kettering) (Con): Will the Attorney General confirm that the Government can both comply with the law and leave the EU without a deal on 31 October?

The Attorney General: Yes.

Gavin Newlands (Paisley and Renfrewshire North) (SNP): When asked, the Attorney General said that his Government would be adhering to the Benn Act. A day later, when asked by me and others the Prime Minister prevaricated until the end. But when he was asked by the hon. Member for Edinburgh South (Ian Murray) whether he would comply with the law, the Prime Minister’s answer was a simple and quite astonishing no. Given the Attorney General’s previous answers this morning, will he confirm whether the Prime Minister was wrong?

The Attorney General: I have not seen the response to which the hon. Gentleman refers, but I can certainly confirm that the Government will comply with the law. I am not convinced that the Prime Minister said anything contrary to that; I would have to look at Hansard.

Nick Thomas-Symonds (Torfaen) (Lab): I have the European Union (Withdrawal) (No. 2) Act 2019 in front of me, so perhaps the Attorney General can confirm his interpretation of it. The Act is clear that, if this House has not approved a deal or if it has not approved leaving with no deal, the Prime Minister “must seek to obtain from the European Council an extension” in the terms set out in the Act. Will the Attorney General confirm that that is what this Act of Parliament requires?

The Attorney General: The hon. Gentleman has read it out, and he does not need any confirmation from me. He is a superbly competent lawyer—[Interruption.] So I am told by others on his side of the House. The reality is that the Government will comply with the law.

Nick Thomas-Symonds: I am afraid that confirmation is required from the Attorney General. Let me explain why. We keep being told that the Government will comply with the law, yet the Prime Minister goes around saying that he would rather be dead in a ditch than comply with the Act. Does the Attorney General not realise that the Government’s ambiguous position towards the rule of law is damaging our justice system, our society and our international standing? Why does the Attorney General just stand by and let that happen?

The Attorney General: Because I am quite convinced and completely satisfied that this Government will obey the law.

Prorogation: Supreme Court Judgment

2. Rachael Maskell (York Central) (Lab/Co-op): What recent discussions he has had with Cabinet colleagues on the implications for Government policy of the Supreme Court judgment of 24 September 2019 on the Prorogation of Parliament.
3. **Jo Stevens** (Cardiff Central) (Lab): What recent discussions has he had with Cabinet colleagues on the implications for Government policy of the Supreme Court judgment of 24 September 2019 on the Prorogation of Parliament.  

4. **Martyn Day** (Linlithgow and East Falkirk) (SNP): What recent discussions has he had with Cabinet colleagues on the implications for Government policy of the Supreme Court judgment of 24 September 2019 on the Prorogation of Parliament.  

9. **Ian C. Lucas** (Wrexham) (Lab): What recent discussions has he had with Cabinet colleagues on the implications for Government policy of the Supreme Court judgment of 24 September 2019 on the Prorogation of Parliament.  

**The Attorney General (Mr Geoffrey Cox):** I cannot comment on the content of Cabinet discussions but, as I told the House last week, the judgment sets out the definitive and final legal position on the advice given to Her Majesty on the Prorogation of Parliament. We are carefully and deliberately considering the implications of that judgment. We need some time to do it, but a Queen’s Speech is necessary to bring forward a fresh legislative programme, and a short Prorogation, as announced yesterday, is necessary—we are advised to this effect by the parliamentary authorities—for the Queen’s Speech.  

**Rachael Maskell:** In the light of the Supreme Court’s judgment and the vital role it identified for this House of scrutinising the Executive, what discussions is the Attorney General having with Cabinet colleagues to ensure that we have sufficient time to discuss the proposals the Prime Minister is due to bring forward? How much time will we actually have to debate them?  

**The Attorney General:** I know that those matters are being actively considered. I am sure they will be considered in consultation and through the usual channels. As much time as conceivably can be made available will be made available to debate those very important matters. The Prime Minister is making a statement later this morning, and the Government are more than conscious—acutely conscious—of the need for all Members of this House to scrutinise any deal that may be agreed.  

**Jo Stevens:** Eight days ago, the Attorney General told the House, in response to a question from the hon. and learned Member for Edinburgh South West (Joanna Cherry), that he would consider disclosure of his legal advice on the unlawful Prorogation of Parliament. Can he now confirm that he will do the right thing and release his advice before Parliament is prorogued next week?  

**The Attorney General:** I have been considering that question. I am still considering it. I have not reached a conclusion. When I have, I will make sure the hon. Lady is informed.  

**Ian C. Lucas:** If the Attorney General believes in the law, can he confirm that he has discussed with the Prime Minister and the Chancellor of the Duchy of Lancaster the electoral offences committed by Vote Leave?  

**The Attorney General:** May I tell the hon. Gentleman that I do believe in the law and I have spent 37 years of my life adhering to those professional values? As for the advice I may or may not have given to any member of the Government, he will know I am bound by the convention. I cannot tell him whether I have. I understand the purport of his question, and I do not criticise him for it in the least, but I regret that I cannot help him as to the content of any advice I have given.  

**Robert Neill** (Bromley and Chislehurst) (Con): I urge the Attorney General to reflect that departing from the norm that Law Officers’ advice is not disclosed should be undertaken only with great care, because of the implications for all future Law Officers and all future advice to Government. Is not the rub of this issue simply this: that, as the President of the Supreme Court said, the circumstances that gave rise to the judgment were a “one off”; the Court was asked to rule on a novel point on which, up until then, legal opinion had varied; it has made a ruling; and the Government accept and will abide by the ruling, as they should with any ruling of our independent courts?  

**The Attorney General:** I completely agree with both parts of my hon. Friend’s question. Plainly, the Law Officers’ convention is not a question of personal ownership by any particular Attorney General. It is a long-standing convention that protects all Governments on often extremely sensitive, complex and difficult subjects, sometimes affecting the most important interests of this country. Of course I agree that the Supreme Court’s judgment must be respected. It is final and binding as a matter of law, but it is peculiar to its circumstances.  

**Alex Chalk** (Cheltenham) (Con): Our courts are scrupulously impartial and independent. In the aftermath of the Supreme Court judgment, some unwise voices have suggested that we ought to move to some sort of US-style process of appointment. Does the Attorney General agree that that would be extremely unwise, and will he confirm that there is no prospect of Her Majesty’s Government proceeding down that route?  

**The Attorney General:** My hon. Friend, as ever, from a background of practice in the law, feels, as I do, that those kinds of hearings—certainly US-style hearings—would be a regrettable step for us in our constitutional arrangements. The Government have no current plans to do so, but it is fair to say that the implications of the judgment and the continuing development of our constitutional arrangements will no doubt receive, properly, the intense scrutiny of this House.  

**Judicial Appointments Process**

4. **Martyn Day** (Linlithgow and East Falkirk) (SNP): What recent discussions has he had with the Secretary of State for Justice on the judicial appointments process.  

**The Attorney General (Mr Geoffrey Cox):** The priorities of this office are set out in the published business plan for this year, but on the UK’s withdrawal—I beg your pardon, Mr Speaker, I am answering the wrong question. I also beg the hon. Gentleman’s pardon—[Interruption.] Nobody noticed probably, the answers being the same. I can only plead that I am getting your cold, Mr Speaker, and was up far too late this morning.  

Again, I am not going to comment in detail on the content of Cabinet discussions, but the Supreme Court judgment undoubtedly represents a significant development.
in our constitutional arrangements. As I said the other day, it is important to take stock of the implications of that judgment not in the immediate aftermath of a ruling, but deliberately, carefully and thoughtfully. We should not jump to hasty conclusions. The UK’s exit from the EU will have profound ramifications for our constitutional arrangements. As I have said many times, I think that requires a coherent, careful examination, possibly through some formal channel, of the means by which we are to be governed after we leave the European Union. I am not enthusiastic about the prospect of parliamentary scrutiny of judicial appointments and, as I said in answer to an earlier question, the Government have no current plans to introduce such an appointment system.

Mr Speaker: I am glad that the Attorney General eventually reached the matter of judicial appointments. That was very reassuring, not least for the hon. Member for Linlithgow and East Falkirk (Martyn Day).

Martyn Day: I am grateful for the Attorney General’s answer, and I heard his response to the previous question, but can he categorically rule out any changes that could result in a political appointment system, as I think that is an important point?

The Attorney General: The Government have no plans to introduce any such appointment system. The only thing I would say is that this House must have the right to determine the constitutional arrangements of this country, and of course parts of that will have to reflect on the role of the Supreme Court and its constitutional functions. But I agree with him that a US-style appointment system would be a wholly retrograde step.

Sir David Lidington (Aylesbury) (Con): Having had responsibility for a time for judicial appointments, including approving those of the current Lord Chief Justice and the current President of the Supreme Court, may I ask my right hon. and learned Friend to endorse the fact that the track record of the Judicial Appointments Commission shows that it makes its recommendations, having looked at the available candidates, with the utmost thoroughness, scruple and genuine independence? We as a House and a country would cast aside that independence, and instead make the appointment of judges the plaything of a temporary party majority in this House, at our peril.

The Attorney General: I could not have put it better than that. I agree with every word that my right hon. Friend said. As I have had cause to say in the House only recently, we have one of the finest judiciaries in the world. Throughout the world, they are beacons of impartiality and independence, and the House should do all it can to promote, protect, and preserve those values. I agree that a US-style process of appointment would not be in the interests of this country and I do not think I can improve on the way he put it.

Unduly Lenient Sentence Scheme

Michael Tomlinson (Mid Dorset and North Poole) (Con): What assessment he has made of the effectiveness of the unduly lenient sentence scheme.

8. Bob Blackman (Harrow East) (Con): What assessment he has made of the effectiveness of the unduly lenient sentence scheme.

The Solicitor General (Michael Ellis): The unduly lenient sentence scheme is an important avenue for victims, family members and the general public to ensure that justice is delivered in the most serious cases. That is why the Government have announced an extension to the scheme to cover further child sexual abuse offences such as those that involve the taking, distributing and publishing of indecent images of children. In 2018, the Law Officers referred one fifth of all eligible cases that were considered by my office to the Court of Appeal and, of those, 73% were found to be unduly lenient.

Michael Tomlinson: I am grateful to the Solicitor General for his answer. Can he set out how the new announcement on unduly lenient sentences will help victims of stalking?

The Solicitor General: The unduly lenient sentences scheme is extremely effective. It has now been in existence for some 30 years. It applies to myriad offences, but we wanted to extend the scheme to include 14 offences of a sexual nature, including child abuse and indecent images. The scheme now includes those and will do so in future. A range of other offences are available for consideration under the unduly lenient scheme that will serve to ameliorate the situation as far as the previous gaps were concerned.

Bob Blackman: I thank the Solicitor General for his answer thus far. What action is he taking to alert the victims of crimes, as well as the wider public, on the steps they should take to bring the scheme into operation, so that the public will understand that unduly lenient sentences should be a thing of the past?

The Solicitor General: We are very fortunate in this country to have a judiciary who get it right almost 100% of the time. Some 80,000 sentences were passed last year, and of those only about 100 had to be referred to the Court of Appeal and were found to have been unduly lenient. So they are few and far between, but my hon. Friend is right that victims should be aware of the available options if a sentence has been unduly lenient. The Crown Prosecution Service is doing everything it can to make sure that victims are so informed.

Sexual Offences: Prosecution

6. Melanie Onn (Great Grimsby) (Lab): What recent discussions he has had with the Director of Public Prosecutions on ensuring more effective prosecutions of cases involving rape and other sexual offences.

7. Kerry McCarthy (Bristol East) (Lab): What recent discussions he has had with the Director of Public Prosecutions on ensuring more effective prosecutions of cases involving rape and other sexual offences.

10. Ruth Jones (Newport West) (Lab): What recent discussions he has had with the Director of Public Prosecutions on ensuring more effective prosecutions of cases involving rape and other sexual offences.
The Solicitor General (Michael Ellis): I engage with the Director of Public Prosecutions regularly on criminal justice issues, including rape and serious sexual offences. Both the director and I recognise the devastating impact that those horrific crimes have on victims. I met with the director only a week or two ago and again this week. The Crown Prosecution Service and my office have worked closely with criminal justice partners in the ongoing Government review of the response to rape and serious sexual offences.

Melanie Onn: What reason did the Director of Public Prosecutions give for the dreadful 51% drop in CPS prosecutions in these cases since 2014?

The Solicitor General: I am disappointed by the figures that the hon. Lady refers to and I appreciate that they are a cause for concern. However, I would emphasise that they are not indicative of a lack of commitment to prosecute by the Crown Prosecution Service, any of its prosecutors or the Director of Public Prosecutions. We believe that a number of factors have contributed to this. They include perhaps a fall in the volume of referrals from the police and an increase in the volume of digital data. We are looking at the situation closely and a review is under way.

Kerry McCarthy: There have been reports that the number of reported rapes, sexual assaults and harassment allegations in universities has trebled in the last three years, including worrying reports that universities are trying to carry out their own investigations of the assaults. What role does the Minister think that his Department can play in trying to ensure that those allegations are taken seriously and go through the proper judicial channels?

The Solicitor General: I have also heard about the increased statistics from universities, and I urge them to look carefully at how they handle those matters. It is a particularly sensitive issue which they should handle with professional assistance. The reality is that we must do everything we can to deal with those allegations immediately, sympathetically and appropriately in all the circumstances. They are devastating allegations and must be dealt with sympathetically and appropriately by universities and by everyone else.

Ruth Jones: I am alarmed to hear that police forces across the country are demanding highly personal records and data, including health, school and college records and even counselling notes, from potential rape victims before pressing ahead with their cases. Campaigners and even counselling notes, from potential rape victims and data, including health, school and college records across the country are demanding highly personal records by universities and by everyone else. It must be dealt with sympathetically and appropriately immediately, sympathetically and appropriately in all the matters. We do everything we can to deal with those allegations in universities, and I urge them to look carefully at how they handle those matters. It is a particularly sensitive issue which they should handle with professional assistance. The reality is that we must do everything we can to deal with those allegations immediately, sympathetically and appropriately in all the circumstances. They are devastating allegations and must be dealt with sympathetically and appropriately by universities and by everyone else.

The Solicitor General: I thank the hon. Lady for that question. We want victims to have the confidence to come forward and report crimes. I do not want to see anything that disincentivises victims from making proper reports of crimes. The police and the Crown Prosecution Service continue to work with victims groups that specialise in this area, and with the Information Commissioner’s Office when it comes to digital disclosure, to ensure that their approach achieves the necessary balance between the requirement of reasonable lines of inquiry and the victim’s privacy.

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Business of the House

10.38 am

Valerie Vaz (Walsall South) (Lab): Will the Leader of the House give us the business for next week?

The Leader of the House of Commons (Mr Jacob Rees-Mogg): I have a supply of throat sweets, Mr Speaker, should you need them, although I admire your stoicism.

The business for next week is as follows:

Monday 7 October—Debate on a motion relating to the appointment of a lay member to the Speaker’s Committee for the Independent Parliamentary Standards Authority, followed by a motion to approve a statutory instrument relating to the draft Northern Ireland (Ministerial Appointment Functions) (No. 2) Regulations 2019, followed by proceedings in Committee and remaining stages of the Censuses (Return Particulars and Removal Of Penalties) Bill [Lords].

Tuesday 8 October—Motion to approve a statutory instrument relating to the draft Plant Health (Amendment etc.) (EU Exit) Regulations 2019, followed by a motion to approve a statutory instrument relating to the draft Environment and Wildlife (Legislative Functions) (EU Exit) (Amendment) Regulations 2019, followed by a debate in Government time on baby loss awareness. That may then followed by all the necessary arrangements relating to the Prorogation of the House.

Valerie Vaz: May I first acknowledge the fact that the hon. Member for Perth and North Perthshire (Pete Wishart) cannot be with us today? I thank the Leader of the House for the business and for ensuring that the Government comply with the judgment of the Supreme Court, because Prorogation is now just five days. He could have saved all that trouble, but at least we now have a definitive judgment about the “capital A” Advice that the Government give Her Majesty using prerogative powers. That was found to be “capital U” Unlawful.

The Opposition were asking for Parliament to be prorogued on Wednesday so that the Prime Minister could come here and account for himself to the House and to Parliament at Prime Minister’s Question Time. But, no show. He is like Macavity the mystery cat; he is called the hidden paw—it is National Poetry Day—although maybe, in the Prime Minister’s case, it is the not so hidden paws. However, as the Labour Chief Whip has reminded us, the Prime Minister has done only one out of a possible four Prime Minister’s Question Times.

We have had no Trade Bill, no Fisheries Bill, no Agriculture Bill, no immigration and social security Bill and no financial services Bill—all lost. The Government simply do not want to do their job and bring their Bills back. It is no wonder that the Opposition parties have to seize the Order Paper. We need to use Humble Addresses to get the basic documents and impact assessments. As there is such a paucity of business in the House next week, could we have our Opposition day? The last one was on 12 June.

Section 1(4) of the European Union (Withdrawal) (No. 2) Act 2019 states that the Prime Minister must write and deliver a letter to the President of the European Council requesting an extension. Having read the judgment, the Leader of the House will know that Lord Diplock said that the Government “are accountable to Parliament for what they do so far as regards efficiency and policy, and of that Parliament is the only judge; they are responsible to a court of justice for the lawfulness of what they do, and of that the court is the only judge.”

Will the Leader of the House therefore confirm that the Prime Minister will comply with the law and that the Law Officers have warned him of the consequences if he fails to do so?

Let me turn to other breaches. The Leader of the House will know how important it is that Ministers stick to the ministerial code and avoid real or apparent conflicts of interest. My hon. Friend the Member for Plymouth, Sutton and Devonport (Luke Pollard) has asked me to remind the Leader of the House that it is possible that the Minister for Defence People and Veterans, the hon. Member for Plymouth, Moor View (Johnny Mercer) broke the ministerial code when he did not resign from his paid job with a veterans company when he became Veterans Minister. My hon. Friend the Member for Bishop Auckland (Helen Goodman) raised a point of order on Monday on a possible conflict of interest.

The Leader of House will be aware that Crispin Odey, a donor to various parties and people, made £220 million overnight as sterling slumped after the 2016 referendum result. Given that the Government have taken the Labour party policy of having 20,000 more police officers and raising the real living wage to £10, will they now support the shadow Chancellor when he calls for an inquiry into the finance sector, including the regulation of hedge funds?

I hope the Leader of the House will now apologise to you, Mr Speaker, for what he said in his speech at conference, when he accused you of damaging the standing of the House in the eyes of the British public, bringing it to its lowest point in modern history. The Leader of the House should get out more, because if he spoke to people outside, he would realise that there are people cheering out there because of how you have made Parliament more relevant. And this from the person who slandered a good doctor and then had to apologise, and who slouched on these Benches because he felt entitled to and then had to apologise. Funnily enough, we thought he was one of your favourites, because you always called him before all of us when he sat on the Back Benches.

The Leader of the House has not updated the House on the British hostages held in Iran. These are British citizens used as bargaining chips. Nazanin’s health and mental health are deteriorating, because she must consider being separated from Gabriella, as Gabriella may return to school in England. This is cruelty. Could we have a statement next week on the Government’s policy towards protecting state-held hostages? Warm words are not enough. It is time to act.

It is Black History Month and I want to pay tribute to Dina Asher-Smith, and also to the shadow Home Secretary for her excellent outing yesterday, when she made history as the first black woman to speak at the Dispatch Box in Prime Minister’s Question Time. She put women at the heart of her questions, and I, too, pay tribute to my hon. Friend the Member for Liverpool, Wavertree (Luciana Berger) and for Walthamstow (Stella Creasy), put women at the heart of her questions, and I, too, pay tribute to the shadow Home Secretary for her excellent outing yesterday, when she made history as the first black woman to speak at the Dispatch Box in Prime Minister’s Question Time. She put women at the heart of her questions, and I, too, pay tribute to my hon. Friend the Member for Liverpool, Wavertree (Luciana Berger) and for Walthamstow (Stella Creasy), and also to my hon. Friend the Member for Canterbury ( Rosie Duffield), for their bravery. Black History Month reminds us of the contribution our parents made. They had to face terrible racism when they first came here. Racism is pernicious, whether blatant or unconscious.
Finally, Mr Speaker, I want to thank you and your office and all the House staff for ensuring that we returned after the unlawful Prorogation so that right hon. and hon. Members could rightfully take their places here in the House.

Mr Rees-Mogg: I will not take those questions in order. Mr Speaker, because I think it would be sensible for me to clarify what I said about you. I do not think I have said anything publicly that I have not said to you before. I have been one of your great admirers in some of the things you have done to help the House hold the Government to account, as is absolutely right and proper, but I disagree, as you know, with some of the decisions made over the last year. What I actually said in my speech to the Tory party conference was that your speakership should be taken in the round, with the bits I think have been tremendously important and the bits that have not been as I would have wished them. That is my position and I think it is respectful to the office of the Speaker and, if I may say so, not unfriendly to you personally. I hope and trust that you will take it in that spirit.

The hon. Member for Walsall South (Valerie Vaz) had the audacity to say that my right hon. Friend the Prime Minister was not appearing in front of the House enough—that he was Macavity. Well, it is a rather odd version of Macavity. In the 10 sitting days since he has been Prime Minister, my right hon. Friend has spent 494 minutes in front of this House. He has been running at an equivalent rate of 49 minutes a day. He will be ready to speak to the House after these business questions. He is speaking at an incredibly dutiful and proper rate, and he can be held to account because in statements, Mr Speaker, you allow considerable latitude—rightly, if I may say so—to the questions asked. Instead of doing a brief Prime Minister’s Question Time, he has done 494 minutes. I do not think that anyone can complain about that.

As regards the Opposition day and the Order Paper, I think these two come together. If the Opposition want control of the Order Paper, they can have an Opposition day. They can have it on Monday or Tuesday, for a no-confidence vote. If they have any confidence in themselves, they will do that, though I was in a toyshop recently with my children, who thought they deserved some toys, and there was a plastic chicken, plucked, with no hairs or feathers, and if you squeezed it, it made a squawk. I cannot think why, but it reminded me of Her Majesty’s Opposition.

The hon. Lady also said that the Government were accountable to Parliament and that Parliament was allowed to pass its laws, and of course the Government are accountable to the courts, but we all serve one higher authority. The courts, Parliament and Her Majesty’s Government are all accountable to the British people, and 17.4 million people voted to leave. Whatever laws we pass and whatever court judgments come through, we must remember that it is the people who have the ultimate say. That is the foundation of our democracy.

The hon. Lady made some points about conflicts of interest. Of course it is appropriate that the ministerial code is followed, and it will be, but moving from the private sector into the public sector fully is not always simple. One sometimes has so many commitments that it is hard to remember all of them. She then criticised Crispin Odey for making money out of sterling falling. I remind her that one of the major funders—allegedly—of the remain campaign, the remoaner funder-in-chief, was one George Soros, who made £1 billion when sterling crashed out of the exchange rate mechanism, which is five times as much as Mr Odey made. I fear that all she is saying is that Mr Soros is a better hedge fund manager than Crispin Odey, who is a great friend and supporter of mine.

The hon. Lady then made a point about the shadow Chancellor, and asked whether I would listen to him. I might listen to him when he apologises to my friend—my right hon. Friend—the Member for Tatton (Ms McVey) for things that he has said about people being lynched. I think that, until he does that, he should sit in shame, not on that Bench but on the steps of your Chair, Mr Speaker, because it really is so shocking—so shocking—that Members of this House should call for other Members to be lynched. It is something that I think we should all criticise, and I am sure that Opposition Members feel that as well.

As always and quite rightly, the hon. Lady mentioned Mrs Zaghari-Ratcliffe. As she knows, and as I said last week, both the Prime Minister and the Foreign Secretary have been in touch with the President and the Foreign Secretary of Iran respectively, and that is quite right. This issue must be pushed continually. I wish it were in the gift of Her Majesty’s Government to achieve the liberty of all the people who are held illegally, unjustly and improperly by foreign states, but we must push wherever we can.

May I add to the congratulations to the shadow Home Secretary, the right hon. Member for Hackney North and Stoke Newington (Ms Abbott)? It is a sign of what a good society we are becoming that we are now completely relaxed about what race people belong to when they appear at the Dispatch Box. I hope that that will continue, and I absolutely endorse what the hon. Lady said about racism being wrong. It is not only wrong, it is evil, and it something that we should all wish to oppose and root out. It should be a sadness to all of us that the Labour party is the second party—after the British National party—to be investigated by the Equality and Human Rights Commission for its anti-Semitism. That should be something that we use as a party political point, but something that is bad news in terms of the body politic generally.

As we come to Prorogation, I should very much like to thank all the House staff for the terrific work they do. It is very impressive. We rely on all of them, and their commitment and their love of Parliament, which I think many of us share.

Sir David Amess (Southend West) (Con): Will my right hon. Friend find time for a debate on the rights of British citizens held in prisons overseas? My constituent’s son Mr Lakhbir Sandhu has been held in a Czech prison for nine months without being charged. He is apparently being denied proper legal representation, and, worse still, his family are having great difficulty in obtaining visas to visit him.

Mr Rees-Mogg: This follows on very much from what was said by the shadow Leader of the House. The rights of British nationals in prison abroad were the subject of
Consular officials in Prague have been assisting Mr Sandhu since his arrest in January 2019, and have remained in regular contact with his family in the UK throughout. I am unfortunately not able to go into the details of Mr Sandhu’s case, but I understand that officials are responding to my hon. Friend’s specific questions, which he has also raised with Her Majesty’s ambassador in Prague. Let me point him in the direction of the Foreign Office’s consular hotline to see what more support can be provided—it is worth reminding Members that there is a hotline for their exclusive use if there are consular problems—and if he will write to me, I will pass his concerns to the appropriate Minister.

Patrick Grady (Glasgow North) (SNP): It is disappointing that Prorogation is going ahead before Prime Minister’s Question Time can take place next week. My hon. Friend the Member for Livingston (Hannah Bardell) and I have been reflecting on the fact that the former Prime Minister, the right hon. Member for Maidenhead (Mrs May), has probably spent more time on the Back Benches during Prime Minister’s questions since July than her successor has spent at the Dispatch Box, given his absence last week. I do not think that that is anything for the Government to be proud of.

The biggest loser from Prorogation will be my hon. Friend the Member for Perth and North Perthshire (Pete Wishart), who will not be able to present his Prime Minister (Nomination) and Cabinet (Appointment) Bill under the ten-minute rule next Wednesday. That will be a source of great disappointment to the House as a whole and, I am sure, the Government in particular, and to my hon. Friend. The only possible compensation will be the elevation to the Privy Council that he so richly deserves.

We are also very disappointed by the lack of Opposition days next week. We have made our requests through the usual channels; and, as we have pointed out before, Standing Orders allocate days to the leader of the third party, which will not now be granted. That must be getting very close to a contempt of the House, and it is at the very least a gross discourtesy to the third party. I urge the Leader of the House to reconsider his allocation of time for next week, important though the statutory instruments that he has scheduled are.

Perhaps we can end on a slight note of consensus. Last week, the Leader of the House spoke about Padre Pio. On 13 October, the Christian community in this country will celebrate the canonisation of John Henry Newman. The all-party parliamentary group on the Holy See will have a delegation representing the House in Rome, and the Prince of Wales will represent the Queen. I wonder whether anyone will represent Her Majesty’s Government. Next year will be the 10th anniversary of Pope Benedict’s visit to the UK and his important speech in Westminster Hall. Would the Leader of the House be willing to meet those of us with an interest in such things to discuss how that could be appropriately commemorated in the Houses of Parliament?

Mr Rees-Mogg: If I may, I will answer the hon. Gentleman’s questions in reverse order. The canonisation of Cardinal Newman is a matter of great joy to Catholics in this country and to other Christians. It is a matter of huge celebration. It is very rare that a Briton is elevated and becomes, by God’s divine mercy, a saint, and we should all rejoice at that. I do not know whether a member of Her Majesty’s Government is going to be at the ceremony. I do not know whether the hon. Gentleman was suggesting that I should go, but if he was, that suggestion is very welcome. However, that is not for me to decide. I agree that it would be suitable to have a meeting to discuss the 10th anniversary of the Holy Father Emeritus’s visit, which was a wonderful occasion on which he gave a very moving speech.

As regards Opposition days, I am going to say what I said to the shadow Leader of the House. Should the hon. Gentleman want to have a vote of no confidence, time will be made available and we will give him a day in which to speak. That would give us the opportunity to speak in the other direction on the many virtues of this fantastic Government.

Mr Speaker: I am bound to observe that the Leader of the House’s enthusiasm about canonisation is beginning to sound a little like ambition.

Sir John Hayes (South Holland and The Deepings) (Con): Contrary to the claim by the Hollies, who were a well-known musical ensemble, the air that we breathe is not all that we need. But we cannot live without it, as more than 10,000 sufferers of cystic fibrosis know as they gasp for breath each day. Yesterday in this House, the hon. Member for Sheffield, Brightside and Hillsborough (Gill Furniss) drew our attention to the drug Orkambi, which can be a life-saving treatment. It is certainly a life-changing one for more than half those who suffer. Will the Leader of the House arrange for a statement to be made on how that drug can be made available in the United Kingdom as it has been in Scotland? I know that you admire Edmund Burke as much as I do, Mr Speaker. He said:

“There is but one law for all, namely that law which governs all law, the law of our Creator, the law of humanity, justice, equity”.

In the name of those virtues, please make this drug available for those who suffer in silence.

Mr Rees-Mogg: I have raised questions in the House about other drugs, and I would encourage my right hon. Friend to use the facilities of the House to press his point. Mr Speaker, you kindly allowed me an Adjournment debate on the issue of Batten disease, and the drug used to treat that disease has now been made available. Orkambi is being discussed in the usual way between the National Institute for Health and Care Excellence and NHS England to decide a fair price for the medicine. Vertex is the drug company concerned, and I think it would be right to urge it to accept the price that is being offered, but I can reassure my right hon. Friend that the Health Secretary is meeting Vertex again. This is really serious, and it is being looked at, but I would also encourage him to keep pushing.
Mr Speaker: I hope that the right hon. Member for South Holland and The Deepings (Sir John Hayes) will take the hint. Adjournment debates, urgent questions, emergency debates—Burke would expect nothing less.

Sir John Hayes: Certainly, without delay or hesitation.

Mr Speaker: Very well done. I am very glad to hear that.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): I wonder whether the Leader of the House would agree that one of the most innovative and successful innovations in recent times was the creation of a Children’s Commissioner, particularly with Anne Longfield as a very brave champion for children. Does he agree that we should have an early debate on what she revealed only last week—that 20% of the children coming out of our schools have no qualifications at all? That was not mentioned very much at the Conservative party conference. Is it not about time that we looked at it in a debate in this House, and did something about it?

Mr Rees-Mogg: Indeed, yes—I welcome the fact that we have a Children’s Commissioner, and share the hon. Gentleman’s concern that 20% of children leave school with no qualification. That is the reason for so many of the education reforms that have been going through, and the extra expenditure that will be going to the Department of Health and Social Care should bring about an improvement. That is, of course, a subject that will be easy to raise during the Queen’s speech debates; one of the advantages of having a Queen’s speech is that many issues of importance like that can be raised, and Members can expect a ministerial response in the debate.

Philip Davies (Shipley) (Con): The Government led by my right hon. Friend the Member for Maidenhead (Mrs May) were very supportive of a Shipley eastern bypass, and paid for a feasibility study with a specific intention to complete the bypass when the study had ended. So will my right hon. Friend the Leader of the House arrange for the Secretary of State for Transport to come and make a statement to the House on that subject, so that he can, hopefully, restate this Government’s commitment to building a Shipley eastern bypass?

Mr Rees-Mogg: What a great place Shipley is. I had the huge joy of visiting Shipley earlier this year to campaign for my right hon. Friend the Prime Minister to become leader of the Conservative party, and it is brilliantly represented by my hon. Friend. I will pass on his message to my right hon. Friend the Secretary of State for Transport, because I am sure we want to follow in the excellent footsteps of my right hon. Friend the Member for Maidenhead (Mrs May), who I notice is sitting behind me, watching proceedings closely.

Ms Marie Rimmer (St Helens South and Whiston) (Lab): First, will the Leader of the House advise the House when the Government intend to share with it their black swan scenario for a no-deal Brexit? Secondly, have the business and health sectors been advised accordingly?

Mr Rees-Mogg: The Government will produce information in the normal way, to ensure that people are properly informed about what is going on. Members should bear in mind that enormous preparations are being made in the event that we leave with no deal, and that the problems are therefore being worked through and sorted out to minimise anything that could happen. Therefore I am not sure that producing a black swan document would be enormously valuable, but the good news is that if the hon. Lady holds on a bit there will be a statement from my right hon. Friend the Prime Minister about the prospects of a deal, which seem to be brightening by the minute.

Mary Robinson (Cheadle) (Con): On 1 August, while the media focus was on the dramatic events at Toddbrook reservoir, dozens of residents and businesses in my constituency were flooded, enduring the heartbreak of seeing their livelihoods and possessions engulfed by 4 feet of floodwater as it surged into their homes. Flood projects across the country have benefited from the £62 million recently announced, but in the absence of any applicable project from Stockport Council, my residents will not benefit. Will the Leader of the House give Government time for a debate about the extension of flood resilience schemes, and the requirement for councils and the Government to help those with vulnerable homes and businesses prepare for future flood events?

Mr Rees-Mogg: As my hon. Friend says, there was the £62 million fund, and the Government are always there to help when acts of God or natural disasters hit. The awfulness of having 4 feet of water flood a property is very hard for individuals to bear, and they need support in these difficult circumstances. We are quite limited in time for debates, but again, this could come up in the Queen’s speech, and I will ensure that my hon. Friend’s point is passed on.

Ellie Reeves (Lewisham West and Penge) (Lab): I recently met Centrepoint, which does fantastic work on youth homelessness, which is sadly rising, with an estimated 103,000 young people in the UK homeless or at risk. One of the main drivers is that under-25s receive less financial support for housing, which often does not cover local rents. May we please have a debate in Government time on the shared accommodation rate and tackling youth homelessness?

Mr Rees-Mogg: One of the things announced at the Conservative party conference was that the age entry rate for the minimum wage will come down, which will help younger people to earn more money—that must be a good thing to ensure that they have the resources that they need. It was also announced that we will be building more houses, because one of the problems is a shortage of them. I think last year was the highest year of all but one in the last 30 for house building, so we are moving in the right direction.

Sir Greg Knight (East Yorkshire) (Con): Can we have a debate about making better use of time? Is the Leader of the House aware that in three weeks we will go through that ridiculous ritual of putting our clocks back, thereby plunging the country into darkness and misery by mid-afternoon? Can we have a debate to look at the benefits of staying on summer time all year round?

Mr Rees-Mogg: The huge joy of visiting Shipley earlier this year to campaign for my right hon. Friend the Prime Minister to become leader of the Conservative party was that the age entry rate for the minimum wage will come down, which will help younger people to earn more money—that must be a good thing to ensure that they have the resources that they need. It was also announced that we will be building more houses, because one of the problems is a shortage of them. I think last year was the highest year of all but one in the last 30 for house building, so we are moving in the right direction.
Mr Rees-Mogg: When we had this debate some years ago in this House, I proposed that we should restore the situation to that before the railways came, and that Somerset should have its own unique time, because that Somerset deserves to be represented in a special way. I find that one of the best days of the year is the day the clocks go back. One gets an hour extra in bed, and I have always thought that that is rather welcome.

Stephen Lloyd (Eastbourne) (Ind): I do not know whether the Leader of the House is aware of this, but a few days ago at Treasury questions a number of colleagues on both sides of the House pointed out to Ministers that there had been seven suicides by people affected by the loan user charge. My urging was rejected then, but I urge him to go to his ministerial colleagues in the Treasury and get that mental health helpline put in at HMRC before there are any other unnecessary deaths.

Mr Rees-Mogg: The hon. Gentleman raises a point of the highest importance. Any Government policy that is linked to suicide rests on the Government’s conscience, and I will certainly pass his suggestion on to Her Majesty’s Treasury.

Bob Blackman (Harrow East) (Con): The hon. Member for Gateshead (Ian Mearns), the Chair of the Backbench Business Committee, is detained on urgent constituency business, so, on behalf of the Committee, I want to draw the attention of the Leader of the House to the fact that the Committee dissolves on Prorogation, and therefore the Chair and the members of the Committee will have to be elected as soon after the state opening as is possible.

If I may, I shall make a number of quick pleas. First, can we ensure that that election takes place quickly and expeditiously, so that the Committee comes back into operation? Secondly, we will meet on Tuesday to produce a list of prioritised debates for Backbench Business time, so if the Government are putting on general debates, we will give the Leader of the House an opportunity to select many of those. Thirdly, can we move away from this nonsense of the Committee, including the Chair, being disbanded at the end of the parliamentary Session and having to be re-elected, so that we keep the same process for all Select Committees for the duration of a Parliament?

Finally, on my own behalf, can I invite my right hon. Friend to wish all those Hindus celebrating Navratri jai ambe?

Mr Rees-Mogg: On the last point, yes, I am very happy to do that.

In response to the points raised about the Backbench Business Committee, yes, we will ensure that it is re-established quickly, and yes, it is extremely helpful and welcome that the Committee, before it dissolves, will propose a list of debates. May I thank the Committee, and particularly its Chairman, for the terrific work it does? It is invaluable to Back-Bench Members that they have this facility. It is also of immeasurable use to the Leader of the House, because I can often say, “This is a matter for the Backbench Business Committee,” and there is something of a stock answer, as Members might have begun to notice. Without it, I might find this question time rather harder.

As regards changing to a longer period of appointment, the Backbench Business Committee has unique powers, which are unlike those of any other Select Committee, including allocating a significant amount of time in the Chamber. Although the Government are happy to think about this—the Procedure Committee might want to think about it too—I am not going to promise any rapid change.

Chris Bryant (Rhondda) (Lab): The Leader of the House mentioned IPSA, which is very tempting, but I am not going to go down that route, as I want to make him promise something. The United States has now had two traumatic brain injury Acts, which have made a dramatic difference for many millions of people in the USA, whereas we have never yet had one. Will he therefore include this in the Queen’s Speech? Some 1.4 million people in the UK have suffered from acquired brain injury. They often do not get the rehabilitation they need, and we could give them real quality of life if we took action across the whole of Government.

Mr Rees-Mogg: The hon. Gentleman, as always, makes an important and significant point. I cannot make promises as to what will be in the Queen’s Speech—it is not entirely within my remit as Leader of the House to dictate what Her Majesty will say—but his point is very important. On legislation, once there is a new Session there will again be 13 days for private Members’ Bills, and it may be that this matter has the level of consensus to make it very suitable for a private Member’s Bill.

Mr Peter Bone (Wellingborough) (Con): May I wish you a speedy recovery, Mr Speaker? On next week’s business, the Speaker is clearly suffering from a problem with his voice and he puts in enormous hours in the Chair, staying there for quite extreme times and having to shout at times to keep the House in order. Would it be appropriate, or would the Leader of the House recommend—I do not know the propriety of this—that the Speaker is asked not to chair those sorts of debates, particularly on the European Union, in order to protect his health?

Mr Speaker: The expression “dream on” springs to mind.

Mr Rees-Mogg: It is entirely a matter for you to decide which debates you chair and which debates you do not chair. Mr Speaker, although I would say that for the convenience of previous Speakers in past times, before there were deputies, there was a curtain—

Chris Bryant That’s not true.

Mr Rees-Mogg: Is that not true? It is reported in good history books, but clearly not ones as good as those written by the hon. Gentleman.

Rachael Maskell (York Central) (Lab/Co-op): It is with regret that we have learned today that the High Court case for 3.8 million women in this country was lost. May we therefore have a statement from the relevant Minister to set out how this Government are going to address the inequality faced by women in later life?
Mr Rees-Mogg: Unlike the hon. Lady, I welcome the decision from the courts today. The Government did commit £1.1 billion to support those affected, and no one will see their pension age change by more than 18 months relative to the 1995 timetable. So it is an 18-month maximum change from 1995 and, crucially, the new state pension is more generous for many women; by 2030 more than 3 million women will gain an average of £550 a year, so I think this policy is worthy of support.

Jeremy Lefroy (Stafford) (Con): May I invite my right hon. Friend to celebrate the canonisation of Cardinal Newman by joining us at the parliamentary choir’s concerts of “The Dream of Gerontius” in both Coventry cathedral and Westminster cathedral in the coming weeks?

May I also ask my right hon. Friend to arrange time for a debate on the financing of new hospital buildings? I welcome the announcements this week, but of course they will be financed by the Treasury at rates of some 3%, whereas the Royal Stoke hospital is having to pay much more than that under a private finance initiative arrangement, which has been going for almost 13 years and is costing us well over 3%, at some £15 million a year. May we have a debate on that? Let us have equality of funding for new-build and restored hospitals.

Mr Rees-Mogg: I am grateful for that invitation. I hope it was to hear the parliamentary choir rather than to join it, as I think they would chuck me out quickly if I started warbling.

My hon. Friend makes such an important point about PFI. As a matter of ordinary routine, the Government are always the least expensive borrower; this was a fundamental flaw in many PFI schemes, hence the 6% rate paid by the Royal Stoke hospital. We could perhaps broaden the debate out into one about the general failures of the previous Labour Government to understand basic economics, because that is where the problem comes from.

Brendan O’Hara (Argyll and Bute) (SNP): Overnight, the US Government slapped a whopping 25% tariff on Scotch whisky imports to the USA. As we both know, Mr Speaker, my constituency produces some of the best whiskies we have ever tasted. The tariffs affect jobs, Mr Speaker, my constituency produces some of the best Scotch whisky imports to the USA. As we both know, the US Government slapped a whopping 25% tariff on Scotch whisky, which would be very good.

Robert Courts (Witney) (Con): RAF Brize Norton is to be thanked for and congratulated on having created a science, technology, engineering and maths inspiration programme with Carterton Community College, as mentioned in the Chief of the Air Staff’s report to Her Majesty the Queen. The school has now taken on that programme and created a group that is working with local businesses to further that inspiration. That is a sign of an exciting new era for the college. May we have a debate in Government time so that as a House we can spread examples of good practice and discuss how we can create further links between local organisations and businesses and schools, to create programmes that not only develop the high-tech skills that businesses need, but from which pupils will benefit?

Mr Rees-Mogg: My hon. Friend makes a good point and is quite right to advertise the great work done by the RAF at Brize Norton, which I believe is in his constituency and is therefore virtuous simply by that fact. It is certainly true that the Government, business and schools should work together to ensure that technology can be improved. There is wonderful technology in the military that can be built on for civilian purposes. I encourage what my hon. Friend says.

Thangam Debbonaire (Bristol West) (Lab): Tempting as it is to ask the Leader of the House whether he will change the Order Paper for Tuesday and bring the Agriculture Bill, the Fisheries Bill or any of the other missing Bills back into the House, I am not going to do that. Instead, I ask nicely whether he would consider supporting my plea to whoever it is we plea to that the Queen’s Speech includes a commitment to a travel fund for the families of children with cancer and related diseases. Thankfuly, this affects a small number of children, but it is often a huge burden and it would make such a difference to the lives of those children and their families.

Mr Rees-Mogg: May I say that my near neighbour always asks for things nicely and with considerable courtesy, both in the House and when we have debated in other forums? I wonder whether I might refer her to the hon. Member for Swansea East (Carolyn Harris), who I see is in her place and who campaigned very effectively for a fund to help parents whose children die by having the costs of the funerals borne by the Government. It was a most wonderful campaign and proved to be effective. That shows what Back-Bench Opposition MPs can do when they have the mood of the country behind them.

Andrew Jones (Harrogate and Knaresborough) (Con): One of the harder issues raised with me at constituency surgeries is economic crime, which affects businesses and individuals who fall victim to fraud. Older people can be particularly vulnerable, and it is often hard to get full recovery of funds. I recognise that there is cross-Government work involving the police, financial education and the Crown Prosecution Service. May we please have a debate to explore the issue and to see what the Government are doing to tackle this serious crime?
Mr Rees-Mogg: Were I his constituent, I would find going to visit my hon. Friend extremely reassuring. It is hard to think of anybody who could be a better advocate for his constituents in his very beautiful constituency. Economic crime is a terrible scourge. It is amazing the extent to which it is replacing other forms of crime as criminals realise how lucrative it can be. It does of course require a comprehensive response from the Government in different Departments, as well as from the police. There were worrying reports in The Times recently that some areas of the police were not taking the issue as seriously as they should. I hope that those revelations have encouraged the police to take such crimes more seriously.

Carolyn Harris (Swansea East) (Lab): I thank the Leader of the House for his remarks—I think.

In September 2005, 17-year-old Ben Bellamy, the son of one of my constituents, was brutally murdered in Swansea. The Parole Board has recently recommended that one of his killers be moved to an open prison ahead of an early release. Ben’s family are understandably upset about this, particularly about the lack of communication from the probation service. May we have a statement on this lack of communication and what interventions can be put in place to prevent other grieving families facing similar situations?

Mr Rees-Mogg: I did actually speak to the Lord Chancellor about this matter earlier today and have an answer that, if I may, I will read out because I hope it provides the equivalent of a statement: “The murder of Ben Bellamy in September 2005 was a terrible crime, for which Joshua Thomas and Joel Taylor are rightly serving the juvenile equivalent of life sentences. Ben’s family are receiving the services provided under the Probation Victim Contact Scheme, as they are entitled to receive under the law. The Probation Service has apologised”—let me stress that—“for not notifying the family in 2017 in time that the High Court in August 2018, the Supreme Court ruled that parents affected, despite the fact that the Supreme Court ruled that failure to do so is incompatible with the European convention on human rights. Fourteen months after this ruling, I ask again: when will the Government finally do the right thing and obey this ruling?”

Mr Rees-Mogg: I am grateful to the hon. Lady for bringing this to the attention of the House. I believe that the Lord Chancellor has taken this very seriously, that the probation department has taken this seriously, and that this must not and should not happen again.

Ian C. Lucas (Wrexham) (Lab): Can we have an urgent statement from the Chancellor of the Duchy of Lancaster concerning his ministerial responsibilities? He is denying responsibility for data protection and for electoral reform, which are clearly within his Department, but, again this morning, a Minister confirmed that he thought he was responsible for these issues. If he is responsible for these issues, I consider that he has obligations under the ministerial code, which I have conveyed to the Department. This is a very serious matter, going to the heart of integrity in Government and I would like a straight answer for once.

Mr Rees-Mogg: All answers are straight answers; they are sometimes simply not the answers that people want. These are two very separate concepts. The Chancellor of the Duchy of Lancaster has his specific responsibilities, and periodically the Government produce a list of ministerial responsibilities. That has been asked for by my office on behalf of the House of Commons, and we will ask for it again and we will release it to the House when it is available.

Patricia Gibson (North Ayrshire and Arran) (SNP): In August 2018, the Supreme Court ruled that parents who were not married should be eligible for widowed parent’s allowance, but the UK Government have failed to pay this allowance to parents affected, despite the fact that the Supreme Court ruled that failure to do so is both discriminatory and incompatible with the European convention on human rights. Fourteen months after this ruling, I ask again: when will the Government finally do the right thing and obey this ruling?

Mr Rees-Mogg: I am grateful to the hon. Lady for that question. As she knows, there is a simplified procedure for amending laws that are found by the Supreme Court to be incompatible with the European convention on human rights, and that is working its way through the system, though I do accept that, though the wheels grind fine, they sometimes appear to grind a little slow.

Jo Platt (Leigh) (Lab/Co-op): Following the devastating impact of austerity, my constituency of Leigh has been starved of the investment that we need to unlock the potential of our towns. We are without any rail connectivity and we now find ourselves at the bottom of social mobility rankings, but, incredibly, this Government have chosen not to award us any stronger towns funding or future high streets funding. Can we therefore have a debate on the allocation of this crucial funding to ensure that it has been fairly allocated, based purely on need?

Madam Deputy Speaker (Dame Rosie Winterton): The Leader of the House.

Mr Rees-Mogg: Thank you, Madam Deputy Speaker. I am glad to see that your voice is in good working order, unlike poor Mr Speaker.

The allocation of funding is always done properly and there are very tight regulations to ensure that, so I can assure the hon. Lady that everything was done with propriety. However, I encourage her to keep on arguing for facilities and funding for her town because that is what we are here to do as constituency MPs: we are here to argue the case for our areas, and I am sure that she will continue to do so.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): Citizens Advice and Macmillan told me that there are extreme difficulties for the terminally ill over explicit consent for accessing universal credit. These organisations are being ignored by this Government, which is preventing them from providing vital support. Can we have a debate in Government time on why the Department for Work and Pensions allows implicit consent for other services, but not for the dying on universal credit?

Mr Rees-Mogg: The hon. Gentleman makes a point that has to be looked into. Every possible facility should be given to those who are terminally ill and every
pathway should be cleared for them so that they can receive what they are entitled to. I will take this matter up with the DWP and write to the hon. Gentleman after seeing exactly what the situation is. If it is as he says, I hope that it will be improved.

Kate Green (Stretford and Urmston) (Lab): May we have a statement on progress in introducing the parking code? ESPEL, which operates a car park in my constituency, is notorious for its punitive treatment of motorists, and I, its industry umbrella body and the landowner seem powerless to do anything about it. Could the Leader of the House arrange for an urgent update on this matter?

Mr Rees-Mogg: I think my right hon. Friend the Member for East Yorkshire (Sir Greg Knight), who was here a moment ago, introduced a private Member’s Bill on parking, and I have a feeling that I put my name to it when I was still a Back-Bench MP, so the hon. Lady will understand that I share her concern about the way in which some of these companies behave. What she is saying is unquestionably important. I cannot promise her a debate, but she may want to raise this issue again in relation to other matters in the Queen’s Speech.

Mr Jim Cunningham (Coventry South) (Lab): Can we have a date, as promised by the Leader of the House, when the Government will bring forward the proposals on private hire taxis and taxis in general? I am told by the Government that the legislation is available, but we have been waiting for months now for a date. When can we have a debate on this?

Mr Rees-Mogg: As Prorogation is now going to be on Tuesday, I cannot promise any debates in this Session of Parliament, but there is a new Session coming up, and we will obviously have the Queen’s Speech and new business statements then. What the hon. Gentleman has said has been heard and will be borne in mind by me and, no doubt, by the Backbench Business Committee.

Cat Smith (Lancaster and Fleetwood) (Lab): As the longest parliamentary Session draws to a close, the Government have had plenty of time to pass their Bills through this place. I am reminded that on 25 July I asked the Leader of the House the whereabouts of the Fisheries Bill, and he reassured me by saying, “all will be well”. But all is not well. The Fisheries Bill, and the Agriculture Bill and the Immigration and Social Security Co-ordination (EU Withdrawal) Bill will all fall on Prorogation, so my question to the Leader of House is this: how many Bills will fall next week?

Mr Rees-Mogg: Any Bill that has not received Royal Assent by the time of the Prorogation will fall. That is the simple constitutional position. What I would say to the hon. Lady is that it is the Government’s view that all primary legislation needed to leave the European Union on 31 October is on the statute book, unless we have to have a Bill implementing a deal—it now looks as if such a deal may be achieved—in which case I expect, without giving too much away, that that may be mentioned in the Queen’s Speech.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): Just 49% of Glaswegians own a car, which means that the citizens of my constituency are disproportionately reliant on public transport, which is effectively in the monopoly control of a private company called FirstGroup. This company has been responsible for cutting hundreds of route miles across the city while hiking up fares and benefiting from generous public subsidies. Will the Leader of the House consider calling a debate in the new Parliament, or including in the Queen’s Speech provision for a debate, on the municipalisation of our public transport system, particularly with regards to extending public control back over our municipal bus services and advancing Labour’s proposals for a universal free bus service? Our plans would ensure that people had a proper quality of life, with access to jobs and services that are otherwise denied to them because of the punitive measures of profiteering private bus companies such as First.

Mr Rees-Mogg: I think we may be trespassing on devolved issues. Perhaps the hon. Gentleman is calling for a wider debate on the competence with which the SNP runs Scotland, and how it can ensure that public money is spent efficiently and effectively, because the Westminster Government are doing a great deal to improve public transport—buses and trains. I think £48 billion is to be spent on the rail network, and there is more money for buses, so I think this is really a matter of devolution and the competence of the SNP.

Jo Stevens (Cardiff Central) (Lab): The transitional arrangements for those in receipt of the severe disability premium who have been wrongly transferred from the employment and support allowance to universal credit have left them worse off. That includes a number of my constituents who are very severely disabled. May we have an urgent statement on Monday or Tuesday next week, before Prorogation, from the Secretary of State for Work and Pensions about what she is doing to resolve this terrible situation?

Mr Rees-Mogg: The hon. Lady raises an important point. The situation is one that many of us have seen in our constituency surgeries, and I know that the Department for Work and Pensions is working to ensure that it is put right. I cannot promise a statement in the time available.

Gareth Thomas (Harrow West) (Lab/Co-op): On Sunday, a vigil will take place outside Downing Street in memory of children who lost their life or disappeared at the end of the conflict in Sri Lanka in May 2009. Could we have a statement from the Foreign Office on whether it will ever apply serious pressure on the Sri Lankan Government to allow an international investigation into the very serious allegations of war crimes and grotesque human rights abuses that have dogged Sri Lanka ever since the end of that conflict?

Mr Rees-Mogg: I am in the happy position of being the ventriloquist’s dummy, because my right hon. Friend the Foreign Secretary is sitting next to me, and I was able to ask him briefly for his view. Of course, the Foreign Office will take this incredibly seriously and will look into it.

Christian Matheson (City of Chester) (Lab): We were told by every leading climate scientist in the world that we had only 12 years to act to stop climate change. Unfortunately, that was almost a year ago, and
the clock is ticking, so would it be a good idea for the Government to schedule—perhaps quarterly, at most—a statement or debate to allow the House to monitor and expedite progress towards achieving our decarbonisation aims?

Mr Rees-Mogg: I continue to be the ventriloquist’s dummy, because the Secretary of State for Business, Energy and Industrial Strategy, who is sitting on my other side, has said to me that we will be doing what the hon. Member for City of Chester (Christian Matheson) suggests much more frequently than that. I am pleased to bring that good news to the House.

Gavin Newlands (Paisley and Renfrewshire North) (SNP): One of my constituents is among the 2 million recipients of the personal independence payment whose case is scheduled to be reviewed as part of the “Legal entitlement and administrative practices” exercise, following the Government’s defeat in the courts on the issue of the treatment of people with mental health conditions. Without my office’s intervention, his case would still be sitting in a huge “pending” pile, potentially for up to two years, and he would have no information on when his review would be carried out. Could we have a debate, or action in the Queen’s Speech, on the lack of resources being made available to the DWP for complying with the court’s decision? Is this yet more evidence of the Government’s cavalier attitude to complying with court judgments?

Mr Rees-Mogg: No, not at all. The Government always comply with court rulings, and the DWP will do that, as always.

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): It has been reported that Royal Mail is looking to recruit a director to run its UK operations. I would suggest that the next director stand with postal workers on protecting jobs and terms and conditions, and opposing the selling off of Parcelforce. Does the Leader of the House agree, and will he ask the relevant Minister to make a statement to that effect on the selling off of Parcelforce?

Mr Rees-Mogg: I am afraid that I think private companies must make their own decisions.

Ruth Jones (Newport West) (Lab): A member of my team went to a chemist in my area this morning and saw a poster outside that said,

“Please don’t blame us for the NHS medicine shortages. It’s a nationwide problem. Please ask our local MP to help”.

There is clearly uncertainty and fear in the community. Will the Leader of the House, as a champion of a no-deal Brexit, make it clear that there will be no medicine shortages if we crash out of the EU? If he cannot confirm that, will he hold a debate on this issue at the earliest opportunity?

Mr Rees-Mogg: Once again, I am fortunate that the Secretary of State for Health and Social Care is sitting at my side. He reminds me that we have had endless debates on this matter. He very wisely put controls on 24 drugs that, in the ordinary course of events, were in short supply—19 of them were for hormone replacement therapy—because the supply of drugs is always a complex issue. Fortunately, the Government have procedures in place in all circumstances to ensure drugs are available, so I can give the hon. Lady the reassurance she requires.

Alex Norris (Nottingham North) (Lab/Co-op): In Bulwell in my constituency, we are developing a “pots, pits and people” project with the National Lottery Heritage Fund to celebrate our local heritage, and a successful bid would help to connect our community with our proud past. May we have a debate in Government time about the value of celebrating our local history?

Mr Rees-Mogg: I would be tempted to fill all this House’s time with debates on local and national history. We could spend hours debating the glories of our wonderful nation, but such a specific example may be more suited to a request for an Adjournment debate.

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): As a consequence of new localness guidelines for commercial radio, hundreds of jobs have been lost, studios closed, and listeners are not getting the local news content that they want and need. Can we have a debate in Government time about the importance of local commercial radio, including news coverage, and how best to allow it to thrive?

Mr Rees-Mogg: The issue with things that are commercial is that they are commercial, and they will do well if what they provide commercially is successful.
Brexit Negotiations

11.35 am

The Prime Minister (Boris Johnson): With your permission, Mr Speaker, I shall make a statement on the Government’s proposals for a new agreement with our European friends that would honour the result of the referendum and deliver Brexit on 31 October in an orderly way with a deal.

This Government’s objective has always been to leave with a deal, and these constructive and reasonable proposals show our seriousness of purpose. They do not deliver everything we would have wished. They do represent a compromise. But to remain a prisoner of existing positions is to become a cause of deadlock rather than breakthrough, so we have made a genuine attempt to bridge the chasm, to reconcile the apparently irreconcilable, and to go the extra mile as time runs short.

Our starting point is that this House promised to respect the referendum before the vote. More people voted leave than voted for any political party in our history. The referendum must be respected. Both main parties promised at the 2017 election that they would respect the referendum and that there would be no second referendum. This House voted to trigger article 50 and has voted repeatedly to leave, yet it has also voted three times against the previous withdrawal agreement and for repeated delay. So, as I have emphasised time and again, there can be no path to a deal except by reopening the withdrawal agreement and replacing the so-called backstop.

While, as I stand here today, we are some way from a resolution, it is to the credit of our European friends that they have accepted the need to address these issues. I welcome the constructive calls that I have had over the past 24 hours, including with President Juncker, Chancellor Merkel and Taoiseach Varadkar, and the statement from President Juncker that the Commission will now examine the legal text objectively.

The essence of our proposal is a new protocol on Ireland and Northern Ireland consisting of five elements. In the first place, all our actions are based on our shared determination to sustain the Belfast/Good Friday agreement and the fundamental basis of governance in Northern Ireland, the protection of which is the highest priority of all.

From that follows the second principle, namely that we shall of course uphold all the long-standing areas of co-operation between the UK and our friends in Ireland, including the rights of all those living in Northern Ireland, north-south co-operation, and the common travel area, which predates both the Good Friday agreement and the European Union itself.

Thirdly, we propose the potential creation of a regulatory zone on the island of Ireland covering all goods, including agrifood. For as long as it exists, the zone would eliminate all regulatory checks for trade in goods between Ireland and Northern Ireland.

However, fourthly, unlike the so-called backstop, such a regulatory zone would be sustained only with the consent of the people of Northern Ireland, as expressed through the Assembly and Executive. They will give their consent during the transition period as a condition for these arrangements entering into force. Thereafter, the Assembly will vote again every four years. If consent were withheld, these arrangements would then lapse after one year.

Fifthly, it has always been a point of principle for this Government that, at the end of the transition period, the UK should leave the EU customs union and entire, restoring sovereign control over our trade policy and opening the way for free trade deals with our friends around the world. That is a fundamental point for us.

Under the proposals in this new protocol, Northern Ireland will be fully part of the UK customs territory, not the EU customs union, but there will be no need for checks or any infrastructure at or near the border between Ireland and Northern Ireland. Indeed, I have already given a guarantee that the UK Government will never conduct checks at the border, and we believe that the EU should do the same, so there is absolute clarity on that point.

Instead, under this new protocol, all customs checks between Northern Ireland and Ireland would take place either electronically or, in the small number of cases where physical checks would be necessary, at traders’ premises or other points in the supply chain. We have put forward a method for achieving this based on improving and simplifying existing rules, trusting certain traders and strengthening our co-operation with Ireland, in a spirit of friendship and sensitivity to the particular circumstances.

While these proposals will mean changes from the situation that prevails today in Ireland and Northern Ireland, it is their driving purpose to minimise any disruption. To support the transition further, we propose a new deal for Northern Ireland that will boost economic growth and competitiveness and set in train new infrastructure, particularly with a cross-border focus.

The previous withdrawal agreement and political declaration would have permanently anchored the UK within the orbit of EU regulation and customs arrangements, and an indefinite so-called backstop provided a bridge to that vision of the future. This Government have a different vision: basing our future relationship with our European neighbours on a free trade agreement and allowing the UK to take back control of our trade policy and our regulations. We propose to amend the political declaration to reflect this ambition. Our proposals should now provide the basis for rapid negotiations towards a solution in the short time that remains.

I do not for one moment relieve from the fact that we have shown great flexibility in the interests of reaching an accommodation with our European friends and achieving the resolution for which we all yearn. If our European neighbours choose not to show a corresponding willingness to reach a deal, then we shall have to leave on 31 October without an agreement, and we are ready to do so. But that outcome would be a failure of statecraft for which all parties would be held responsible. When I think of the conflicts that have wracked Europe in the past, of the immense challenges that we have together surmounted, of the 74 years of peace and prosperity that we have together achieved, I believe that surely, we can summon the collective will to reach a new agreement.

This Government have moved; our proposals do represent a compromise; and I hope that the House can now come together in the national interest behind this
new deal to open a new chapter of friendship with our European neighbours and move on to our domestic priorities, including education, infrastructure and our NHS. Let us seize this moment to honour our overriding promise to the British people, respect Brexit and get Brexit done. I commend this statement to the House.

11.44 am

Jeremy Corbyn (Islington North) (Lab): I thank the Prime Minister for an advance copy of his statement, but what we have before us is a rehashed version of previously rejected proposals that would put the Good Friday agreement at risk and trigger a race to the bottom on rights and protections for workers, consumers and our precious environment. Given the seriousness of this issue and the vagueness of the proposals so far, will the Prime Minister tell the House if and when he plans to publish the full legal text that he must submit to the EU?

These proposals would lead to an even worse deal than that agreed by the former Prime Minister. The Prime Minister signed up to the backstop in Cabinet, and as a Back Bencher he voted for the withdrawal agreement. His letter to the President of the Commission yesterday claims that both are now unacceptable, so perhaps he can tell us what has changed. Why did he support the agreement then but oppose it now? The letter makes his intentions clear: it rejects any form of customs union—something demanded by every business and industry body in Britain, and by every trade union.

The Government want to ditch EU standards on workers’ rights, environmental regulations and consumer standards and engage in a race to the bottom. Deal or no deal, this Government’s agenda is clear: they want a Trump deal Brexit that would crash our economy and rip away the standards that put a floor under people’s rights at work and protect our environment and consumers. No Labour MP could support such a reckless deal that would be used as a springboard to attack rights and standards in this country.

The truth is that after three years this Government still have not found an answer to solving the issue of the Irish border and the Good Friday agreement. Where once they were committed to having no border in Ireland, they now propose two borders in Ireland, ripping up the UK-EU joint report from December 2017. Will the Prime Minister confirm that the Government have now abandoned their commitment to the people of Northern Ireland, which was to ensure no “physical infrastructure or related checks and controls” on the island of Ireland? [Interruption.] I am sorry, but I am only quoting what the Government said.

While EU leaders have been lukewarm, the response from businesses in Northern Ireland has been stark. Glyn Roberts, the head of Retail NI, said that the proposal would lead to north-south tariffs with “huge negative impacts” on farmers and the agrifood sector. He went on:

“It would also mean two borders requiring renewal after four years, surveillance in border communities without their consent, and checks north-south and west-east.”

Tina McKenzie, chair of the Federation of Small Businesses Northern Ireland, was absolutely clear:

“All the promises of unfettered access have been abandoned... Northern Ireland is a small business economy and this is a death knell for some of those businesses.”

These plans are simply unworkable. What we have before us is not a serious proposal to break the deadlock. Instead, the proposals are nothing more than a cynical attempt by the Prime Minister to shift the blame for his failure to deliver. We can conclude only that his political adviser was telling the truth when he called negotiations with the EU a “sham”. Will the Prime Minister give a clear answer to one question: if he does not get a deal at the October Council summit, will he abide by the law of this country and the European Union (Withdrawal) (No.2) Act 2019 and request an extension to avoid a disastrous no deal?

The Government’s proposals are neither serious nor credible. Labour consulted with UK industry, businesses and unions about the need for a comprehensive customs union, close single market alignment and robust protections for workers’ rights and environmental standards. We need an extension for a serious negotiation towards the sort of deal that Labour has set out, and then let the people decide whether to leave with a sensible deal or remain.

The current proposals would damage the whole UK economy, and the Northern Irish economy especially, and would undermine the Good Friday agreement. They would lead to a race to the bottom on workers’ rights and environmental rights and strip back even the limited protections that the Prime Minister’s predecessor had agreed to.

Instead of spending the last few months building consensus in Parliament and across the EU, the Prime Minister has put forward proposals he knows will not be acceptable either in Brussels or Westminster and that would damage UK industry, people’s jobs and living standards. The only people who would not suffer are the Prime Minister’s hedge fund donors who are currently betting against the pound and running down our fragile economy. He is doing nothing but seeking to divide and risking this country’s future for his own political gain—an America first deal with President Trump. The proposals are unrealistic and damaging, and they will be—as I think the Prime Minister knows full well—rejected in Brussels, in the House and across the country.

The Prime Minister: I must confess that I am disappointed by the tone and some of the remarks that the right hon. Gentleman has made, because I think that this is a very good basis for a deal. To take his points in turn, and to take his questions seriously, he asks what the advantage is of this deal over the previous withdrawal agreement. Simply, it is that the objections on all sides of the House to the previous withdrawal agreement were based on the backstop, which would, as he knows, keep the UK locked in the customs union and single market with no say on those arrangements. I listened carefully to hon. Members on both sides of the House during those debates and that was the burden of the House’s objections to the backstop.

The right hon. Gentleman asked a reasonable question about standards and environmental and social protections. I think that it would be the will of the House under any circumstances to keep our standards the highest in the world. The advantage that we have in coming out of the EU, as I am sure he would accept if he reflected on it, is that we can go further. There are some things that we
can now do that have been long called for by the British people—for instance, on animal welfare—that would be very advantageous. For instance, we can now ban the cruel export of live animals. I am sure that he will see that advantages will flow from that approach.

The right hon. Gentleman asked about physical infrastructure at the border, and I have been clear many times—and the Government have been clear many times, as were the previous Administration under my right hon. Friend the Member for Maidenhead (Mrs May)—that under no circumstances would the UK institute physical infrastructure at or near the border.

The right hon. Gentleman raised the concerns of businesses in Northern Ireland. Of course they must be at the forefront of our minds, and we will ensure that their needs are properly looked after. That is indeed why we have made the compromises that we have for the immediate future to protect their immediate interests. He asked about unfettered access to the GB market, and they will of course have unfettered access to the GB market with no checks whatever. That goes without saying. One thing that is certain about those businesses is that they want a deal. I have talked to them, as I am sure the right hon. Gentleman has. I believe that this is their chance, and our chance, to get a deal.

I listened to what the right hon. Gentleman said about delay and keeping this country in the EU beyond 31 October. That option does not commend itself to me: it would incur another £1 billion a month to no advantage whatever. The people of this country have had enough unnecessary dither and delay. They want to get Brexit done; they want to get on and do a deal. This is a very good basis for a deal. I commend it to the House and I hope that right hon. and hon. Members across the House will support it.

Sir William Cash (Stone) (Con): In welcoming indications of progress in the negotiations, does my right hon. Friend agree that the overriding democratic issue is that the referendum result, and the withdrawal Act with 31 October as the end date, confirms the sovereign and inalienable right of the British people to govern themselves and that we need a general election in this country now and to get Brexit done?

The Prime Minister: I am grateful to my hon. Friend. Friend agree that the overriding democratic issue is that the referendum result, and the withdrawal Act with 31 October as the end date, confirms the sovereign and inalienable right of the British people to govern themselves and that we need a general election in this country now and to get Brexit done?

The Prime Minister: I am grateful to my hon. Friend. Friend agree that the overriding democratic issue is that the referendum result, and the withdrawal Act with 31 October as the end date, confirms the sovereign and inalienable right of the British people to govern themselves and that we need a general election in this country now and to get Brexit done?

Ian Blackford (Ross, Skye and Lochaber) (SNP): May I thank the Prime Minister for advance sight of his statement?

I want to be very clear with the Prime Minister from the outset. These proposals are unacceptable. They are unworkable. They are undeliverable. It is all about blaming someone else, in this case the European Union when his plan is rejected. It is a plan designed to fail. But of course, the Prime Minister knows that. By his own design, this “take it or leave it” threat is yet another push towards a catastrophic no-deal exit.

For Scotland, these proposals would take us out of the European Union, the single market and the customs union against our will. The UK Government’s document talks about the consent of the people of Northern Ireland as being required. Where is the requirement for the consent of the Scottish people, who voted to remain and whose voices are ignored by this Conservative Government? The Prime Minister may have bought the consent of the Democratic Unionist party with these proposals, but every other political party in Northern Ireland and every major business group is not buying it. They are not alone. The Prime Minister does not have the consent of this House, and he does not have the consent of these islands for this doomed deal or for a devastating no-deal Brexit. Let me tell him now: he will never have the consent of Scotland.

Prime Minister, why is it acceptable for Northern Ireland to stay in the single market of the European Union but not for Scotland? This is not a basis for a deal; it is a half-baked plan from Dominic Cummings and his Brexit fanatics. The Prime Minister knows that he cannot get his proposal approved and he does not care, because the truth is that he either has no interest in getting a deal at all or does not grasp the reality of a workable backstop.

The Prime Minister must be reminded that he is duty bound to obey the law and seek an extension to the 31 October deadline. So let me put this to the Prime Minister: the proposed deal was dead even before he left the podium of the Tory conference. The Prime Minister’s contempt for this House—because that is what it is—for democracy and for the people to have their say through their representatives is clear for all to see. This House must take back control, not for us but for the people we serve.

So I want to ask the Prime Minister—and I want him to think very carefully before he answers; I say to him: give us an actual answer—will he obey the law as required to seek an extension, and if not, will he commit today, right here, right now, that he will resign? We will not let the Prime Minister shift the blame—[Interruption.] It is quite remarkable. We are talking about a Prime Minister threatening to break the law and the guffaws from the Tory Benches say it all.

We will not let the Prime Minister shift the blame for his devastating plans for a no-deal Brexit. The responsibility for the catastrophic threat lies solely and squarely at the Prime Minister’s door. That is why I want to put the Prime Minister on notice: the SNP will do everything possible to secure an extension and to stop a no-deal Brexit. I say to the Prime Minister: be warned—secure an extension or resign. If not, the SNP stands ready to bring this Government down.

The Prime Minister: Again, I must say I am slightly disappointed by the tone the right hon. Gentleman has taken. I would remind him that the people of Scotland voted to remain in the UK and in the UK single market. If he wishes to avoid a no-deal outcome, I respectfully suggest to him that the best way to avoid one would be to vote for a deal that we secure, and these proposals do amount to a very good basis for a deal.

Finaly, if he wants to remove me from office, the best thing he can do is to work on the Leader of the Opposition, persuade him to call a general election and try his luck that way.
Damian Green (Ashford) (Con): Many of us, on both sides of the House, want to deliver what people voted for, to avoid a no-deal Brexit and to avoid the process being strung out interminably; so I welcome the Government’s latest proposals. Can the Prime Minister assure me that the customs proposals for the Irish border do not involve the construction of any new physical infrastructure, whether at the border or anywhere else?

The Prime Minister: I am grateful to my right hon. Friend, who has taken a keen interest in these matters for a long time and has helped to bring many Members together across the House on this question. I can tell him: absolutely not—the proposals we are putting forward do not involve physical infrastructure at or near the border or indeed at any other place.

Jo Swinson (East Dunbartonshire) (LD): If the Prime Minister had bothered to go to the Northern Ireland border, he would know the genuine fear that people there feel about his proposals, which they see will result in physical infrastructure for the border, whether that is actually on the border or, as he euphemistically puts it, at some other point in the supply chain. His plans there have been denounced as the worst of both worlds. Will the Prime Minister now go to the Northern Ireland border and listen to the people and communities there, or does he just not care?

The Prime Minister: I, of course, understand the concerns of people on both sides of the Northern Irish border and indeed across this country. That is why we are absolutely determined not to have any kind of infrastructure checks at the border or near the border. As I explained to my right hon. Friend the Member for Ashford (Damian Green), they are not necessary. May I invite the hon. Lady also to support these proposals? Perhaps she could ask her Liberal Democrat colleagues to retract their letter to Jean-Claude Juncker urging him not to agree to a new deal with the British Government.

Mr Mark Francois (Rayleigh and Wickford) (Con): May I commend the Prime Minister’s emphasis on a future free trade arrangement as his desired end state, which is what many of us have wanted all along? Does he recall that, earlier in the year, when the House voted, in the so-called indicative votes, on a number of different options—a customs union, Norway and so on—all those options were defeated bar one? The one option that has ever passed this House, other than the withdrawal agreement as originally presented, was the so-called Brady amendment, the essence of which was to expunge any of our proposals will necessitate any kind of checks at the border—that is absolutely untrue—or indeed any kind of hard border. I must tell him respectfully that that is untrue.

The Prime Minister: I congratulate my hon. Friend because it was after all his amendment that went to the heart of what I think the House saw as the fundamental problem with the previous withdrawal agreement. These proposals address those concerns and I hope that right hon. and hon. Members will get behind them.

Anna Soubry (Broxtowe) (IGC): Mr Speaker, I am sure you will have observed that the Prime Minister’s predecessor, to her credit, at least got things in the right order. She got an agreement with the EU that commanded the support of the House of Commons and can take us forward and break the deadlock that has been dogging us for so long?

The Prime Minister: I congratulate my hon. Friend for his point. He is right also in his ambition for what we can do with this deal because it does liberate us to do free trade deals around the world and take back control of our tariffs and our customs. I am fortified by the knowledge on all sides in the House that this has been going on for three and a half years now. The proposal does represent a very good basis for a deal and I hope that colleagues will support it.

Hilary Benn (Leeds Central) (Lab): For the last three years, it has been Government policy that border arrangements between Northern Ireland and the Republic after Brexit would not include checks and controls—that is enshrined in UK law—but now the Prime Minister has announced that there will be customs checks in Northern Ireland. [Interruption.] Those are the words he used. He has also entertained the possibility that Northern Ireland will never enter the regulatory zone of which he speaks because, if the Assembly and the Executive do not agree to do so, it will not happen. As a result, he has abandoned that commitment and risks a return to a hard border. How is that consistent with the joint declaration of 2017 signed by his predecessor, with the Good Friday agreement and with the peace and stability in Northern Ireland that has been so hard won?

The Prime Minister: The right hon. Gentleman is absolutely right to lay the emphasis he does on the Good Friday agreement and the peace process. In all our conversations, we are driven by the need to protect, and indeed fortify, that agreement and process. The deal we are setting out gives Northern Ireland the opportunity to build on that process, but I must stress to him that he is mistaken if he believes that any of our proposals will necessitate any kind of checks at the border—that is absolutely untrue—or indeed any kind of hard border. I must tell him respectfully that that is untrue.

Sir Graham Brady (Altrincham and Sale West) (Con): Given that this proposal meets the terms set out in the amendment passed in this House on 29 January, can I urge the Prime Minister to go to his EU colleagues with some confidence and to tell them that there is every likelihood, if not certainty, that this proposition will command the support of the House of Commons and can take us forward and break the deadlock that has been dogging us for so long?

The Prime Minister: I congratulate my hon. Friend for his point. He is right also in his ambition for what we can do with this deal because it does liberate us to do free trade deals around the world and take back control of our tariffs and our customs. I am fortified by the knowledge on all sides in the House that this has been going on for three and a half years now. The proposal does represent a very good basis for a deal and I hope that colleagues will support it.
that it offers a way forward for the UK, for Ireland and for all communities in Northern Ireland. It offers security and stability and, above all, protects the Good Friday process and a frictionless border. So I hope it will have her support.

**Philippa Duff** (Shipley) (Con): When I launched the Better Off Out group in Parliament back in 2006, I could always rely on the now leader of the Labour party to vote for my proposals in the Lobby. I am sorry that he has now ditched the only popular policy that he ever believed in.

May I ask the Prime Minister whether he has proposed is the final offer to the European Union? Will he confirm that, if the EU rejects his offer out of hand, it will be the policy of the Government to leave the European Union without a deal?

**The Prime Minister:** My hon. Friend is absolutely right. I cannot account for the unaccountable—I cannot account for the Leader of the Opposition’s change of mind on the EU, except that, as I observed earlier, he seems to have been captured by some of his colleagues—but I can certainly confirm to my hon. Friend that we will be leaving on 31 October, deal or no deal.

**Lady Hermon** (North Down) (Ind): The Prime Minister’s proposals prove quite clearly that he does not understand Northern Ireland. While he seems to be perfectly happy to dance to the tune of his friends in the Democratic Unionist party, he forgets, or chooses to ignore, the fact—and it is a fact—that the DUP does not represent the majority of people in Northern Ireland. The DUP campaigned for leave, along with the right hon. Gentleman, but the majority of people in Northern Ireland voted remain. The majority of people in Northern Ireland will be extremely concerned by the proposals that he tabled yesterday and has spoken about today, which introduce two borders in Northern Ireland.

I remind the Prime Minister that the people in Northern Ireland certainly do not want the UK to leave the EU without a deal. What people in Northern Ireland really want, all of them, is to continue to enjoy the peace and stability delivered by the Belfast/Good Friday agreement. I want the Prime Minister to go through the statement that he has delivered, and pinpoint for the House and the people of Northern Ireland the aspects of his proposals that guarantee peace and stability in Northern Ireland.

**The Prime Minister:** The most important thing is that we will abide by every clause and principle of the Good Friday agreement. Above all, there will be no border—there will be no hard border at all—in Northern Ireland. Most important, we will be governed by the principle of consent. I should be more than happy to meet the hon. Lady to discuss exactly what I mean, if that would be useful to her. I do accept that these proposals deserve wider circulation and wider explanation, and I should be more than happy to meet her to go through them.

**Alistair Burt** (North East Bedfordshire) (Ind): I commend the tone that the Prime Minister has taken today, and the way in which he has answered questions. That fulfils what was my aim when I supported the recent withdrawal Bill, which was to encourage the Government to pursue a deal as by far the best option going forward.

It is clearly unlikely that every part of the Prime Minister’s proposals will be fully accepted, but may I draw the House’s attention to a phrase in the letter that he sent to Jean-Claude Juncker yesterday? He wrote: “this letter sets out what I regard as a reasonable compromise: the broad landing zone in which I believe a deal can begin to take shape.”

Do his tone and style today suggest that the compromise that he has been able to propose is not yet finished, and that if it is necessary to handle some of the difficult issues that have been raised, he is still open—in that frame of mind—to take this forward? A deal would now seem to be achievable if that tone is continued.

**The Prime Minister:** My right hon. Friend is correct in his surmise about our intentions, but I think that the House and people watching the debate should be reminded that what the UK has done is already very considerable. We have already moved quite some way. I hope that our friends and partners across the channel understand that, and I hope that my right hon. Friend understands it as well. We have gone the extra mile. What we are doing both on agrifoods and on goods, with the principle of consent, is, I think, a very considerable move towards compromise.

**Yvette Cooper** (Normanton, Pontefract and Castleford) (Lab): Will the Prime Minister agree to give evidence on this to the Liaison Committee before the European Council? Will he also confirm that he is proposing to remove the provisions in article 4 of annexe 4 to the protocol, in particular the commitment not to reduce fundamental rights at work—occupational health and safety, fair working conditions and employment standards? Will he confirm that, far from increasing workers’ rights and the protection of those rights as many Labour Members have urged him to do, he is in fact proposing to reduce that protection and make it easier for Conservative Governments to do what they have always done, and cut workers’ rights?

**The Prime Minister:** The right hon. Lady is in error if she thinks that that is our intention. We will be ensuring that this country has the highest standards for workers’ rights and for environmental protections. I should be more than happy to meet her to explain what we are going to do.

**Stephen Crabb** (Preseli Pembrokeshire) (Con): I commend the Prime Minister on the serious intent and effort that he is adopting. He is proving many of his doubters wrong. Does he agree that the constructive tone that we heard overnight from EU counterparts stands in stark contrast to the tone adopted by the Opposition, who continue to set their face against their own voters?

**The Prime Minister:** I thoroughly agree with my right hon. Friend, and I hope that all colleagues in all parts of the House will think very carefully about the terms of the deal that we are setting out. As I have said, I am more than happy to discuss them and to explain what we are trying to do, but I think it is incumbent on all of us to get this thing done and get it over the line, and I think that that is what the overwhelming majority of our electorate want us to do. Whether they voted leave or remain, people want us now to speak up for democracy.
Mr Ben Bradshaw (Exeter) (Lab): Breaking the Good Friday agreement, putting at risk 20 years of peace, creating two new hard borders and a smugglers’ paradise in Northern Ireland, and scrapping all the labour regulations, environmental standards and other standards in the rest of the United Kingdom: this is nothing like what the Prime Minister peddled to the voters in 2016, is it? So why is he scared of sending it back to the people for their consent in a referendum?

The Prime Minister: I do not wish to be unnecessarily adversarial today, but that seems a satirical thing for the right hon. Gentleman to say. Given that his party is refusing to concede to a general election, I am very happy to discuss these ideas with him. They in no way correspond with the caricature that he has just put to the House. This is a very serious way forward, and it gives the country an opportunity to improve our environmental and social welfare standards.

James Brokenshire (Old Bexley and Sidcup) (Con): I commend my right hon. Friend for his clear intent to ensure that we leave with a deal on 31 October. He has set out a detailed and considered proposal and, despite the protestations of the Labour party, I hope that the EU will engage with the proposal constructively.

In this context, the Prime Minister will feel as keenly as I do the continuing absence of a fully functioning Northern Ireland Executive. What further steps will he take to get Stormont back up and running, and what assurance can he give to the people of Northern Ireland in respect of the absolute need for political decision making in its absence?

The Prime Minister: My right hon. Friend has a wealth of experience in this regard, and he did a huge amount of good both for Northern Ireland and in the cause of trying to get Stormont up and running again. Clearly, what this deal would offer is the opportunity for the Executive and Assembly of Northern Ireland, and the people of Northern Ireland, to have even more of a say in their own destiny. In that sense, it takes forward and builds on the peace process, one of the great achievements of the last 30 years. I think that it is full of hope for the people of Northern Ireland. In my view it gives them an extra incentive to get Stormont up and running, and I can assure my right hon. Friend that it is it? So why is he scared of sending it back to the people for their consent in a referendum?

The Prime Minister: I am grateful to my right hon. Friend. Of course, what this offer does is take one step further, by consent, in having regulatory alignment for goods as well, so obviating the need for checks on perhaps 30% of the other traffic from north to south in addition to the 30% that we have already achieved by sanitary and phytosanitary alignment. That is always assuming that consent were to be granted, if he understands me.

Dr Sarah Wollaston (Totnes) (LD): The principle of consent requires people to be able to weigh up the risks and benefits of the actual deal, as opposed to the promises that were made during the referendum. I am afraid that there are many detailed questions arising out of the Prime Minister’s statement, and they cannot be answered in this format, so may I ask him when he will keep the clear commitment he gave to appear before the Select Committee Chairs in the Liaison Committee, and will he do so before Parliament prorogues?

The Prime Minister: I am absolutely committed to appearing before the hon. Lady’s Committee, and she will have an answer within an hour of my departure from the Chamber this afternoon.

Greg Clark (Tunbridge Wells) (Ind): Most people in this House and in the country want to have a good deal with the EU, so I very much welcome the pragmatic approach and the demeanour that my right hon. Friend has taken today. I look to our European neighbours and, I might say, the Leader of the Opposition to respond in kind. He has set out a new Northern Ireland protocol that would kick in if, and only if, we had not yet concluded a free trade agreement. Is it his expectation that, should the protocol be needed, it would be intended to be temporary? Is it also his expectation that it would involve zero tariffs between the UK and the EU?

The Prime Minister: The answer to both questions is in the affirmative. I want to thank my right hon. Friend for his constructive attitude to this, and if there are any more details that he needs to establish from me, I am only too happy to share them.

Mr Pat McFadden (Wolverhampton South East) (Lab): With regard to the regulation of goods, as opposed to customs, the Government’s explanatory note says that these arrangements must receive the endorsement of the Northern Ireland Assembly and Executive. Paragraph 13 of the paper states that this must happen “before the end of the transition period, and every four years afterwards”. Can the Prime Minister confirm that that means that, even if these proposals were to be agreed by the European Union and subsequently agreed by this House, if they

Mr David Gauke (South West Hertfordshire) (Ind): The publication of specific proposals to deal with the backstop is to be welcomed, as is the Prime Minister’s commitment to not having physical infrastructure in Northern Ireland or the Republic of Ireland. His commitment to the Good Friday agreement is also to be welcomed, but could he say a bit more about what obligations he believes we have under the Good Friday agreement to ensure not only that there is no physical infrastructure, but that goods can flow freely between the Republic of Ireland and Northern Ireland?

The Prime Minister: I am grateful to my right hon. Friend. May we have a vote on it before he goes to the European summit? In the political declaration, which my right hon. Friend is expecting to be announced in the Chamber this afternoon.

The Prime Minister: I look to our European neighbours, and I might say, the Leader of the Opposition to respond in kind. He has set out a new Northern Ireland protocol that would kick in if, and only if, we had not yet concluded a free trade agreement. Is it his expectation that, should the protocol be needed, it would be intended to be temporary? Is it also his expectation that it would involve zero tariffs between the UK and the EU?

The Prime Minister: The answer to both questions is in the affirmative. I want to thank my right hon. Friend for his constructive attitude to this, and if there are any more details that he needs to establish from me, I am only too happy to share them.
were not then approved by the Northern Ireland Assembly during the transition period, they would last for only a year, following which we would have no commitment to the common regulatory system that is essential for the open border?

The Prime Minister: The right hon. Gentleman is making a very valid point, but the mechanism of consent is clearly vital and we are in the midst of discussions with our friends about exactly how it should work. I will not hide it from the House that he is making a legitimate point, but we will, I am sure, solve this question during the discussions about consent.

Sir John Hayes (South Holland and The Deepings) (Con): The test of reasonableness is well understood by legislators, and compromise is intrinsic to all negotiations, as the Prime Minister has said already. But what the British people are most frustrated about is what they perceive as displacement, dither and delay, so will the Prime Minister be clear in his decisive determination to continue to personify the spirit of getting on, getting out and getting ahead?

The Prime Minister: That is exactly what we intend to do. The purpose of this deal and these proposals is to get Brexit done and for us all to move on as a country and move on together. I believe that they represent a very good way forward for the UK. They will enable us to do free trade deals and to regulate our own laws and our own system. Above all, they will enable the UK to leave the EU, as the people of this country were promised, whole and entire, and to protect our precious Union with Northern Ireland.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): The Prime Minister’s blame game goes down very well on the stage-managed Tory conference platform, but I wonder whether he has stress-tested the technical details of his proposals on the UK’s constitution—or did he require only the DUP’s consent? I note that his proposal claims to equip the Stormont Assembly with the levers to control the direction of Northern Ireland’s national question. Does he not agree that this sets an interesting precedent for the Senedd to be equipped to review Wales’s constitutional relationship with Westminster every four years, too? Or does just he hope and pray that somebody will stop him?

The Prime Minister: As the right hon. Lady knows, there is a unique situation in Northern Ireland under the Good Friday agreement, and what we are proposing today gives this country the opportunity to develop and intensify that, but I am willing to listen to her pleas for the Senedd and I will consider them closely.

Sir Geoffrey Clifton-Brown (The Cotswolds) (Con): I believe that this represents a significant step towards breaking the deadlock, which businesses and the vast majority of the people want to see. Can my right hon. Friend confirm that, in the spirit of goodwill now generated on both sides of the channel, he will negotiate 24 hours a day exhibiting every flexibility to get a deal?

The Prime Minister: I will strain every sinew, Mr Speaker. In fact, it was only my desire to appear before you and the House today that restrained me from going off to other European capitals and selling this project.

Mr Speaker: I am delighted to hear it.

Christian Matheson (City of Chester) (Lab): Can the Prime Minister not accept that a customs post that is sited 20 miles away from a border still represents a hard border and therefore goes against the Good Friday agreement? Why is he willing to prioritise Brexit against the Good Friday agreement?

The Prime Minister: I should remind the hon. Gentleman that there has been a fiscal border between the UK and Ireland for many years. Customs checks do not mean customs posts or infrastructure of any kind, as I am sure he appreciates, but if he does not, I am more than happy to share with him our thinking and to explain how it can be done.

Mr Philip Dunne (Ludlow) (Con): I remind my right hon. Friend that I voted remain in the referendum. I have voted in the House to deliver Brexit ever since. I congratulate him on the constructive proposals that he has put forward, and wish him every good fortune that the EU will engage with them as it needs to. I remind the House, and perhaps he could confirm, that existing trade across the border in Northern Ireland takes place with different currencies, and with different VAT rates, as he has just been elucidating, without the need for any physical infrastructure; and customs arrangements, following the excellent work done on the alternative arrangements commission, can do the same.

The Prime Minister: I thank my right hon. Friend, and if I may say so, I think he speaks with the voice of common sense and pragmatic understanding of the realities that obtain, but also the right measure of optimism about what we can achieve. I thank him very much.

Patricia Gibson (North Ayrshire and Arran) (SNP): I am sure that the House, like me, is hugely impressed by the Prime Minister’s attempts to avoid an Irish border—which resulted in him creating two borders! Clearly, he is not familiar with the contents of the Good Friday agreement.

Given that these proposals are doomed to fail on all counts, and as he seeks to blame the EU for his failure, will he confirm that if he cannot secure agreement, he will obey the law as set out in the Benn Act—or instead, will he have to die in a ditch?

The Prime Minister: I reject the suggestion that what we are doing is not in conformity with the Good Friday agreement; indeed, it is intended to build on the Good Friday agreement. If it would help the hon. Lady, I would be more than happy to talk to her about our plans and to elucidate the matter to her.

Steve Brine (Winchester) (Ind): On 3 September, I asked the Prime Minister for some evidence of an emerging deal; you will remember it well, Mr Speaker. Last week I asked him again, and I thank him for the outline of the detail that he gave in response to me. Today I do not need to do that, because he has set out some real meat to Mr Juncker in his letter. I am very pleased to see it. I knew he wanted a deal, and he told me he wanted a deal, and I believe him. So can he confirm that consent in Northern Ireland lies at the
heart of this over there; and that more importantly, compromise over here, in this House of Commons, is at the heart of getting this done? Can he also confirm that those who want to avoid no deal—like me, like him—now need to do the right thing and vote for a deal?

**The Prime Minister:** I thank my hon. Friend, for whom I have a high regard. I well remember our conversation a few weeks ago. He makes his point with great clarity and force. Those who oppose a no-deal Brexit—I appreciate the sincerity of the feelings of those who oppose a no-deal Brexit—logically really should support this way forward, and I hope that they do.

**Sir George Howarth** (Knowsley) (Lab): As a former Northern Ireland Minister, I am all too painfully aware of how fragile the arrangements are. As my right hon. Friend the Member for Wolverhampton South East (Mr McFadden) pointed out, the Prime Minister’s proposals are all contingent on their periodic renewal by the Executive and Assembly. Does he not realise that that will only add to the fragility of the UK legal order and part of the UK customs territory, and it will remain part of the UK’s customs territory, but that those zero tariffs, which will require some checks as well, will not be at the border, and will be of a nature that will be relatively de minimis?

**The Prime Minister:** In due course, the text will of course be made available to right hon. and hon. Members, although this is a negotiation and you will appreciate, Mr Speaker, that we have to hold some things back. Although this is a negotiation and you will appreciate, Mr Speaker, that we have to hold some things back.

**Mr David Jones** (Clwyd West) (Con): I commend my right hon. Friend for putting forward these positive proposals, which merit an equally positive response from the European Union. He has mentioned the need for amendments to the political declaration, the significance of which is frequently understated. I assume that that includes the deletion of the reference to building and improving on the single customs territory, but can my right hon. Friend say what other amendments he considers will be necessary?

**The Prime Minister:** In due course, the text will of course be made available to right hon. and hon. Members, although this is a negotiation and you will appreciate, Mr Speaker, that we have to hold some things back. However, I can certainly confirm that there will be no reference to improving on the customs union in the way that he has described. The purpose of the political declaration will be to set out how we wish to develop our relationship with our European friends in a positive way, protecting standards, as I have said several times, insisting on the highest possible standards in this country, but also giving us the opportunity to develop a fantastic new free trade relationship—and that is what we are going to do.

**Luciana Berger** (Liverpool, Wavertree) (LD): In an earlier answer, the Prime Minister alluded to the fact that he had support from business for his plan, and yet the director of the Northern Ireland Retail Consortium has said that the Prime Minister’s plan is both “unworkable and unpalatable”. Will the Prime Minister point to one business that moves goods into Northern Ireland that supports his plan?

**The Prime Minister:** I have met many businesses in Northern Ireland who want emphatically to get a deal. That is the overwhelming view of businesses in Northern Ireland, so I hope very much that the hon. Lady will support them in their ambition.

**Stephen Hammond** (Wimbledon) (Ind): Like my right hon. Friend the Members for Tunbridge Wells (Greg Clark) and for North East Bedfordshire (Alistair Burt), I warmly welcome the fact that the proposals have been set down, and the constructive tone in which the Prime Minister has undertaken the proceedings today. I am keen to understand some of the points of detail. I understand that there will be a change also to the political declaration, in the form of a free trade arrangement zero tariffs. Can he confirm, therefore, that he intends that those zero tariffs, which will require some checks as well, will not be at the border, and will be of a nature that will be relatively de minimis?

**The Prime Minister:** Yes. Not only that, but I can confirm that there will be no checks, as it were, from NI to GB. I think that is very important for the House to understand.

**Alison McGovern** (Wirral South) (Lab): The Prime Minister said some moments ago that the history of referendums in this country was not good, but may I remind him that by 71% the Good Friday agreement was passed by a referendum?

“I return the Prime Minister to the detail of his statement today. On page 3, he refers to the regulatory zone for Northern Ireland, and he says that, “the Assembly will vote again every four years—and if consent were withheld, these arrangements would then lapse after one year.” Lapse back to what?”

**The Prime Minister:** Obviously, the default position is that Northern Ireland is part of the UK, and part of the UK legal order and part of the UK customs territory, and it will remain part of the UK’s customs territory under any circumstances. What we are proposing is alignment on agrifoods and also on industrial goods. That is to be done by consent. I think it offers a very attractive way forward and I hope that the House will get behind it.

**Mr Peter Bone** (Wellingborough) (Con): May I ask the Prime Minister a little bit more about the political declaration? Do I understand that it will be changed to say that the UK and the EU will use best endeavours to achieve a fantastic free trade agreement? But if we got to the end of the transition period—when would that be?—what would happen if there was not a free trade agreement?
The Prime Minister: Well, I think in that very unlikely event, obviously the UK and the EU would revert to WTO terms, but I do not think that that is likely. I think that the UK and the EU—both parties—will be very keen to strike a great free trade agreement. And that is what we will do, and that is what we will set out in the political declaration.

Grahame Morris (Easington) (Lab): Over a week ago the Prime Minister told the House, in response to a question by my good and hon. Friend the Member for Ashfield (Gloria De Piero), that he would publish a new EU withdrawal Bill within days. That is important, because it could form the basis, with amendments, to move forward and break the deadlock—amendments on workers’ rights, health and safety and environmental standards. Will the Prime Minister honour that commitment and publish the Bill?

The Prime Minister: We will of course publish the legislation in due course.

Sir Henry Bellingham (North West Norfolk) (Con): May I congratulate the Prime Minister on his statesmanship, and indeed ingenuity, in delivering an offer that is serious and credible? If my email is anything to go by, there is huge support in my constituency.

May I take the Prime Minister to paragraph 1b of the protocol note, which makes it clear that 100% of these unique areas of collaboration will continue? Will he find time to ring the Taoiseach and tell him that there are going to be many areas for collaboration on community projects and on pushing enterprise, investment and wealth creation on both sides of the border?

The Prime Minister: I thank my hon. Friend. I talked to the Taoiseach last night and expect to be talking to him quite a lot in the days to come. I will certainly make that point to him as well. It is something we have already discussed.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Does the Prime Minister agree that most people in this country are not extreme remainers or extreme Brexiteers? Surely it is his job, and the job of the House now, to look at a deal. What we have heard today is a bit of a deal, but we need a full look. Perhaps we should restart the cross-party discussion so that he can evade the conclusion that he has to break the law and leave without a deal. Can we restart sensible negotiations?

The Prime Minister: Of course. I have a high regard for the hon. Gentleman; I remember having many useful discussions with him about higher education when I did that job. I would be more than happy to talk to him about what we are proposing and the way it can take our country forward and bring us back together.

Sir Peter Bottomley ( Worthing West) (Con): As someone who 30 years ago served as Agriculture Minister for Northern Ireland, may I say that both there and in Great Britain the deal and proposed transition matter, and that issues will have to be dealt with whether we crash out or go with a deal?

I hope we do go with a deal, as does the majority in the House. I say to my right hon. Friend the Prime Minister that it would be a good thing if he arranged to rescind the withdrawal of the Conservative whip from those of my colleagues who should be back on our side fully.

The Prime Minister: I defer to my hon. Friend. Friend for his long-standing experience in Northern Ireland, but the agreement that we have, or the deal that we are proposing, is a very good one for Northern Ireland. As for his suggestion on our colleagues, all I can say is that the consequences of the surrender Act—I use that term advisedly—are very serious for our ability to negotiate. I hope very much that, notwithstanding those difficulties, this House will come together and get a deal over the line. If I may say so, to bring the whole country together and to bring this House together, I think that would be the best way forward.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): The Prime Minister has spoken a number of times about consent, but I urge him, particularly as the only representative here in the House at the moment speaking for Northern Ireland is the hon. Member for North Down (Lady Hermon), to listen very carefully to what she said. He talks about consent, but it is clear this morning that there is not consent from many of the other parties in Northern Ireland and many people across the different communities, nor from the business community nor from Dublin and the Irish Government. I urge him to listen very carefully to that.

There is a simple way through this, which is to put a credible deal back to the people, including the people of Northern Ireland, for a confirmatory vote. I urge the Prime Minister to look at that closely. Will he confirm how his proposals are in line with section 10(2) of the European Union (Withdrawal) Act 2018, because I do not believe that they are?

The Prime Minister: Mr Speaker, they are completely in line with section 10 of the withdrawal Act, and I would be happy to demonstrate that to the hon. Gentleman. On his request for a second referendum, I really cannot think of anything more divisive or more wasteful of this country’s time. [Interruption.] If Opposition Members want an election, why do they not talk to the Leader of the Opposition?

Several hon. Members rose—

Mr Speaker: Order. Colleagues, I am very grateful to the large number of people who have come up to the Chair expressing concern about my throat. Their generosity of spirit and humanity are much appreciated, but I want to confirm to the House that the state of my throat, which is purely temporary, is not down to the consumption of a kangaroo’s testicle. I would not eat it; it would probably be poisoned.

Mr John Baron (Basildon and Billericay) (Con): Mr Speaker, I am glad to hear it.

The devil will be in the detail, but I very much congratulate my right hon. Friend the Prime Minister on his improved proposals as a basis for a deal. However, in straining every sinew to secure a good deal, will he be resolute not only in his intent to honour the triggering of article 50 by an overwhelming majority in this place,
[Mr John Baron]

which clearly stated that we would leave with or without a deal, but in ensuring that we are prepared for no deal? It is inescapable logic that being so prepared improves the chances of securing such a deal, despite the fact that that logic escapes the Opposition parties.

The Prime Minister: My hon. Friend is absolutely right. The preparations that we have made for that outcome, a no-deal exit—I thank my right hon. Friend the Chancellor of the Duchy of Lancaster for everything that he is doing—have unquestionably, notwithstanding the surrender Act, concentrated the minds of our friends in the EU and are helping us to get a deal.

David Hanson (Delyn) (Lab): Could the Prime Minister genuinely help me? Paragraph 9 of his explanatory note says that “traders moving goods from Great Britain to Northern Ireland would need... A new notification requirement” regarding “the nature of the goods in the consignment... people sending (exporting) and receiving (importing) the goods... where the goods will depart and arrive” and that these arrangements will not be effective until the transition period is completed.

As the hon. Member for North Down (Lady Hermon) said, that is effectively a second border. Can the Prime Minister tell the House how many of those transactions he anticipates each year, and what the cost would be to businesses and to the Government in establishing that system?

The Prime Minister: I can assure the right hon. Gentleman that in so far as such checks were necessary, they would be done electronically. They would be done by UK officials, and they would be instituted only with the consent of Northern Ireland. That is the important point, but I am more than happy, if he would like, to discuss this more with him in person if that would be useful.

Jack Lopresti (Filton and Bradley Stoke) (Con): May I commend and congratulate my right hon. Friend the Prime Minister on his statement and on his valiant efforts to secure us a deal and get us out of the European Union on 31 October? May I ask him a question that a lot of my constituents are asking me? When we finally leave on 31 October, if it were to be without a deal, is it not the case that there would be no adverse effect on any UK-European defence collaboration, especially in the fields of procurement, manufacture and wider operations?

The Prime Minister: I am grateful to my hon. Friend, and I can tell him that we are proceeding with huge collaborations across the front with our European friends, and I have no reason to believe that any of them will be interrupted.

Peter Kyle (Hove) (Lab): From the outset of negotiations, the British Government have, understandably, had their red lines. They are long-standing and unchangeable red lines. It is understandable also that our negotiating partners in the EU have their red lines, which they have stuck to rigidly throughout. Today and last night, the Irish Taoiseach has said that the proposals the Prime Minister has laid before the House today break those red lines and are unacceptable. In the words of the Taoiseach, “It’s a non-starter.”

Why has the Prime Minister brought before the House proposals that are simply unacceptable to the EU? They are breaking the red lines that the EU has had from the outset. If the EU had done the same to us, he would be using the most outrageous language against it, yet he has brought something here that is completely unacceptable from the outset. Why?

The Prime Minister: I appreciate that the hon. Gentleman follows these things very closely, but, if I may say so, I do not recognise his characterisation of the response from our EU friends, even in Dublin.

Victoria Prentis (Banbury) (Con): I hope the Prime Minister can hear the collective sigh of relief, which tends to indicate that this might be the beginning of the end, so will he join me—[Interruption.] Oh, we are nowhere near the end of the beginning! Will he join me in encouraging everybody in this House to come together, whether or not as part of the marvellous group “MPs for a Deal”? Will he reach out to MPs from all parts of the House and deal with their genuine concerns on the details of this agreement in the coming weeks?

The Prime Minister: I thank my hon. Friend for everything she does to bring colleagues together on this issue. I do not know whether this is the end of the beginning or the beginning of the second half of the middle, or exactly where we are in this process, but there is momentum now behind these proposals. [Interruption.] I am not going to pretend that this will be easy or that this is a done deal. Hon. Members are right to be cautious, but the UK has moved a long way, and I hope that our partners will recognise that and move correspondingly.

Ann Clwyd (Cynon Valley) (Lab): As the Prime Minister has repeatedly demonstrated this morning, the information about the political declaration is very vague indeed. It would not protect jobs, rights or security, and does not seek to address the major reasons why Opposition Members opposed the deal put forward three times by the previous Prime Minister. Will this Prime Minister tell us how he thinks the European Parliament will react to his proposals? Has he had any contact with those at the European Parliament? Has he had any indication as to how they are feeling?

The Prime Minister: Yes, certainly; I have of course talked to the President of the European Parliament, in which the right hon. Lady served with such distinction. I can tell her and the House that what the European Parliament overwhelmingly wants is a deal, rather than no deal, and I am sure that it will see this is the basis of a very good deal.

Robert Neill (Bromley and Chislehurst) (Con): The Prime Minister knows that my constituency probably had as close to a statistical dead heat of a result in the referendum as was possible, with a tiny margin in favour of remain, which was my view. He also knows that throughout the time and since my constituents and I
have urged that this House needs to come together to find a deal and go forward. I therefore welcome what he has done today. I certainly support it, as one who took a different view initially, but does he also recognise the concern and distress that my constituents have that, regrettably, some people in the Opposition seem to rubbish every attempt at compromise and at a constructive way forward? The country and my constituents deserve better than that, and we should give this a fair chance.

The Prime Minister: I thank my hon. Friend, whom I know to be a passionate pro-European to the depths of his soul. I respect him profoundly for his desire to get on, do a deal, get Brexit done and then build a new partnership with our European friends, which is what we want to do.

Kate Green (Stretford and Urmston) (Lab): Manufacturers in my constituency operate an integrated trading model, whereby they ship goods directly from Manchester to the Republic of Ireland for distribution across the whole of the island of Ireland. Can the Prime Minister explain to me how the deal he is proposing now offers them more certainty, fewer burdens and less cost both than they have now and than they would have had under the backstop?

The Prime Minister: All those freedoms would continue, and I can reassure the hon. Lady that, as I have said many times, there will be no checks, for our part, on goods coming from the EU—that is to say from Ireland—into Northern Ireland, into the UK.

Maria Caulfield (Lewes) (Con): Is the Prime Minister encouraged, given the empty Benches opposite on Monday when we were debating important Northern Ireland issues, that Members have found their enthusiasm once again for all things Northern Ireland? Does he agree that any customs checks do not have to be done at the border or in customs posts, but can be done at points of origin and destination, as the Northern Ireland Select Committee heard in evidence?

The Prime Minister: My hon. Friend speaks with the technological optimism that has too long been absent from this debate. That is the way forward, and everybody understands that. That is what we are going to bring to those solutions, and this agreement offers a way of doing that at a pace and timescale that will reassure businesses and agricultural interests on both sides of the border.

Tom Brake (Carshalton and Wallington) (LD): I commend the Prime Minister for rare consistency; when he said “f*** business” he really meant it. Manufacturing Northern Ireland has described his proposals as an “existential threat” and as being “thrown under the bus”. Can he confirm which businesses in Northern Ireland he consulted on his proposals and which of them supported them?

The Prime Minister: All the Northern Ireland businesses that came to No. 10 recently supported a deal, and it would be invidious to pick any one of them. I will not be given any lessons about consistency from the Liberal Democrats, who called for a referendum, and now say that if there were to be a second referendum they would campaign against the result.

Neil Parish (Tiverton and Honiton) (Con): I very much welcome the Prime Minister’s statement. May I also welcome his enthusiasm, because for two and a half years there has been so much negativity in this House that we just cannot get this deal through? For goodness’ sake, let us get the deal done. Does he believe it will then lead on to a good trade deal, so that farming, agriculture and business will not have to pay tariffs to the European Union and we can export across the whole of the world?

The Prime Minister: Of course. I can tell my hon. Friend that Somerset lamb, cattle and beef—[Interruption.] I should say Devon, as he represents Tiverton. [Interruption.] He does farm in Somerset, so I should say that Somerset and Devon’s beef and lamb will have the opportunity to find export markets that they are prevented from finding by our current arrangements, such as those in the United States and indeed elsewhere. We have a glorious future ahead of us if we just take the first few steps.

Dr Rupa Huq (Ealing Central and Acton) (Lab): The Prime Minister seems to be looking for ways for his proposals to pass, and I agree with my near west London neighbour that all our constituents want to move on from this intractable stalemate. I would allow the final version of his deal through, as would many Opposition Members and many Members on his Benches, some of whom he has kicked out of his own party, possibly even his own brother, if it came subject to a confirmatory referendum, disentangled from all the election gimmickry. That would allow people to have the final say. If this is as fantastic as the Prime Minister says it is, he has nothing to fear.

The Prime Minister: I warmly welcome the first half of the hon. Lady’s question.

Mr Steve Baker (Wycombe) (Con): We now glimpse the possibility of a tolerable deal, and I congratulate my right hon. Friend on what he has done to make that possible. But will he just reassure me that he is going to be able to make progress towards that advanced free trade agreement which we have both so long wanted to achieve, despite the surrender Act which Opposition Members have voted for?

The Prime Minister: It is with no little sense of relief that I listened to my hon. Friend, though he and I have talked a lot in the past few days and I knew that that was broadly his view. This is an opportunity to get this done and do it in a way that not only, I believe, satisfies all the requirements we have set out, above all the peace process in Northern Ireland, but allows the whole of the UK to take back control of our tariffs and our customs, and to do free trade deals around the world, in exactly the way that he has described and campaigned for so many years.

Mr Chris Leslie (Nottingham East) (IGC): The Prime Minister is clearly trying his best to placate Members on his own side, but please will he stop the pretence that this is a proposal for anything other than a hard border on the island of Ireland? [Interruption.] Well, it has tariffs, checks and inspections, a customs frontier—these are not compatible with the Good Friday agreement.
I really do not know who he thinks he is kidding. This is too important—too much is at stake for him to just brush aside the consequences purely for the party political interests of the Conservative party.

The Prime Minister: As a former shadow Treasury Minister, the hon. Gentleman should know that there already is a fiscal border in Northern Ireland. Far from adding to checks, as he will understand, and as the House understands, we are making a considerable move forward by saying that we will allow, by consent, regulatory alignment for sanitary and phytosanitary goods, agrifoods and industrial and manufacturing. That is a pragmatic way forward, and we are doing it by democratic consent. It is a method of solving the issue that should commend itself to moderate opinion in all parts of the House.

Stephen Timms (East Ham) (Lab): In the referendum, the right hon. Gentleman held out the prospect of frictionless trade with the European Union. I think he has acknowledged that, whatever else one says about the proposals, they would not result in frictionless trade. For what reasons has it not been possible to deliver what was promised?

The Prime Minister: There will be frictionless trade at the frontier—there will be no borders and no customs checks at the frontier. Of course, there may be de minimis customs checks, but not at the frontier and with no physical incarnation or physical infrastructure. The right hon. Gentleman raises an important point, because as the UK comes out of the EU and we go towards a zero-tariff, zero-quota free trade deal, it will be incumbent on us to use the experience that we are currently going through as we develop our relations with the EU as a whole and as we develop the frictionless systems by which UK-EU trade will continue to operate.

Mr Tobias Ellwood (Bournemouth East) (Con): It has been a long and frustrating journey—and sadly one that Labour Front Benchers wish to prolong. I commend the Prime Minister on his efforts to break the Brexit impasse and to seek a compromise with which not only Parliament but the nation can live and work. Does my right hon. Friend agree that the more voices here in Parliament, especially from the Opposition Benches, express their approval in the national interest, the more powerful the message sent to those in Brussels will be as they meet for that critical meeting next week?

The Prime Minister: My right hon. Friend is entirely right. He has campaigned passionately on this subject and his own voice is important in this matter. I know how influential he can be in reaching out across the House and hope very much to work with him to do that.

Brendan O’Hara (Argyll and Bute) (SNP): How will the Prime Minister sell this potentially ruinous proposal to the farmers and shellfish producers in my strongly remain Argyll and Bute constituency who will be able to see, just 12 miles across the water, their Northern Ireland counterparts being allowed free and unfettered access to the single market? If it is good enough for Northern Ireland, why is it not good enough for Scotland? Are my constituents simply expendable?

The Prime Minister: I find that a slightly ironic question, given that it is the avowed policy of the Scottish nationalist party to give back control of Scotland’s stupendous marine wealth to Brussels.

Bob Blackman (Harrow East) (Con): I congratulate my right hon. Friend not only on his proposals but on his ability to bring together all those of us from all parties who wish to leave the European Union with a deal. Our exchanges today will be observed by our European Union friends, and our ability to negotiate a deal will be subject to the question whether they trust the House to pass the deal that is finally agreed. I commend to my right hon. Friend the idea of holding a vote in the House to test his negotiating strategy and demonstrate to our European Union friends that we are behind it.

The Prime Minister: I am grateful to my hon. Friend for his comments. As I said to the colleague who made the suggestion earlier, I will reflect on that. I think that it would be more conventional to do the deal first—the withdrawal Act prescribes that we do the deal and then bring it to the House—and I think that is probably what the House would prefer, but I am happy to have discussions on that matter.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): From listening to today’s proceedings, it increasingly seems to me that this is an internal debate within the Conservative party, rather than a meaningful attempt at international diplomacy. [Interjection.] I hear the outcry from the Treasury Bench, but the reality is that the Irish Deputy Prime Minister, Simon Coveney, said this morning that Ireland “cannot possibly” support the Prime Minister’s proposals and that the UK should come back with something “fit for purpose”. Elaborating on that, he said:

“We cannot support any proposal that suggests that one party or indeed a minority in Northern Ireland could make the decision for the majority in terms of how these proposals would be implemented”.

If this plan is to be workable, how will the Prime Minister respond to that challenge?

The Prime Minister: The hon. Gentleman raises an important point. I listened carefully to what my friend Simon Coveney had to say. We must get the mechanism of consent right so that all communities—both communities—I feel reassured about it. I am happy to discuss that not only with Simon Coveney in Dublin but also with the hon. Gentleman.

Robert Halfon (Harlow) (Con): In Harlow, we have already seen the NHS Brexit dividend, with a brand new hospital. The people of Harlow will feel that those who vote against this excellent deal really just want to stop Brexit completely. Will my right hon. Friend confirm that, once we do the deal and leave the EU, we will gain control of our tax rates and be able to reduce VAT and energy bills for our hard-working constituents?

The Prime Minister: Yes. Not only will we be able to reduce VAT in the UK, but we will be able to do it in Northern Ireland as well.
Deidre Brock (Edinburgh North and Leith) (SNP): Now that the Prime Minister has established the principle that different parts of the UK can have different EU status, Scotland must at least be entitled to claim her place in the single market and customs union. When will that proposal be put to the EU?

The Prime Minister: I think most people in the House understand that the Good Friday agreement imposes particular requirements on the governance of Northern Ireland—it is a unique situation. As for the question the hon. Lady raises, the people of Scotland had a referendum in 2014. They voted very substantially to remain part of the UK and were told it was a once-in-a-generation decision.

Robert Courts (Witney) (Con): I, too, welcome the reasonable compromise proposals that we have heard today. Will the Prime Minister please confirm that when we speak of customs checks, we must be careful not to conflate administrative customs procedures that can take place in a warehouse with physical customs checks at a border and that the latter are not required, not proposed in his proposals and not needed even for the excise checks that currently take place?

The Prime Minister: If I may say so, my hon. Friend has put his finger on the heart of the question and is entirely right. That is the distinction that it is important for all right hon. and hon. Members to bear in mind as we approach this question. We can solve this problem through exactly the means he describes.

Melanie Onn (Great Grimsby) (Lab): May I press the Prime Minister on exactly how he plans to ascertain the consent of the people of Northern Ireland? And it is not just about how; when is he going to do that?

The Prime Minister: The hon. Lady raises one of the crucial questions that the proposals evoke. It is obviously now a matter for discussion with our friends not only in Dublin but around the EU. We do think there is a way forward, and I am happy to keep the hon. Lady abreast as we go there. It must be done, one way or another, by consent.

James Cartlidge (South Suffolk) (Con): I do not know whether, given his busy schedule, my right hon. Friend will have had time to read the EU’s latest free trade agreement, which is with Vietnam, but even a cursory glance shows that the entire agreement is based on tariff reductions in exchange for market access. Does that not show, first, that it is fanciful to believe that we could somehow leave the EU but stay in the customs union and get these types of trade deals? Secondly, is it not a reminder that when we leave, the EU will be negotiating its own trade deals and that it will therefore be in both parties’ interests to have a technological way to deal with variations in respective territories’ tariff schedules?

The Prime Minister: I congratulate my hon. Friend, because he speaks with the voice of technological optimism and understands the details of these questions very well. That is indeed the way forward for this country. A wealth of opportunity will open up if we have the courage to take these steps.

Chuka Umunna (Streatham) (LD): The Prime Minister has denied on multiple occasions during this session that he is proposing involves physical customs checks, but he has just said in his statement—on page three—in relation to the new protocol and customs checks, that there will be a “number of cases where physical checks would be necessary”.

Is he denying that he said that? Secondly, he refers to the political declaration, but it is a declaration of aspiration with no legal force. Is it not the case that the free trade agreement to which he refers will take at least three years to negotiate? Nothing will be done by this at all.

The Prime Minister: As the hon. Gentleman knows, there already are some checks for epidemiological purposes between GB and NI. If there are to be new checks down the Irish sea, they will be de minimis. They will not be on the GB side, and they will be done by UK officials. And, no, there will be no new border posts or borders; there will be de minimis checks. Whatever checks there may be will be done by consent and introduced only by consent. There will certainly be no new checks on the GB side, because we say this is entirely dependent on whether the EU wants them.

On the hon. Gentleman’s second point about the political declaration, let me say that that will chart a way forward for the UK-EU relationship, which will be ambitious and positive and allow us to build a new partnership. I hope that he will find that invigorating and that he will support it.

David Duguid (Banff and Buchan) (Con): I do have a question on the proposal, Mr Speaker, but may I start by countering, with great respect, some of the claims that have been made by the Opposition? Chief among them is the claim from the hon. Member for Argyll and Bute (Brendan O’Hara), who I thought would have mentioned with some gratitude the growth deal for Argyll and Bute, which was announced earlier this week. On the proposals, if the Opposition were to vote for this deal, the problems that the hon. Gentleman describes would not exist. Perhaps, in the event of a no deal, he could perhaps encourage his colleagues in the Scottish Government to pass on some of the money from the UK Government to local authorities for environmental health inspectors. That would be extremely helpful—[Interruption.] I will get on with the question. My question on the proposal for the Prime Minister is that, when this proposal goes ahead and gets accepted, it replaces the backstop, so come the end of the implementation period, will he confirm that that will be no later than December 2020? When we get to that point, because we will have replaced the backstop, there will be no need for any further extension of one year, two years or any extension whatsoever.

The Prime Minister: That is entirely right. I thank my hon. Friend for that and congratulate him on everything that he does to promote the interests of Scottish fishing, which is where he shows great leadership and vision. Under our proposals, Scotland would take back control of Scotland’s fishing grounds and be able to turn them to the advantage of the people of Scotland. I am sad to say that the SNP would hand back control of Scottish fishing to Brussels.
Gavin Newlands (Paisley and Renfrewshire North) (SNP): I know that the Prime Minister is hopeful about restoring Stormont—we all are right across this House—but it is by no means assured. If he miraculously succeeds to secure a deal, but efforts to restore Stormont fail, will this Government implement direct rule in Northern Ireland to enforce the measures in this proposal?

The Prime Minister: We are working very hard to restore Stormont, and I am sure that that has the complete support of the hon. Gentleman—he has already said that and I am glad that it does.

Several hon. Members rose—

Mr Speaker: Oh, what a glittering galaxy of stars from whom to choose.

Neil O’Brien (Harborough) (Con): Thank you very much for the personal compliment, Mr Speaker.

The former Liberal Democrat MEP, Andrew Duff, who is the president of the very influential Spinelli group of European federalists, has responded positively to the Prime Minister’s proposals this morning. He said that they are politically astute and that they represent a potential landing zone for a deal. Does the Prime Minister agree that that is positive and that those of us in this House who want a deal and want to avoid no deal now need to respond positively and to engage with his proposals, rather than dismissing them out of hand without even having read the final text?

The Prime Minister: I am very grateful to my hon. Friend. I do think that there are many people of all political persuasions who are looking carefully at these proposals now and see them as the way forward. I remember Andrew Duff well, and I am very glad that the proposals are finding favour with him.

Jack Dromey (Birmingham, Erdington) (Lab): The world of work wants a deal to be done, but the problem with the Prime Minister’s proposals is not just to do with Northern Ireland, moving, as they do, our country away from half a century of close economic collaboration with our biggest market in favour of a decade of economic uncertainty. But on Northern Ireland, after 40 years of war, there is peace. A terrible price was paid to achieve that. Nothing should be done that puts that at risk. May I ask the Prime Minister a very specific question? On the movement of goods and his assertion that there are many people of all political persuasions who are looking carefully at these proposals now and see them as the way forward. I remember Andrew Duff well, and I am very glad that the proposals are finding favour with him.

The Prime Minister: They will be checks in the way that checks are already made for the purposes of invigilating trade in goods that are subject to excise at business premises or elsewhere, but they would be de minimis checks. On the hon. Gentleman’s substantive point about the peace process, I agree with him totally. The peace process and peace in Northern Ireland, as the hon. Member for North Down (Lady Hermon) has already said, is one of the great achievements of our times. These proposals are designed to build on that peace process and to take it forward.

Alex Chalk (Cheltenham) (Con): I warmly welcome these creative and constructive proposals and my right hon. Friend’s repeated offer to meet Opposition Members to discuss them further. We will all have to compromise. The Prime Minister: There again speaks the voice of Cheltenham, and quite rightly so. I do believe that, perhaps, in this conversation this morning people have not paid enough attention to the move that the UK has already made. This is a very considerable advance that we are making in offering alignment in these areas. It is something on which Members do need to reflect. If done by consent, it offers a very positive way forward, and I think the country will understand what we are trying to do.

Patrick Grady (Glasgow North) (SNP): The Prime Minister has said that Scotland would take back control of fisheries, so does that imply that he will devolve those powers to the Scottish Parliament? All his interviews at the Conservative party conference suggested that he is intent on a power grab and taking back powers and legislating here for issues that are actually already devolved to Scotland.

The Prime Minister: Obviously, what we are proposing is to bring powers over UK fish back to the people of Scotland. It is quite astonishing that the SNP continue to shrug off and to refuse the ability of Scotland to run its own fisheries—quite extraordinary.

Alec Shelbrooke (Elmet and Rothwell) (Con): May I welcome my right hon. Friend’s approach since he has become Prime Minister to getting this matter moving forward? Indeed, may I thank him for spending well over 500 minutes, getting close to 600 minutes, at the Dispatch Box, answering questions on this issue, and I believe that he has approached it with statesmanship, workmanship and a scientific approach to get things done. Yesterday, when I backed my Prime Minister’s deal, I got some—let us just call it—fruity questions on Twitter about how I could be supporting the deal, having always wanted a deal. Does he agree that this is the way to get a deal? For those who want to leave with a deal, this is compromise and it is moving us forward. Those who were quick to bounce down to the media before even the political analysts had a chance to look at the deal gave the game away that they are not interested in a deal and they are not interested in honouring democracy.

The Prime Minister: I am grateful to my hon. Friend. I think that it is quite likely that I will spend many more minutes at this Dispatch Box elucidating these matters, and I am very happy to do so. None the less, he is making the crucial point, which is that, of course, many Members of this House are opposed to no deal and what they see as the damaging consequences of no deal, even though, as I have tried to reassure the House, we can greatly minimise those impacts. If Members are opposed to no deal, they really logically ought to support this deal as the way forward. It is very creative and very constructive. It takes the country forward and delivers on the mandate of the people.
Chi Onwurah (Newcastle upon Tyne Central) (Lab): But the Prime Minister must recognise that this deal manages to put two borders on or around the island of Ireland while at the same time significantly undermining the north-east manufacturing and exporting economy, and leaving our NHS and our gorgeous landscape open to the depredations of American big business. Is this not just an attempt to put the blame for this ongoing Brexit shambles anywhere but where it belongs—with the Prime Minister?

The Prime Minister: I had great pride in visiting North Manchester General Hospital the other day and announcing—[Interruption.] Forgive me, I thought the hon. Lady spoke for Manchester. Well, we are investing in the NHS in Newcastle as well, and that is thanks to the hard work that this Government have done to repair the economic ruin of the Labour party. As for her assertion that we are somehow going to do a free trade deal with America that would expose the NHS, she is completely wrong; it is the purest scaremongering and she should take it back.

Jeremy Lefroy (Stafford) (Con): Will my right hon. Friend confirm a couple of things for me? First, will he confirm that this is indeed a backstop—a replacement backstop—but that it is not the intention to have it, provided that we can negotiate a full free trade agreement that would obviate the need for these particular arrangements? Secondly, will he confirm that the political declaration is indeed a declaration and does not have the kind of legislative force that the withdrawal agreement would have, so in a forthcoming general election it would be up to politicians of all parties to make the case for something—Norway-plus, Canada-plus or whatever—so that, if they form a Government, they can bring forward their particular version of free trade arrangements?

The Prime Minister: My hon. Friend should know that this is of course not a backstop, because we will come out of the customs union. The whole of the UK would be out of the customs union. In so far as Northern Ireland would remain temporarily aligned on agrifoods and industrial goods, that is by consent, so there is no backstop. But he is absolutely right to say that these proposals offer the opportunity to do free trade deals around the world, and that is a very exciting prospect indeed.

Neil Coyle (Bermondsey and Old Southwark) (Lab): The Prime Minister has recently admitted that it was wrong to cut our police so much that nine in 10 crimes have been going unpunished, his Government are beginning to admit the massive faults with universal credit and he has admitted the deep damage to the NHS. This unusual honesty is refreshing, so when will he get equally honest about Brexit and admit that these plans would leave our country worse off and less secure, that they risk the very future of the United Kingdom and that as such they should never—and can never—be described as being in our national interest?

The Prime Minister: I think the hon. Gentleman will find that many of his constituents voted to leave the European Union. Indeed, the population as a whole voted to leave the European Union and their wishes must be respected. This House has voted time after time to honour the promise that we made to the British people. We can do so, and I believe—I am absolutely sure—we can achieve a glorious future by coming out with a deal of the kind that we are outlining today.

Michael Tomlinson (Mid Dorset and North Poole) (Con): Moses could have come down from the mountain with tablets of stone, and there would still have been those on the Opposition Benches who grumbled. But it is clear from today’s exchanges that the grumblers are in the minority. Will the Prime Minister set out in due course some more details of the political declaration that is so important in this case, and his vision for free trade agreements not just with the EU, but across the world?

The Prime Minister: Yes, of course. We will make sure that we set out what we want to do with the political declaration and with our very considerable ambitions for FTAs.

Wera Hobhouse (Bath) (LD): The Prime Minister is promising to get Brexit done at the end of the month. But the EU is not going to sink to the bottom of the sea, and today’s exchanges—lasting almost two hours—have demonstrated that many, many questions are unanswered and nothing has been resolved. Rather than this being “getting Brexit done”, is not this the “never-ending Brexit”?

The Prime Minister: If I may, I am going to seize on that because the hon. Lady has it in her hands to help us all to get this thing over the line. This proposal is the basis of a deal; it is not a deal. We have to get it agreed with our EU friends and it will not be easy, but if I am able to return to the House of Commons with a deal like this, I hope—from what she has said today—that she will vote to get this thing done.

Matthew Pennycook (Greenwich and Woolwich) (Lab): As with the Malthouse compromise and the Brady amendment, it is difficult to look at these proposals and not conclude that those on the Government Benches are almost exclusively talking to themselves. But taking the proposals at face value, does the Prime Minister accept that even if they do form the basis—however unlikely—for a deal, there is no way that the arrangements set out in this new protocol can be put in place within 14 months, so the logic of what he is proposing is an extension to the transition period beyond December 2020, with all the financial implications that that entails?

The Prime Minister: That is an excellent question and a relevant point. I am happy to talk the hon. Gentleman through how we could satisfy all our objectives for the implementation period by the end of 2020 and get to the state we want to be in with our EU friends. He speaks about the need to converse across parties, and I am more than happy to do that with him.

Paul Farrelly (Newcastle-under-Lyme) (Lab): The reality is that, in supporting this hotch-potch of proposals, the absent Democratic Unionist party has stood on its head as regards accepting a regulatory border down the Irish sea, and this can only be because the looming no deal from the Prime Minister would be a disaster for Northern Ireland, which voted to remain. So can I ask the Prime
Minister: is it not time that the people of Northern Ireland, as well as the rest of the UK, were given a further vote with a much simpler option on the ballot paper, of remaining in the customs union and the single market? What is the Prime Minister afraid of in opposing this suggestion?

The Prime Minister: What the people of this country want is their democratic will respected and for us to get Brexit done, and that is what we are going to do.

Angela Smith (Penistone and Stocksbridge) (LD): This morning’s negative response from both the business community in Northern Ireland and the majority of the political parties there indicates that the Prime Minister has a great deal of work to do if he is to gain the consent of the people of Northern Ireland for his proposals. Does he not recognise that, if he fails to gain the consent of the people of Northern Ireland, he runs a significant risk of visiting damage on the Good Friday agreement, in both letter and spirit?

The Prime Minister: I appreciate that point. The hon. Lady is absolutely right to emphasise the importance of getting consensus in Northern Ireland, but that is why we place so much emphasis in these proposals on consent, and that will be a key part of the discussions.

Daniel Zeichner (Cambridge) (Lab): Following the discussions this morning, it is now no longer at all clear which parts of the political declaration the Government actually support, so it would be helpful for everyone if they could set out which parts still exist. This is important because, for instance, the other day I was listening to the Universities Minister trying to reassure some of our senior researchers that we will stay as close as possible to the European research frameworks—overseen ultimately, of course, by the European Court of Justice. Is that still the Government’s position?

The Prime Minister: Of course we will have a very close relationship with all European projects—whether on research, science, education, or whatever it might happen to be. I will be very happy in due course to share with the hon. Gentleman and the whole House where we are on the political declaration. The objective of the changes to the political declaration is really to set out the difference in this Government’s approach to the future relationship on trade and the customs union, and to set out our ambitions to do global free trade deals.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): Could the Prime Minister outline his thinking on the principle of the Northern Ireland Assembly reviewing and voting on these arrangements every four years? Is it because, if circumstances change, it has a right to change its mind?

The Prime Minister: That is indeed the case, as the hon. Gentleman will understand, but if he invites me to draw an analogy with the people of Scotland, I remind him that the people of Scotland were repeatedly promised that their referendum was a once-in-a-generation question.

Mr Speaker: In thanking the Prime Minister and colleagues, I would just say that there are issues of substance and issues of tone. The substance of policy is absolutely not a matter for the Chair, but I would like to say that the tone of yesterday’s very important debate on the Government’s Domestic Abuse Bill, and the tone of the exchanges today, represent a huge improvement on last week. I thank the Prime Minister and colleagues.

Sir Peter Bottomley (Worthing West) (Con): On a point of order, Mr Speaker.

Mr Speaker: If the hon. Gentleman really thinks it is necessary, we will take it.

Sir Peter Bottomley: It may not be necessary, but it is a courtesy to say that we appreciate that your calm, quiet voice was just as effective as other voices that you have, Mr Speaker.

Mr Speaker: Why did I not realise in advance how generous the hon. Gentleman was going to be? I thank him for what he said; it is very much appreciated.
**Backbench Business**

**Women’s Mental Health**

1.31 pm

Wera Hobhouse (Bath) (LD): I beg to move,

That this House notes with concern the rise in mental ill health among women, with one in five now experiencing common mental disorders and young women the most at-risk group; recognises that women’s mental health problems are often rooted in experiences of violence and abuse; believes that mental health services often fail to respond to women’s specific needs, including their experiences of trauma; calls on the Government to ensure that the gender- and trauma-informed principles of the Women’s Mental Health Taskforce are adopted by mental health services and that women’s mental health needs, including their experience of violence and abuse, are prioritised and taken seriously in all mental health policy, strategy and delivery.

Constituents often come to us at their lowest point, and we see them going through anxiety, depression and trauma. Poor mental health affects not only the individual, but everybody around them. Women are far more likely to experience serious mental health issues. Young women are at the greatest risk, with one in five having self-harmed and 13% having been diagnosed with post-traumatic stress disorder.

Over the course of this Parliament, there has been a great deal of talk in this House about mental health, which is progress, but the opportunity to discuss women’s specific needs when it comes to mental health services has been limited. Ten months after the publication of the final report of the Women’s Mental Health Taskforce, little has changed. There is a long way to go before our mental health services work for women. There is an obligation on Government to step in and respond to the growing crisis in women’s mental health with a substantive policy.

Jeff Smith (Manchester, Withington) (Lab): I very much welcome the work of the Women’s Mental Health Taskforce, its report, and the principles laid out in it. Does the hon. Lady share my concern that those principles will not be effectively implemented unless there are clear targets and concrete commitments from the Government, and that the next stage needs to be a full strategy on women’s mental health, with those targets and commitments in it?

Wera Hobhouse: I could not agree more. We need a strategy. More than half of women who experience mental ill health have a history of abuse, meaning that their conditions are rooted in experiences of gender-based violence. In yesterday’s moving debate, we heard many harrowing examples of that. We have a long way to go if we are to change the whole culture around domestic violence and treat its consequences. When it comes to treatment, we must ensure that frontline mental health services for women are trauma-informed. There is a legal framework that we could use; it is called the Istanbul convention. We signed up to it back in 2012, but so far we have failed to bring it into domestic law.

One consequence is that we do not have enough rape crisis centres across the country. Earlier this year, Fern Champion, a survivor of sexual violence, came forward after being turned away by her local rape crisis centre. She launched a petition asking the Government to ratify the Istanbul convention, which has so far received 171,000 signatures. It is hard to suggest that we can do the groundwork to support women and their mental health challenges effectively when there are fewer than 100 rape crisis centres across England and Wales. This is simply not good enough if we are to support women effectively and prevent them from developing serious mental health problems after suffering abuse. Ratifying the Istanbul convention would mean that the UK was upholding international standards on survivors’ rights.

Earlier this year, I tabled a Bill that would guarantee mothers a health check-up six weeks after giving birth. Depression before, during and after birth is a serious condition that is unrecognised and untreated for nearly half of new mothers who suffer from depression. Statistics suggest that mothers are afraid to speak up, and 47% of new mothers get less than three minutes to discuss their mental health with a healthcare professional. Conversations about the reality of motherhood and perinatal depression are still few and far between. This is a huge problem—and not just for the mother; undiagnosed mental health problems in mothers have serious consequences for the newborn child and their development.

I have been campaigning for better treatment of eating disorders, eating disorders disproportionately affect women, although they do not discriminate. Women in the LGBTQ community are particularly susceptible.

Tim Loughton (East Worthing and Shoreham) (Con): I am absolutely in accord with the hon. Lady. Before she gets off the subject of perinatal illness, she will agree, I am sure, that it is a shocking statistic that in the UK, suicide is the leading cause of direct maternal deaths occurring within a year of the end of pregnancy. Perinatal mental illness can actually lead to a loss of life among mothers. We need to do so much better for them in those early mental health checks.

Wera Hobhouse: Absolutely. Post-natal depression is hidden, and the NCT’s “Hidden Half” campaign addresses that. Anyone who has been a parent knows that parenthood is not easy. Probably all mothers go through some form of depression, or feel really down after birth. I keep saying that if anybody had asked me how I felt, I would probably have said, “Oh God, I am not feeling particularly well.” The problem is in not addressing that early on, because these things can develop into something much more serious. That is why it is very important that there be a check-up six weeks after birth for women, not just for the newborn child.

Jeff Smith: I thank the hon. Lady for giving way again; she is being very generous. A number of my constituents have been in touch about perinatal check-ups. My constituent Catherine told me of her experience:

“I asked for a 6 week check with a GP—this was, at best, brief. Physical symptoms were looked at, but nothing was checked with regards to my mental health. There needs to be a standard physical and mental health check for ALL new mothers.”

Does the hon. Lady agree that we need to do better?

Wera Hobhouse: Yes indeed. I talk to campaigners, who are now looking at the new general practitioner contracts that are going out. That is definitely a way forward, but we also need to ensure adequate training, because people have to ask the right questions. The issue is sort of stigmatised; everybody thinks, “You’re a
new mum—you should be on top of the world." Nobody really wants to admit that motherhood can be very difficult, and that one does not always feel great. We need training, so that when new mums come in, they are asked the right questions.

Going back to eating disorders, they have the highest mortality rate of all mental health conditions. There are about a million sufferers from eating disorders. That is an epidemic of illness that is going undiagnosed and untreated. We must do much better. Our NHS is not well equipped to spot the problem early and treat it. Waiting times for adults have been shooting up over the last few years. Outdated methods, such as the body mass index measurement, are still being used to diagnosis the condition, but that fails to recognise that at the core of an eating disorder is a mental health, not a physical health, problem. Despite increasing public and professional awareness of eating disorders, medical students receive only two hours of training in the condition and its treatment during their entire time in medical school.

Those are just a few examples of where our NHS does not work for women’s mental health. We need a strategy. The Women’s Mental Health Taskforce did some extremely important work, but its recommendations have been left on the shelf. A Government strategy would help individual trusts to make the changes required to implement the recommendations. The Liberal Democrats have championed the fight for better mental health care for many years, and we believe that mental and physical health should be supported equally by our services. I have highlighted a few areas where women’s mental health provision could be improved, and I am looking forward to the debate and to the Minister’s response.

1.40 pm

Sir David Amess (Southend West) (Con): As a man, I make no apology for contributing to this debate. Madam Deputy Speaker, because I come from a household in which four of my five children are women. My late mother had a big role in my life and, of course, I do have a wife. I am prepared to say that I think women are the fairer sex but, by large, they do have the tougher deal in life. I certainly would never fancy giving birth to a baby, and there are so many other things that women face that men do not.

I congratulate the hon. Member for Bath (Wera Hobhouse) on allowing us to debate this subject. I agree with all her points, and I just want to pick out a few other subjects that colleagues may not talk about later in the debate. With World Mental Health Day just one week away, I am pleased that the hon. Lady has secured this debate because, as she said, reports indicate that one in six people has experienced a common mental health problem in the past week—truly shocking. With a population of roughly 65 million in the UK, almost 11 million people need to access publicly funded support. The prevalence of mental health issues is similar for men and women in the UK but, as I have said already, women have to deal with different challenges. The House of Commons Library’s superb briefing on this topic makes it clear that the greater caring responsibilities and a high risk of domestic violence are contributing factors to the challenges that we are discussing today.

I was not in the Chamber yesterday for the Second Reading of the Domestic Abuse Bill—I was in my House of Commons office—but I was dumbfounded by the speeches. The hon. Member for Dewsbury (Paula Sherriff) may sit on the Opposition Benches, but she is a thoroughly wonderful colleague in every respect. She has had some terrible issues to deal with over the past few months and beyond, and I think of her struggle and hope that colleagues are rallying round to support her. We then heard the speech from the hon. Member for Canterbury (Rosie Duffield) the likes of which I have never heard before. It was so brave and truly shocking, but she was prepared to share that with colleagues. The hon. Member for Bradford West (Naz Shah) then told us about her life and I just could not believe it. It must have taken enormous guts and courage to speak publicly about it, knowing that all sorts of people on social media are going to pick up on the issue while not necessarily being sympathetic. It was a wonderful debate, and I absolutely agree with Mr Speaker that the tone used yesterday and today is far better than that used in recent months.

Women are more likely than men to experience anxiety, depression, post-traumatic stress disorder and eating disorders, as the hon. Member for Bath said. We need to recalibrate entirely how the media put ideas into young women’s minds about how they should look and how they live their lives. There is so much pressure on them to have the perfect figure or the perfect look, which is unreasonable and definitely adds to mental health issues. The suicide rate for young women has more than doubled in the past 10 years, which is shocking. Such facts are easy to speak about, but it is for the House of Commons to try to come together to think of some solutions.

I have two former Ministers behind me—my hon. Friends the Members for Thurrock (Jackie Doyle-Price) and for East Worthing and Shoreham (Tim Loughton)—who have more expertise in this subject than me and who did great work. I really am glad that this subject has at long last reached the top of the political agenda. I sat on the Select Committee on Health for 10 years and although we held inquiries into abuse in institutions in which people with mental health issues were detained, we never really tackled what lay behind those issues. So I am glad that we are highlighting them today. Since 2010, Back Benchers have come together to put pressure on Governments of different persuasions to set up the Women’s Mental Health Taskforce, which was a clear indication of the Conservative party’s commitment to understand and address problems with current women’s mental health support. It was also announced at the party conference in Manchester that funding will be made available for 1,000 extra staff in community mental health services.

I congratulate the Under-Secretary of State for Health and Social Care, my hon. Friend the Member for Mid Bedfordshire (Ms Dorries), on her appointment, and I wish her well. However, my hon. Friend and parliamentary neighbour, the hon. Member for Thurrock, spent two days at the Dispatch Box just before we—how can I put it delicately?—formed a new Government responding to points about mental health issues. She was a first-class Minister, and I thank her very much for her work in highlighting the mental health challenges that women face. I am glad to see her here today, and I shall enjoy listening to her speech.
My hon. Friend used to be the Parliamentary Under-Secretary of State for Mental Health, Inequalities and Suicide Prevention and was kind enough to meet me together with my constituent Kelly Swain and her team at N.O.W Is The Time For Change. Kelly works tirelessly to provide alternative therapies and wellbeing classes to people of all ages. Before my hon. Friend left office, she seemed to have a magic wand, because I find that Kelly Swain is now pushing at open doors in trying to spread her message throughout Essex, so I thank my hon. Friend for that. The all-women leadership team led by Kelly Swain works so well together, and I am glad that local organisations, along with the clinical commissioning groups, are now considering how they can integrate and support the ideas that Kelly has promoted.

Another trailblazing constituent is Carla Cressy. I look to the hon. Member for Dewsbury at this point, because she was present at a meeting with Carla and my hon. Friend the Member for Thurrock. Again, it may seem strange to have a chap as the chairman of the all-party parliamentary group on endometriosis, but it was decided that I should chair it, and I am very proud of that. I now understand the damaging effect that the condition can have on women’s mental health, and I salute my constituents. Carla’s charity is called Women with Endometriosis, which seeks to provide comprehensive mental health support to any woman facing that uphill battle, and I will continue to support her work in any way that I can.

Something that both those charities have in common, other than the brilliance of the two founders, is a commitment to pulling down barriers and removing any stigma around mental health. As the hon. Member for Bath so rightly said, it is difficult to talk about these topics, and people can be branded very unfairly. We must do something to change people’s perception of women who have mental health issues, and there are still more barriers to be brought down. I have been in this place for 36 years—some people might say that that is too long, but I still have a bit more that I want to do—and there are still issues to tackle, and my two constituents have brought the challenges home for me in very different ways. Both their organisations provide tailored support to individuals, and they are always ready to listen without judgment. That is a basic requirement for mental healthcare at any level, and it would be a great asset to our nation if we could provide that service to every person who required it.

As the hon. Member for Bath rightly pointed out, mental health issues are probably the most difficult healthcare issues to deal with. When I first became a Member of Parliament, I did not see many people with mental health issues at my surgeries, but now that is a regular occurrence. Of course, people with mental health issues need our time, but Members of Parliament are not necessarily equipped with the expertise to give advice and support; we try to signpost people in the right direction. I am sure all Members would say that, although they are very grateful for their local mental health services, we could all do better. That is where the real investment needs to be made.

Wera Hobhouse: I go to many schools. Mental health problems often start early, when people are teenagers, so does the hon. Gentleman agree that it is important that mental health services are also provided through schools? That is where we are falling very short.

Sir David Amess: I entirely agree. That is why I am so pleased with my constituents Carla and Kelly. That is exactly what they intend to do: we have written to schools, and they are going in to try to help and support not just sixth-formers but younger children. The hon. Lady is absolutely right about that.

I want the Government to ensure that people throughout the country who are not fully aware of the challenges women face are aware that there is help and support available. I know my hon. Friend the Minister will share with the House what support is available.

One group that needs particular attention is women who are serving time in prison. To express some sympathy for people who are in prison perhaps is not the cool thing for a Conservative to do, but we used to have a women’s prison local to me—Bullwood Hall, in the constituency of my right hon. Friend the Member for Rayleigh and Wickford (Mr Francois)—and I remember visiting it for the first time and being shown around. Of course, so many of those women were convicted not as a result of violence but following domestic abuse, infanticide and all sorts of issues like that.

I am grateful for the briefing from the Howard League for Penal Reform, which states that a recent study found that more than 50% of women in prison report a history of violence and trauma, which contributed to 8,317 cases of self-injury in 2017 alone. We all understand that prison’s fundamental role is to deliver justice to people who have done wrong, but as the focus shifts towards rehabilitation, I very much want the Ministry of Justice to re-evaluate the practical support that is made available to female inmates.

I must say, Madam Deputy Speaker, that I am delighted that there are five Members from Essex in the Chamber. We have a real issue with mental health provision in our county, and I know that we all speak with one voice not only in expressing gratitude for the services we have but in hoping they will be developed and expanded. Of course, my hon. Friend the Member for Chelmsford (Vicky Ford) has the prison in her constituency.

As I said, a recent study found that more than 50% of women in prison report a history of violence and trauma, and the issues of self-injury are very distressing indeed, but I am glad that in 2018-19 the NHS in England spent £12.2 billion on general mental health. That is a huge amount of money, but I think we all want to ensure that it is well spent, and I would be very pleased if some of it found its way to Carla Cressy’s charity and Kelly Swain’s charity.

I am proud of my party’s continued effort to treat mental illness with the same seriousness as physical illness. In all the discussion of figures, it is essential that Ministers and officials remember that women’s lives are on the line. Every year, 1,604 women commit suicide. That is absolutely horrendous. Looking at these Benches, I am reminded that it was reported nationally only this week that a young member of my party committed suicide, which must be awful for those who loved that individual. Units are busier than ever before and, as a result, they are under increasing stress. If we do not take swift and effective action to address these challenges, there is a very real risk that the number of suicides and instances of self-harm will increase further.

I have received a number of briefings from various groups asking me to call on the Government to introduce various plans and schemes, and I am sure colleagues...
will be supportive of such programmes. My message, though, is plain and simple. As a group of politicians, whichever party we belong to, we should always remember that we are sent here to serve our constituents. That is why I am so pleased that my constituents Carla and Kelly have got off their backsides with real enthusiasm for sharing the message that we must support women with mental health issues. I pay tribute to Carla, Kelly and all those women throughout the United Kingdom who are doing everything they can to improve the care of women who suffer from mental health issues.

1.56 pm

Ellie Reeves (Lewisham West and Penge) (Lab): It is a pleasure to speak in this debate. I thank the hon. Member for Bath (Wera Hobhouse) for securing it.

Although the issue of women’s mental health is wide-ranging, I will limit my contribution to maternal mental health, an issue that is close to my heart given that I am eight months pregnant with my second child. In response to a recent survey by the National Childbirth Trust, 50% of women reported that they experienced mental health or emotional difficulties at some time during their pregnancy or in the year after their child’s birth, yet many women are reluctant to admit to having difficulties. Society tells us that being pregnant and having a baby should be a wonderful, joyous time, but for many the reality can feel quite different. All too often, women do not discuss their problems because they feel embarrassed, ashamed or worried that health professionals would think they were not capable of looking after their baby.

I think it is important for me to say that I was one of those women. With my first son, I suffered from pre-natal depression, which led to an exacerbation of anxiety and obsessive compulsive disorder. At the time, I did not have enough knowledge of the condition to do anything about it. It is not something that gets talked about, so I did not know how to ask for help. This time around, I have been able to spot the triggers and deal with any problems before they escalate. I also had the confidence to tell my history to my GP, who was able to give me some options. At times, preventing the onset of pre-natal depression this time around has felt like a daily battle, but it is one that I am pleased to say I have won. However, for too many new mums, their mental health difficulties remain hidden, with research by the NCT showing that nearly half of new mothers’ mental health problems are not picked up by a health professional.

A simple solution would be to ensure that the six-week maternal check included a mandatory maternal check. However, despite National Institute for Health and Care Excellence guidance, a six-week maternal check is not included in GPs’ contracts, which means there is no specific funding for it. As a result, the NCT found that a third of mothers had three minutes or less for their maternal six-week check; a fifth of mothers were not asked about their mental health at all at their six-week check; and half of mothers who wanted to discuss an emotional or mental health problem at their six-week check did not feel able to do so. With rushed appointments and without the right questions being asked, it is not really surprising that many women keep their problems hidden.

Mr Kevan Jones (North Durham) (Lab): My hon. Friend is making a very good point. Does she agree that we need not just to look at GPs and that one visit, but to try to ensure that we embed in health visitors and other professionals who come into contact with new mothers the importance of looking for early signs of mental illness?

Ellie Reeves: That is absolutely right. Health visitors have a huge role to play, and we know from our constituency work that they are under a huge amount of strain and often the same issues apply. Health visits are often rushed, not through any fault of the health visitor, but because of the pressures and constraints they are under. The situation for both GPs and health visitors needs to be considered.

The NCT is currently running a campaign that I fully support. It seeks full funding for the six-week maternal post-natal check, so that GPs have time to give every new mother a full appointment. It also seeks to improve guidance for GPs on best practice around maternal health, with dedicated appointments for the six-week maternal check, and to encourage the disclosure of maternal mental health problems. Finally, it wishes the NHS to support GP education in maternal mental health. The consequences of not tackling maternal mental health are far reaching, with around 20 new or expectant mothers taking their own lives every year. Maternal mental health problems are considered an adverse childhood experience, and urgent action really is needed.

I will end by championing some of the great support that is available to new and expectant mothers in my constituency, and which plays a fundamental role in maternal health and wellbeing. Bromley, Lewisham & Greenwich Mind offers a Mindful Mums course and a volunteer-led maternal befriending service. Our children’s centres offer drop-ins, mindfulness and breastfeeding support. Mytime Active offers a comprehensive pre and post-natal fitness programme in Bromley leisure centres, which I know has been instrumental in me not developing pre-natal depression this time around. Bromley Libraries offers free Baby Bounce and Rhyme and other activity sessions, and there are local NCT groups and baby cafes, to name but a few. I thank the dedicated staff and volunteers, without whom such services would simply not exist.

However, those organisations cannot do it alone, and their budgets are already stretched. Since 2010, 12 children’s centres in Bromley have shut. Bromley library staff have been on strike since June due to cuts to the service, and Mind is operating with waiting lists, such is the demand for its maternal services. Without proper investment in maternal health, and without breaking down the stigma surrounding pre and post-natal depression, women will continue to suffer alone. I hope that the Government are listening, and that this debate will be the start of much needed change.

Several hon. Members rose—
being arrives in this world. Speaking the truth, and dealing with matters as people deal with them in their everyday lives in the constituencies that we represent, is terribly important, and it marks a refreshing new attitude to the way we do business in the House of Commons.

2.3 pm

Tim Loughton (East Worthing and Shoreham) (Con): I concur with every word of your comments, Madam Deputy Speaker, and the response to this debate, and the one we held yesterday on domestic abuse, has shown this Chamber in a much better light than that of a week or so ago. These are things we can agree on and that are of acute, everyday importance to our constituents.

As I have said previously, I have been in this House for 22 years and we never used to debate subjects such as this, and rarely held debates on children’s issues or many social issues. It is absolutely right that we hold such debates much more regularly these days, and they are enhanced by the personal, often emotional, harrowing and brave testimonies of hon. Members who bring such experience and richness to the debate. They show that we do have some understanding of the complex, complicated and challenging issues that face so many of our constituents every day.

I had not intended to speak in this debate, but I was moved by the contributions from my hon. Friend the Member for Southend West (Sir David Amess) and the hon. Member for Lewisham West and Penge (Ellie Reeves). I have a long-standing interest in this issue, and I declare an interest as chair of the all-party group for conception to age two—first 1001 days. That issue has growing traction and importance, and it should be mainstreamed. I also chair the charity Parent Infant Partnership, PIP UK, and co-chair the all-party group on mindfulness. If any hon. Members present have not attended a mindfulness course, I reiterate that they are available on Tuesday afternoons, usually at 5 o’clock in Committee Room 7. Given the stress of recent weeks, attendance has been noticeably higher and perhaps of more benefit than usual.

I am slightly daunted by speaking in this debate. Yesterday I said that I was daunted by speaking in the fantastic debate on domestic abuse, on the basis, first, that I am a man, and, secondly, that I am not from Wales. Today I am daunted, first because I am not a woman, and secondly because I am not from Essex, which seems to have a dominant geographical impact on the contributions that we have heard and will hear.

Next week we will celebrate Mental Health Awareness Week, and we will also relaunch the charity PIP UK. I have just written a letter to the Minister, and I very much welcome her and the huge amount of experience that she brings to her role from her health background. I am glad that perinatal mental health featured in the remarks of the hon. Member for Bath (Wera Hobhouse) and for Lewisham West and Penge, because that is where I think we can have the biggest impact on the mental health of future generations.

A few years ago, the Maternal Mental Health Alliance produced a valuable piece of work that estimated that perinatal mental health issues affect at least one in six women. Too often that happens in silence, which is why it is so important that the hon. Member for Lewisham West and Penge recounted how it happened to her—why would it not happen to somebody just because they happen to be an MP? The cost to the nation of perinatal mental health issues was estimated at £8.1 billion every year, which is probably an underestimate. We can add to that the cost of child neglect in this country, which is estimated at £15 billion and is often born out of problems with attachment in those early years, even before the child is born, and particularly if a woman is facing huge stresses and challenges, or domestic violence and so on. The statistic that I gave yesterday, which I still find hard to believe, is that a third of domestic violence cases start during pregnancy. The cost of getting this issue wrong is more than £23 billion a year. That is so much more than the more modest investment we could make to get this issue right and prevent those problems and the huge issues they create, financially but also socially—problems that are often lifelong for future generations.

We need better attached children, and attachment dysfunction has gone under the radar for so long. It is therefore essential—I am glad that the hon. Members for Bath and for Lewisham West and Penge mentioned this—that the vital six-week checks on new babies should also include the physical and mental health of new mums, particularly first-time mums. I make no apology for repeating that health visitors have been an important component in helping with those checks, and one great achievement of the coalition Government—I was also part of the shadow health team when we worked on this—was the substantial increase in health visitors. That was based on the Kraamzorg programme in Holland, which we went to see. It showed that if we work intensively with new parents in those early stages, we can prevent many problems from happening later on. Health visitors are such a good investment to ensure happy, healthy, stable new parents who are able to interact in a sensible, robust, proper and healthy way with their children, and that is in the best interests of kids and their parents.

Wera Hobhouse: The health visitors in the early weeks when I was first a mother, and subsequently, were wonderful and a real lifeline. We do need to continue with that, but the problem is that it is not systematic enough. Making sure that a mandatory six-week health check is done by a GP and a health professional is the way forward. Currently, the system is too haphazard and we need to have a much more watertight system to get help to every woman who needs it.

Tim Loughton: We need both. The health checks are NICE-recommended, but alas not mandatorily funded or instituted across the country. Frankly, all GPs need better training on mental health and mental illness prevention generally, and especially on perinatal mental health.

It was a huge success of the coalition Government that we recruited almost the 4,200 target for health visitors that was set back in 2010. We have lost as many as 30% of those now, since the responsibility for health visitors went from the NHS to local authorities. I am not saying whether that was the right move or not, but, given the cash constraints on local authorities, health visitors have turned out to be a soft target. That is a hugely false economy and certainly needs to be revisited as a priority by the health team.

The lifelong importance of early attachment should not be underestimated. It has been judged that for a 15 or 16-year-old suffering from depression—an all too
common problem among teenage children in schools—there is around a 99% likelihood that his or her mother was suffering from depression or some other form of mental illness during or soon after pregnancy. The correlation is as close as that. Not getting it right during the conception to age two period will have an impact on many children for their childhood years and, for too many, continuing into their adult years too. Maternal mental health is very important, not just for the mother herself but for her children and the surrounding family.

Let us not underestimate the impact this has on fathers as well. I will be ruled out of order if I go too much into the subject of male mental health—although I hope we have a debate on male mental health too—but the impact of poor attachment between a mother and baby has significant impacts on fathers. It is important that they are also given every help and support to have that attachment to their children. Too often, children’s centres and other support mechanisms are mum-centric and we overlook the role of the father. The father has an important role to play in the life of the child and an important support role to play in the physical and mental health of his partner, the mother.

The Government have done an awful lot in recent years to raise the profile of the importance of mental health and flag up how we need to do much more. Importantly, they are also investing much more in mental health. We talk about the parity of esteem between mental health and physical health, and we all agree that that is necessary. Much has been done to reduce the stigma that was attached to mental illness just 20 years ago. It is good that so much more money is going into the area. We have a shortage of mental health practitioners and we need to make sure that we prioritise recruiting, training and getting them in service as soon as possible.

The criticism I have is that last year’s Green Paper on mental health included a lot about school-age children, which is important, but virtually nothing on pre-school-age children and perinatal mental health. Shifting the age profile forward and making it more about prevention and early detection—rather than dealing with the symptoms of a child who may already be damaged because their mother was damaged in their early years—is the way we have to go. We have to do much more in schools, but we need to do so much more before children get to school, by working with their mothers and fathers at an early stage.

**Jeff Smith:** The hon. Gentleman made an important point about the reduction in funding for local authorities. When it comes to trying to provide holistic support to the family and mother, does he share my regret at the closure of so many hundreds of Sure Start centres since 2010?

**Tim Loughton:** I do not want to make this a partisan issue. We can have a debate on this subject, and there have been some cuts to support services that have obviously not been helpful and will have some of the long-term impact that I have mentioned. I have visited, and even opened in my time as Minister, several children’s centres, and many of them do a fantastic job. But many were not doing a fantastic job and were failing to do a job of work for the 15% of the most deprived communities for whom they were originally most intended.

The failure to comprehend the importance of children’s centres is to put too much trust in bricks and mortar. Many of the outreach services that went with children’s centres were more important, and they were not getting out enough. We have children’s centres that have worked really well in my constituency, and we have not closed any in West Sussex, largely because we put them in the right places and turned them into what I call a Piccadilly Circus of services. They have district nurses, health visitors, mental health nurses and social workers hot-desking and sharing information about various families, especially vulnerable children and others, to give a wrap-around, comprehensive support mechanism. The challenge so often for children’s centres is getting the parents—particularly dads—to come across the threshold. Some children’s centres do that really well, but many do not. I know about the importance of children’s centres, but I also know some of their weaknesses. It is the services they offer and the outcomes they achieve that are so much more important than the amount of bricks and mortar that exist to provide them.

**Jeff Smith:** The hon. Gentleman is making an important point, but, with the greatest respect, West Sussex did not have the kind of cuts to its local authority funding that many more impoverished areas such as Manchester and other big northern cities did. He is right that it is not just about bricks and mortar: it is the support services that were also cut that have had the greatest impact on young families in those areas.

**Tim Loughton:** Nice try. West Sussex was the least funded shire county in the whole of England. Do not try and tell me that supposedly affluent areas such as West Sussex have not faced financial challenges. I do not know about the hon. Gentleman’s constituency, but the gap between the per capita funding that children get in my constituency and many of the London and other municipal boroughs is substantial. It is a question of how that funding is used and prioritised.

**Mr Kevan Jones:** Will the hon. Gentleman give way?

**Tim Loughton:** I will give way, now that I have set this hare running.

**Mr Jones:** The hon. Gentleman is making the fundamental mistake that Members on the Government Benches often do—the idea that every area in the country is the same. I am sure that there are many more looked-after children in inner cities such as Liverpool, Manchester and others—and even in Durham—than there are in his area. That comes with a cost, and the areas cannot be treated the same.

**Tim Loughton:** That shows a fundamental misunderstanding. I declare an interest because this was my issue. Where children are placed is not necessarily a reflection of how many children are in the care system in that authority. Children in care placed in other authorities, such as Kent, where accommodation is cheaper than in London, are paid for by the placing authorities, and they can cause challenges to the host authorities. That is a wholly different issue. The original point that the hon. Member for Manchester, Withington (Jeff Smith) made was that children’s centres are part of the solution. We need children’s centres with well-trained people offering well-targeted support services to those who need them, but...
saying that this is purely a numerical issue, because now we have 3,200 children's centres as opposed to 3,500, is missing the point. It is about the quality of the care offered to those who most need it.

I will wrap up now—as I see you want me to, Madam Deputy Speaker—by touching on a couple of other points affecting older girls. They include the impact of bullying, social media and bullying online, peer pressure relating to body image, the reports by groups such as the Girl Guides and the surveys showing the number of young teenage girls who do not like their appearance and would, if they could, pay for plastic surgery, which is hugely alarming. We have to give young women in particular the confidence to be able to say, “I am who I am. This is who I am, and if you don’t like it—tough.” That is something that we have a major role in getting across in society, and frankly social media need to be part of those positive messages. We still have problems with the internet and social media companies hosting sites that masquerade as sites giving advice to people with eating disorders, but which are in fact malignly encouraging anorexia and things like that.

Mark Tami (Alyn and Deeside) (Lab): Does the hon. Gentleman agree that social media companies that hide behind the claim that they are just platforms and are not responsible for the content need to take a serious look at themselves?

Tim Loughton: The hon. Gentleman is absolutely right, and I am glad that the Government are doing that with proposals, which are currently being consulted on, to fine social media companies that do not take down harmful comment. I am not just talking about hate crime or terrorism; this is about how it can undermine impressionable young people in particular. There are laws in places such as France about such sites, and Germany has introduced heavy fines that can be imposed on social media companies.

This is a big problem. Mental illness is a particular problem for women who might be affected by relationship breakdown, domestic violence, homelessness, housing difficulties, missed education opportunities, unemployment, financial difficulties, debt, ill health, substance misuse and interaction with the criminal justice system. Mental illness takes different guises and different forms, but the earlier we act, and with the most appropriate support, the more likely we will be to do the best job for future generations, and that starts at conception.

2.22 pm

Mr Kevan Jones (North Durham) (Lab): I congratulate the hon. Member for Bath (Wera Hobhouse) on introducing the debate and welcome the Under-Secretary of State for Health and Social Care, the hon. Member for Mid Bedfordshire (Ms Dorries), to her new position.

I welcome the work of the women’s mental health taskforce, which reported in 2018. Let me put on record my thanks to the hon. Member for Thurrock (Jackie Doyle-Price) for the work she did. She was a great champion not only for women’s mental health but for the entire mental health agenda. Not only was she always available to speak to Members, but I know from speaking to charities and others working in the field that her door was always opened. She listened; she made sure she got change; and she can be proud of the work she did.

The taskforce’s report touched on something that is quite self-evident, but which we sometimes forget—namely, the clear link between poverty and socioeconomic conditions and women’s mental health. It found that 29% of women in poverty experience poor mental health. Another issue touched on, which was raised by the hon. Member for Southend West, was prisons. The report highlighted the depressing statistics for women self-harming in prison, which are obviously linked to other issues such as poverty, which has already been mentioned, and substance abuse.

I agree totally with the report’s conclusion that we need to link those issues up and take a holistic approach, but I would go one step further. I have spoken about this before, but we also need to hard-wire mental health and wellbeing into all public policy, whether nationally or locally. We need a system whereby any policy being developed should be tested against a matrix of mental health indicators before implementation, and I would include spending decisions in that. The hon. Member for East Worthing and Shoreham talked about spending cuts, and although we might disagree about their effects on Sure Start centres for instance, making what the Treasury might see as easy cuts leads not only to problems locally but to more expense for the taxpayer in the
long term. We should certainly look at that when we are spending money, because while the call is often for more money—which we do need in mental health—we also need to ensure that it is spent correctly and joined up. We could achieve a lot more if we took a joined-up approach.

Let me give two examples of where not having that prerequisite for testing is leading to problems and costing the taxpayer and society more. One is the Department for Work and Pensions and its employment and support allowance assessment. I am clear that people should be encouraged to work, and we all—let us be honest—know that the right type of work is good for people's mental health. However, we should not have a system that is very blunt in terms of assessment and that takes little account of those living in our communities with long-term mental health problems.

A constituent in her late 50s came to see me a few months ago, having lived with long-term mental health issues in the community. She went for her ESA assessment and got no points. She was then virtually suicidal. I intervened, although, frankly, it should not have taken me to intervene. She then had a mandatory reconsideration, and her payment was reinstated. If we look at that woman’s history, it is clear that she is not going to work, but the process did not take that into account. If that person had then been sectioned, had gone into hospital or had—let us be blunt—taken her life, that would have been a huge cost to society.

Wera Hobhouse: I have been an MP for a relatively short time, and I find increasingly that trying to access services or get universal credit throws perfectly healthy people into mental health problems, because it creates anxieties and delays. I am not surprised that a lot of people are being thrown into mental health problems, because our public services are increasingly not responding in a humane way to people’s needs.

Mr Jones: I agree, and I will come on to the other example I have in a minute. Those problems then result in a cost to the taxpayer. If we had road-tested the ESA policy in terms of mental wellbeing and assessment when we were developing it, that would have helped the situation.

The other example, which the hon. Lady has just referred to, is universal credit, which is creating huge problems for many of my constituents. They are going up to six weeks without any money. That is having a huge effect on women’s mental health, because the main carers in most of these households are women, who have to juggle budgets. Again, we should have thought beforehand about the cost to society and the taxpayer of the added mental health problems generated through this policy.

On women in prison, it saddens me a little that the Government have now taken up the “lock them up and throw the key away” agenda in the criminal system. We need to reduce the number of people who are actually in prison, and especially women. If we look at the evidence and at the reason why women are in prison, we see that it is linked to domestic violence, mental health problems and substance abuse.

In County Durham, I pay tribute to Durham police and the crime commissioner Ron Hogg, who introduced Checkpoint in 2011. He did that because he was sick and tired of putting women shoplifters through the criminal justice system when what they really needed was help. If we look at the statistics and at the changes that the programme has made, we see that it is cutting reoffending rates. It is addressing the real issue, which, in most cases, is domestic abuse and mental health issues.

In addition, we need clear pathways. The report says we need joined-up local services. That is not just about the acute sector and GPs; it is about the voluntary sector as well, and we need to ensure that it is part of that joined-up local system. Certainly, in my experience, it is delivering local services and good value for money very effectively for local communities. In my constituency, I have a fantastic project called Just for Women, which deals with women who have faced domestic violence and mental health problems and who have been in probation. The project staff do one simple thing: they allow time, and they talk to people. They use crafts and other things to get women’s confidence back. If we sit and talk to the women in that project, we find that most of them have been through a programme and— they have gone through systems and systems. We need to ensure that we put in place a system that works.

Finally, I want to touch on body image. I welcome this year’s report by the Mental Health Foundation, which focused on the link between body image and the nation’s mental health. In the report, one in five UK adults said they felt ashamed of their body image and 43% of women had low self-esteem when it came to their body image. That does lead to psychological effects.

I agreed with the hon. Member for East Worthing and Shoreham when he talked about the internet companies. They have a huge responsibility in ensuring that the messages they put out do not perpetuate the myth of the perfect body image. That is leading not only to psychological problems but to people having unnecessary cosmetic surgery and interventions, which are harmful to them.

I have challenged Facebook, for example, to ask why it continues to carry adverts for Botox, which is a prescription drug. Just try to take one down; my constituent Dawn Knight, who has been campaigning on this, tried to take one down, but it cannot be done. These companies should take a proactive approach to blocking these adverts, because they are not only perpetuating the image of the perfect body, but are, in some cases, I think, actually breaking the law. If social media companies such as Facebook will not change, there needs to be legislation.

In conclusion, I welcome the debate, because we are talking again about mental health. Is this about money? Yes, it is. We do need investment in mental health services. However, we also need to ensure that we have that joined-up approach to not only services but methods and processes. That can reduce people’s mental illness and ensure not only that we have a society that is content with itself but that, when people do get into crisis, there is a service and support there for them.

2.36 pm

Jackie Doyle-Price (Thurrock) (Con): It is, as usual, a pleasure to follow the right hon. Member for North Durham (Mr Jones), who is always a fixture in these
mental health debates, as, indeed, is the hon. Member for Bath (Wera Hobhouse), and I congratulate her on securing this debate.

I thank the hon. Member for Lewisham West and Penge (Ellie Reeves) for her very honest contribution. It is about time we were honest about the fact that childbirth is hard and that what happens after we have given birth is hard. We could be forgiven for buying into the myth that it is all hearts and flowers, but the reality is very different indeed for many women and their families. It is absolutely fantastic that she made that very honest contribution today. Those of us in this place need to be frank about our own experiences to make the system better.

It is a glib thing to say that it is a man’s world, but, frankly, it is. On so many levels, the health service, in terms of both physical and mental health, does not work well for women. I was therefore pleased to have chaired the women’s mental health taskforce with Katherine Sacks-Jones from Agenda, and I thank her today for her contribution. It is important that we look at women’s mental health, as distinct from that of men. In the same way, we ought to look at mental health through the prism of other things that end up being discriminatory. For example, there is the whole gamut of neurodiverse conditions, autism and attention deficit hyperactivity disorder. There are more mental health issues in people who have those conditions, and, frankly, we are not doing enough for them. That also plays out in further discrimination against women, because they are often diagnosed much later with autism and ADHD, and they are then not equipped with the tools to manage their conditions.

It was absolutely fantastic to get buy-in from people with real experience on the women’s mental health taskforce. My hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) talked about perinatal, and that was, of course, a big part of it. It is interesting that we are debating this issue today, just a day after that amazing debate on the Domestic Abuse Bill, because abuse is often a common factor underlying the prevalence of mental ill health in women.

We set up the women’s mental health taskforce because we were seeing an increased prevalence of mental ill health among women between the ages of 16 and 24. There is no doubt in my mind that an underlying cause is abuse, particularly the rise of sexual abuse and violence.

The women’s mental health taskforce concluded that we needed more by way of community services to support women, and one important part of that was improving the support for victims of sexual violence. I completely agree with the right hon. Member for North Durham about the contribution that voluntary services can make in this space. When I was the Minister, one of the messages I always gave to commissioners was not to medicalise everything. Voluntary services, particularly in mental ill health, can give so much additional support to people. That wraparound support can be as important to someone’s recovery or ability to manage their condition as any medical intervention. In welcoming my hon. Friend the Minister to her post, I ask her to continue giving that message to commissioners, not least because, as well as delivering the services well, voluntary services often provide much better value for money. So let us continue to do that.

I was pleased that earlier this year the NHS published its strategy to deal with sexual violence and to provide sexual violence support services. Within it was a commitment to a lifelong package of care for survivors of sexual abuse. The voluntary sector—the hon. Member for Bath mentioned rape crisis centres—has a huge role to play in making sure we continue to support victims of sexual abuse.

Women are often a secondary consideration in the way we deal with many problems, and by definition that becomes discriminatory. We have had a lot of debates in recent months about gangs and the problem of young men carrying knives and stabbing each other and the fact that there are far too many deaths, but another aspect of that gang culture that is not talked about enough is the grooming of girls. It is almost like Rotherham never happened. We must make sure that when we look at gang culture, we do not just talk about young men stabbing each other or the drug trade that goes with it; we must also tackle the grooming of young women, otherwise the incidence of mental ill health among women aged 16 to 24 will only continue to rise.

One thing not yet mentioned in this debate is the now of the Mental Health Act 1983. We must make sure that when we look after women with severe mental ill health we are not doing harm. We need to deal with some of the practices that still exist in our treatment of people with mental ill health. We used to think of people with mental ill health as an inconvenience to be managed. Thankfully, we are becoming much more enlightened, but there is still poor practice that needs to be weeded out. I repeat that abuse is often the underlying trigger that exacerbates a woman’s mental ill health, and when we treat women, we should not compound that harm by handing over the control of someone who has been sectioned to their abusive partner. Under the Act, however, when someone is sanctioned, the next of kin is effectively given control over them, which only compounds the harm. I have heard some incredibly distressing testimony from people who have been through exactly that. As that work continues, we must empower patients, including women who are victims of domestic abuse.

We have heard reference to eating disorders. We have actually made considerable progress in improving eating disorder services, but we need to do much more for adults. The health service needs to empower women, not just tell them to run along. Many Members will be aware of the campaign by Hope Virgo, the Dump the Scales campaign, but the really telling thing about Hope’s testimony is this: she has been through anorexia, she understands her condition, and she can see when she needs help, but when she goes to her GP, she is weighed and told she does not have a problem. That shows a fundamental misunderstanding about how eating disorders play out and how they should be managed. Members have discussed the need to make sure GPs behave better. One reason GPs do not behave as well as they should when dealing with mental health is that they are not adequately trained. I encourage the Minister to have that conversation with the royal colleges to make sure mental health training is a mandatory part of doctors’ training. The earlier we identify someone who needs help, the more effective that support can be.

I want to finish by picking up on an issue raised by several colleagues, including my hon. Friend the Member for Southend West (Sir David Amess): that of people in
prison. We all know that prison should be a place where people go when they have done bad things, but anyone who visits a prison wanders around thinking, “A lot of these people shouldn’t be here at all.” They are people who have fallen out of society and been failed by the state. That is particularly the case for women. The more we can do to get that early intervention the better. We should not be allowing people to fall out of the care of society and then dealing with them only when they become a nuisance. That applies to people who have been through the care system and been victims of abuse.

Mr Kevan Jones: Does the hon. Lady agree that one of the problems that pertains particularly to women prisoners is that of short sentences, which do not give enough time for rehabilitation and over time disengage people from services outside and, in a lot of cases, from families and other support networks?

Jackie Doyle-Price: The right hon. Gentleman puts it very well. In those instances, we are just doing harm. We should be able to identify when somebody needs help. Just taking them away and putting them in prison without any programme of support only puts them on a conveyor belt to more offending. We need to make sure we are picking people up. There are some fantastic tales of how people do that. I once met a lady who had been convicted of drink driving after she reported herself. She had gone through a period of grief. What good would it have done to make her serve a prison sentence? It would have compounded her grief; she would have been away from her family; and she would have lost her job and probably her home—if she was renting—which would only have put her on a conveyor belt to disaster.

We must be much more enlightened and make sure that our prisons are for people who are going to harm society, not people who are harming themselves.

I could say so much more, Madam Deputy Speaker, but time is limited, so I will finish there.

2.47 pm

Patricia Gibson (North Ayrshire and Arran) (SNP): I thank the hon. Member for Bath (Wera Hobhouse) for bringing forward this important debate about women’s mental health.

As the hon. Member for Southend West (Sir David Amess) and the right hon. Member for North Durham (Mr Jones) indicated, the prevalence of poor mental ill health among women is similar to that among men, but there is undoubtedly a marked gender difference in the rates for different types of mental illness: as we have heard, women are more likely than men to experience anxiety, depression, post-traumatic stress disorder and eating disorders, and we know that young women and girls are at more risk of self-harm. Recently, in my constituency, I had the privilege of visiting a mental health charity called Penumbra, which is in Ardrossan. It supports young people living with self-harm, as well as a range of other mental health challenges.

Reports published recently by organisations such as the Women’s Mental Health Taskforce have highlighted the fact that particular social inequalities faced by women, such as having greater caring responsibilities and sexual and/or domestic abuse, can have a negative impact on their mental health. Most commonly linked to poor mental health is the issue of living in poverty. In view of those facts, it is helpful and informative to debate mental health challenges faced by women in particular.

As the hon. Member for East Worthing and Shoreham (Tim Loughton) reminded us, there was a time, not so long ago, when poor mental health was not really talked about, but now we are more enlightened. There is a recognition that our mental health is as important as our physical health and that, when we face challenges with mental health, it is nothing to be ashamed of. It is therefore right and fitting for the subject to be debated in the House. Our concern with mental health ought not to be a party political matter. We are all concerned about it. Resourcing the illness and safeguarding those who are at risk matters a great deal.

Let me now say a few words about measures that we are taking in Scotland to try to deal with this problem, although whatever action is taken, it will never be enough to provide the treatment and support that women who suffer from poor mental health—and, indeed, anyone who suffers from poor mental health—need and deserve.

In Scotland, as in every other nation, we face challenges relating to mental health provision. I am pleased that, in the face of those challenges, the Scottish Government were the first Government in the United Kingdom to have a ministerial post dedicated to mental health, I am also pleased that they invested £1 billion in mental health in 2017-18, and that mental health spending increased by 3.2% over that period. With some innovation, I think, they have outlined their vision for approaching women’s mental health in their “Mental Health Strategy: 2017-2027”, adopting a rights-based approach to mental health which realises the rights of women as outlined in the United Nations convention on the elimination of all forms of discrimination against women.

The Scottish Government’s “Programme for Government,” published only a couple of weeks ago, pledged to improve existing mental health support for women throughout Scotland, including perinatal support, and support for women who need more specialist help and those with the most severe illness. In terms of pounds and pence, that commitment was part of a programme budget for mental health increasing by £15.3 million, from £70.2 million last year to £85.5 million—an increase of nearly 22%. Of course, in the face of what some people may call a poor mental health epidemic, there is always a need for more resources, and it is the challenge of all Governments to work to meet those demands.

I want to say a word or two about the particular mental health challenges that can affect new mothers. They have been mentioned by a number of Members today, including the hon. Member for Bath, the hon. Member for Lewisham West and Penge (Ellie Reeves) and the hon. Member for East Worthing and Shoreham. New mothers and expectant mothers are an “at risk” group when it comes to poor mental health, and I am pleased that the First Minister of Scotland has given a commitment to spend £50 million on improving access to mental health services for them.

Of course treating mental health and providing support services for women who live with, or are at risk of developing poor mental health is important, but it is also important that we all understand how much more can be done to safeguard women’s mental health in the...
first place. We obviously need a more joined-up approach. In Scotland, child and adolescent mental health services are working with schools, which is very important, but we should seek to deliver better training for teachers as well as GPs—who were mentioned by the hon. Member for Thurrock (Jackie Doyle-Price)—to deal with, and identify more confidently, poor mental health in children. We can always do better in that regard, as well as, of course, not forgetting to address the mental health of the GPs and teachers who are in the front line.

It is also important and necessary to mention—and it would be remiss of me not to do so—the effect of austerity measures on women and their mental health. We know that they are most affected by such measures, because much research by, for example, the Joseph Rowntree Foundation bears that out. Psychologists Against Austerity has made clear that cuts to public services are directly linked to mental health problems, and that women living in poverty are more likely to suffer post-natal depression. That finding was backed up by a study in *The Lancet*, which found that poverty increased maternal depression.

Actually, that should not surprise us. Poverty can be very isolating. If people are living in poverty, they have few choices about how to spend their time. They cannot always afford to meet up with friends, or afford the bus services that provide access to local services and amenities. They cannot simply leave their home for a change of scene, as they may struggle to visit the local cafe. All around, the world shrinks when living in poverty. Sometimes finances are so desperate that the world shrinks to simply their own four walls, and that sense of isolation can form a direct bridge into poor mental health. As the hon. Member for Thurrock set out, that overlaps with persistent poverty. There are obvious things we can do about poor mental health, important though that is. It is deeply disappointing.

We know that austerity disproportionately affects women and, sadly, we also know that single household payments as the default for universal credit payments can exacerbate that isolation and loss of financial control. The loss of financial control is a common element in abusive relationships. I am proud that my former colleague, the former MP for the constituency of Banff and Buchan, Edith Whiteford, brought forward a private Member’s Bill to ratify the Istanbul convention. Sadly, the convention has not yet been ratified by the UK Government, which is deeply disappointing.

When we know that universal credit has been implemented in ways that negatively impact claimants’ mental health, we should seek to do something about it, as the hon. Member for Thurrock set out, that overlaps with persistent poverty. There are obvious things we can do to better safeguard the mental health of those women. As the right hon. Member for North Durham has said, that could actually save money in the end.

I sincerely hope that the Minister will be persuaded, in the light of the debate today, to have conversations, which may not always be easy, across Government Departments about how women’s mental health—and, indeed, mental health in general—can be better supported. This is not just about us thinking about resources to treat poor mental health, important though that is. It is also about giving more thought, more effort and more understanding to what is needed. It is about determining what factors lead to poor mental health and dealing with them, so that ultimately we see fewer people, fewer women, needing treatment for poor mental health, which affects far too many of our constituents. Dealing with the underlying causes of poor mental health is not just about what we can afford to do; it is about what we can afford to leave undone.

2.56 pm

Paula Sherriff (Dewsbury) (Lab): I congratulate the hon. Member for Bath (Wera Hobhouse) on securing this important debate and thank all Members who have spoken in it. I also welcome the Under-Secretary of State for Health and Social Care, the hon. Member for Mid Bedfordshire (Ms Dorries), to her new role. I look forward to having some robust debates with her across the Dispatch Box in the weeks and months to come.

We have heard some excellent contributions this afternoon. The hon. Member for Bath discussed how important it is to consider trauma-informed services. She also talked about eating disorders, and I thank her for the excellent work that she has done in that area. My hon. Friend the Member for Southend West (Sir David Amess)—may I call him my hon. Friend?—spoke passionately about his constituents, Carla and Kelly. I have had the pleasure of meeting them, and I would like to applaud them for the wonderful work they do on endometriosis, which, as he knows, is a subject close to my heart. He also talked about prisons. I had the pleasure of visiting a local women’s prison on the edge of my constituency a few weeks ago, and it was incredibly interesting to talk to the women about their experiences there. It was striking to learn just how many of them had a history of mental health problems.

My hon. Friend the Member for Manchester, Withington (Jeff Smith) discussed how crucial it was that post-natal women were offered a six-week standard maternal check. My hon. Friend the Member for Lewisham West and Penge (Ellie Reeves) talked movingly about her own experience of pre-natal depression and how important it is that the mum’s mental health is considered at the post-natal check. We also heard from the hon. Member for East Worthing and Shoreham (Tim Loughton) about the importance of maternal mental health and about how crucial it is that early intervention is offered as soon as possible. That is something that the whole House can get behind, and I thank him for his contribution.

My right hon. Friend the Member for North Durham (Mr Jones) mentioned something that really resonated. He said that we must hard-wire mental health information into every public policy. Once again, I am sure that all of us in the House would agree with that. It is really good to see the former Minister, the hon. Member for Thurrock (Jackie Doyle-Price), here. I thank her for the excellent work that she did and for her collegiate and collaborative approach. She also made some excellent points today, particularly about the impact that sexual violence can have on people’s mental health.

Last but not least is the hon. Member for North Ayrshire and Arran (Patricia Gibson). Like others, she began by saying that mental health problems are nothing to be ashamed of. We cannot say that enough; it is incredibly important. Stigma does still exist, although some excellent work is being done to reduce it. Still, we must keep repeating this until people believe it.
[Paula Sherriff]

We know that we face a mental health crisis, and women are certainly not exempt from it. Women are more likely than men to have a common mental health problem and twice as likely as men to be diagnosed with an anxiety disorder. That feeds through to service delivery. Women account for around two thirds of referrals to the improving access to psychological therapies programme. While some of this might come from different attitudes towards sharing mental health problems, it still speaks to an undeniable truth that we must prioritise women’s mental health. In particular, we must pay attention to the mental health of young women: while 20% of women overall have a common mental health problem, that figure rises to 28% of women aged between 16 and 24.

Mental health conditions do not arise in isolation. They are not inherent to a person and are not always unavoidable. Instead, they are bound up with the circumstances in which a person lives their life. They are also closely linked to the way we are treated by others. That is something that all of us in this place should consider carefully at a time when many of us in this Chamber, women in particular, have received death threats and other horrendous abuse.

Before I go on to mention two situations that might have a particular impact on the mental health of women, I want to mention the broader issues that affect our mental health. One of the consistently recognised causes of mental health problems is financial stress: whether it is struggling to find work or being trapped in a job that does not pay enough to make ends meet, this can be a source of enormous stress. As we have heard from a number of hon. Members, there is clearly a link between poverty, austerity, deprivation and mental health. That in turn leads to people developing mental health problems: 35% of women who are unemployed have a common mental health problem, compared with only 20% of women in full-time employment. We know that women are more likely to be unemployed or in lower-paid roles than men. Industries that rely largely on minimum wage workers on zero-hours contracts, such as social care, overwhelmingly employ women.

As well as being a cause of mental health problems, economic instability can open women up to abuse by others, whether that is their employer or a controlling partner. One woman in four will experience domestic violence. As well as the physical trauma of that abuse, survivors can be left with long-lasting mental health problems. Women who suffer domestic abuse are three times more likely to develop a mental illness, including severe mental illnesses such as schizophrenia and bipolar disorder.

Addressing that serious issue works two ways. We need to ensure that services for the survivor of domestic violence, whether the police, shelters or other organisations, are better at recognising mental health problems. Our mental health services need to get better at recognising the signs of domestic abuse. One way they can do that is to be more aware of the reasons a woman might not attend a follow-up appointment. Controlling and coercive partners can easily stop someone going out to attend a medical appointment. Mental health services should be awake to that possibility, and not simply move straight to discharging people.

We have an opportunity to address that through the Domestic Abuse Bill. This is a crucial Bill that, thankfully, has not been lost due to Prorogation. We should use the Bill to bring domestic violence and mental health services closer together so that fewer people are lost between the two. Like many colleagues, I pay tribute to the emotive speeches that were made yesterday from both sides of the House—in particular, the contribution from my hon. Friend the Member for Canterbury (Rosie Duffield). We can all agree that she was incredibly brave when she made her extraordinary contribution. We thank her for that. Will the Minister say what conversations she has had with her colleagues about joining up mental health and domestic violence services?

Unpaid family carers in the UK are more likely to be women, and therefore more likely to be providing round-the-clock care for the people they care for. Caring for a friend or family member can have a significant impact on a person’s own mental health. That is particularly true for women carers, who are more likely to be sandwich carers, caring for young children and elderly relatives at the same time.

A survey from Carers UK found that more than two thirds of carers have suffered poor mental health as a result of caring. Carers looking after children and young people, and those who have been caring for 15 years or more, are also more likely to have poorer mental health. Carers are being let down by this Government, and this is taking its toll on their mental health. One carer told the Carers UK survey:

“...I was admitted to hospital after a breakdown due to exhaustion and chronic pain. If I had had more breaks from my caring role or adequate mental health support, I might not have had the breakdown at all.”

Access to adequate support and carers’ breaks are crucial to ensuring carers do not reach crisis point. Carers’ breaks are particularly important for mental health, as nearly half of carers have used their breaks to attend their own medical appointments. The Government’s failure to set out plans to support carers properly, or address the crisis in social care, is taking its toll on the mental health of unpaid carers. We have had a watered-down action plan that promises very little action to support carers. It is time for a full national carers strategy that sets out plans to ensure carers have adequate support, including with their mental health. So will the Minister outline how her Department intends to ensure that carers have access to the support they need? Furthermore, will she commit to increasing access to carers’ breaks?

All of this has caused a mental health crisis among women. As I have mentioned, women are far more likely to be referred for basic therapy than men, reflecting both the prevalence of mental health conditions and a willingness to seek help. But a referral to these services is not a guarantee that someone will get the help they need. Talking therapies through IAPT still have a noticeably higher recovery rate for white women than they do for black and minority ethnic women. They also are not working for young women. A 16 or 17-year-old woman accessing IAPT services has a lower chance of recovery than a woman of any other age— or than a man in any age group. We have to do better than this. It simply is not acceptable that someone’s chances of recovering on the primary NHS care pathway for mental health is so dependent on their age, gender and ethnicity.
I wish to take this brief opportunity to thank some of the peer support groups in my constituency, which work so incredibly hard, particularly for those who struggle to access traditional NHS services. Stevie Morley from Take Ten offers the most phenomenal service for those who are suffering from mental health problems, and I wish to use this opportunity today to thank her. I also wish to thank Auntie Pam’s, which is based in Dewsbury and supports young mums, expectant mums and those who are just having problems, perhaps even problems conceiving. Auntie Pam’s is made up of local young mums and they are just wonderful.

The current situation is why Labour will ask the National Institute for Health and Care Excellence to carry out a full review of the psychological therapies available on the NHS, to ensure that everyone is able to access therapies that are appropriate and work for them. For some people with a mental health condition, it may be necessary to go beyond talking therapies or community support. When that is the case, we should be working to ensure they receive the best treatment possible. But too many women are still being mistreated in mental health units. Last year, more than 4,000 women held under the Mental Health Act were subject to restriction. Each woman was subject to an average of 12 restrictive interventions, which is far more than for the average man.

One example of how this excessive restriction can look in practice is seen in the case of a woman called Alexis Quinn. Alexis is an autistic woman who has spent years of her life trapped in a mental health unit. Since she escaped this unit she has shared her experience, and it is truly harrowing. After she tried to leave the unit, which she was on as a voluntary patient, she was held down and forcibly sedated. When she complained, she was locked in seclusion for more than a week. Alexis was restrained 97 times and secluded 17 times, although there were numerous seclusions which went unrecorded. When somebody seeks support from mental health services, they deserve better than that. It can never be right that we fall back on violent restraint and seclusion.

There is a crisis in mental health support for women. Today’s debate has called for more mental health support tailored specifically to women. Members have called for greater access to mental health support for domestic abuse victims, and greater support for young women and girls and for carers.

In conclusion, we need urgent investment in mental health. Our mental health services should be comprehensive and universal, and we need to invest in early intervention as a priority. Women should be able to access specialist, gender-specific, in-patient and community services that recognise the traumatic nature of domestic violence or abuse. Women experiencing a mental health crisis must be treated with dignity and respect, but too often this is not the case. On all these areas, the Government are simply not doing enough. Women deserve better than that.

I thank everybody for their contributions. I thank the hon. Member for Bath (Wera Hobhouse) for opening the debate. I also thank my hon. Friend the Member for Winchester, Moor View (John Terrace), who I understand originally secured the debate—when he took up his ministerial position, the hon. Member for Bath took the debate forward on his behalf, for which I thank her.

I give many thanks to my predecessor, my hon. Friend the Member for Thurrock (Jackie Doyle-Price), who did a hugely commendable job when she held this position. I am determined to continue the work that she began—not least because I am sure she will be breathing over my right shoulder in every debate that I take part in. I wish to pick up on one of her comments, which fitted the tone of debate. She said that we should all share in this place the results of our own personal experiences. I was not going to mention why women’s mental health is so important to me, but that comment has sat on my shoulders since she made it—as have, indeed, the other brave contributions.

Women’s mental health, particularly perinatal depression, is incredibly important to me because a very close member of my family had perinatal depression and took her own life—and not only her own life but that of her baby and her two existing children. It was an act that has since reverberated through my family, and for many other people. Perinatal depression is incredibly important to me, as is this role, and that is why I take so seriously all aspects of my role but particularly women’s mental health.

Women have broken down barriers, not only in mental health but in this place. I remember well the time when a previous Madam Deputy Speaker was pregnant. She spent most of her time in the ladies’ room at the back because the fact that she was sat in the Chamber and was pregnant at the time was not quite appreciated.

Times have changed and sharing our experiences has now become commonplace. I think that has helped to break down the barriers in here so that we can discuss issues that are so important to so many people.

Andrew Griffiths (Burton) (Con): I thank the Minister for sharing her personal story with us. The more we hear from Members from all parties who have themselves suffered from poor mental health or whose families have felt the footprints of poor mental health, the more we will help to break down the stigma and the more we will show to people who are listening to this debate or watching on TV that it can happen to anybody. There is nothing to feel embarrassed about and there is nothing to be ashamed of. The most important thing we can all do is talk about our mental health.

Ms Dorries: My hon. Friend is absolutely right: it is about breaking down the stigma in mental health. When somebody breaks their leg, they wear a plaster cast and we can see that they have broken their leg. We cannot always see when someone is suffering from a mental health issue, so it needs to be destigmatised. It also needs to be given the same consideration as physical illness, and I think it is.

Obviously, my speech has now been dumped, because so many points were raised in the debate and I feel that I have to answer them. I shall start with the hon. Member for Bath, who raised so many points when introducing the debate. I want to answer some of her questions.
[Ms Dorries]

One of her first points was about rape crisis centres; this year, we will spend £35 million and fund 47 sexual assault referral centres, to ensure that when sexual violence occurs, there is the best possible response for victims. The centres are available to all victims—male and female, adults, children, and current and non-current victims of rape and abuse.

I want to mention the approach the Government have taken to mental health. I took up this post just as we announced £2.3 billion of expenditure on mental health. Let me put that into perspective: my hon. Friend the Member for Cheltenham (Alex Chalk) informed me that that is more than half the entire yearly prisons budget; that demonstrates how much money we are investing in mental health. The money is going into many areas, but in almost all areas it will have an impact on women and young girls—and this debate is all about women’s mental health. It is important that women are at the centre of all mental health policy. They should be not just be siloed off into their own particular areas; they should be at the centre of everything.

Mr Kevan Jones: I understand what the Minister says about the increase in budgets, but does she not also realise that cuts in other areas are actually adding to the problems? Therefore, it does not matter how much money we pour into mental health services. Public health funding, for example, which is devolved to local authorities such as Durham, has had a 40% cut, which means that existing services, such as those for substance abuse, have had to be cut. Putting money in one way and taking it out in another does not solve the problem.

Ms Dorries: The NHS budget is not bottomless, but the mental health budget is growing faster than the overall health budget, and the budget for children and young people is growing even faster than that. One Member—I think it was the hon. Member for Lewisham West and Penge (Ellie Reeves)—said that more people are presenting with mental health issues now than ever before. In fact, GPs agree with that, and say that a lot more people are presenting with those issues at their surgeries. That is due to many, many reasons. One Member raised the issues of the postings on Facebook and Instagram, of body image and of dieting. There are many reasons why people are suffering from mental health issues, and it is not just to do with service cuts, which are being addressed.

I need to race on with my speech because I have just three minutes left. On the maternal six-week check, we hope to ensure that that happens in all our GP contracts going forward.1 The hon. Member for Bath mentioned the Istanbul convention. The Government signed the Istanbul convention in 2012 to reaffirm our strong commitment to tackling violence against women and girls. She also talked about eating disorders—I know that she has brought forward other debates on this issue. Many of us in this place understand the impact of poverty and have experienced poverty ourselves, and we know that it can cause anxiety not only for women, but for young girls. We absolutely understand those issues.

Let me say to the shadow Minister that our £2 million programme Standing Together Against Domestic Violence looks at how the whole health system can better respond to domestic abuse. Like her, I was delighted that the Domestic Abuse Bill passed its Second Reading yesterday. On carers and increased access, the carers action plan published in 2018 sets out a range of ways that we will improve support for carers. We published a progress review in July this year to ensure that we focus on delivering the plan.

The shadow Minister also spoke about the use of restraint, which is abhorrent. The Government fully supported the Mental Health Units (Use of Force) Bill—a private Member’s Bill that became an Act of Parliament on 1 November 2018. The Act imposes requirements regarding the use of force, the publication of data, and how and when physical, mechanical and chemical force is used, as well as requirements for improved staff training. We want to end restraint. We know that it continues to be a routine occurrence on many wards, affecting women and girls disproportionately. That has to end.¹

I will conclude by stating again that we are putting £2.3 billion into mental health, and that will benefit women and young girls. Never before have any Government ever considered mental health in such a way—with regard to policy, and finance to drive that policy and back it up. I thank the hon. Member for Bath for raising this very important issue. We are making progress, and I am determined that we will make more. I recognise that there is more to do and we will certainly be working on that.

3.22 pm

Wera Hobhouse: I thank the Backbench Business Committee for granting this debate, everybody who has made vital contributions this afternoon and the Minister for her responses. If I could take one thing out of this afternoon it would be for the Government to take seriously my request for the Women’s Mental Health Taskforce recommendations to be put into a full strategy in order to bring everything together.

Question put and agreed to.

Resolved.

That this House notes with concern the rise in mental ill health among women, with one in five now experiencing common mental disorders and young women the most at-risk group; recognises that women’s mental health problems are often rooted in experiences of violence and abuse; believes that mental health services often fail to respond to women’s specific needs, including their experience of trauma; calls on the Government to ensure that the gender- and trauma-informed principles of the Women’s Mental Health Taskforce are adopted by mental health services and that women’s mental health needs, including their experience of violence and abuse, are prioritised and taken seriously in all mental health policy, strategy and delivery.


Ministry of Justice Spending

[Relevant documents: Twelfth Report of the Justice Committee on Criminal Legal Aid, HC1069; and Sixteenth Report of the Justice Committee on Prison population 2022: planning for the future, HC483.]

3.23 pm

Robert Neill (Bromley and Chislehurst) (Con): I beg to move,

That this House has considered the spending of the Ministry of Justice.

It is a pleasure to open this debate. I thank the Backbench Business Committee for facilitating it, and my colleagues on the Justice Select Committee who are in attendance today. May I welcome the Under-Secretary of State for Justice, my hon. Friend the Member for Croydon South (Chris Philp), to his place on the Front Bench for the first time? It was good to see him at the opening of the legal year, although I hope there was not too much information overload from the practitioners he met. He is a fairly close London MP neighbour of mine, as well as a good friend, and I hope that this is the start of a long career on the Treasury Bench for him.

The Ministry of Justice has a portfolio that is varied, frequently overlooked and frequently under-appreciated. It employs—directly or indirectly—some immensely dedicated, talented and brave people, who frequently do not get the credit they deserve, but the work that it does is fundamental to any civilised society. The tests of a civilised society include how we deal with those who break the rules and offend; how we try constructively to prevent that; how we protect the public from further harm; and how, whenever possible, we seek to rehabilitate and turn around those who have transgressed, to make their life better.

That key part of the Ministry’s work largely relates to the criminal justice system, but the Ministry also deals with another part of the justice system and of our court system: access to justice in matters of civil and family litigation, and the myriad types of cases that go through the tribunals. All those are a key part of our social infrastructure, too. There is no point having rights if we cannot access them. Providing the means of accessing those rights, and of seeking redress when wrong is done, is equally important. That is sometimes overlooked a little in these debates.

The difficulty that the Ministry and all Ministers contend with is that it is a downstream Department: it inherits the consequences of things that started to go wrong much earlier in an individual’s life or career, and of things that went wrong under the remit of agencies outside the control of the Ministry. It therefore has greater pressures on it, and in many ways it cannot control those pressures.

Also, the Ministry is an unprotected Department. For a number of years, our Select Committee’s concern has been that the Department runs the risk of being in a near-perfect storm in that regard. I therefore welcome the Chancellor’s statement only the other week, which added significant sums of money back into the justice system. That is much needed. As we are able to open up spending a little in a careful and targeted way in areas where it can make a difference, we will bang the drum loudly for the justice system getting its fair share of that. I hope it will be recognised that spending should
not be used as a sticking plaster: there should be opportunity for significant reform so that we spend the money more effectively and more cleverly. The most obvious example of that is the situation in our prisons.

On Monday nights when we are not in a packed Chamber, as we have been for the past couple of weeks, Members will I hope have had the opportunity to watch the Channel 4 documentary “Crime and Punishment”; if they have not, they can find it on Catch Up. It is a profoundly disturbing but very effective documentary by highly experienced journalists. What it found did not come as a surprise to any of us on the Select Committee, who have visited prisons over a number of years and seen the conditions there. The documentary focuses on HMP Winchester, which ended up in special measures quite early on in the series.

In the documentary, we see brave, dedicated prison officers struggling in almost impossible circumstances, in a crumbling Victorian building. They try to deal with people with a background of serious issues—violence; addiction or abuse of drugs, particularly new psychoactive substances; and real issues of mental ill health and self-harm. These are people who have committed crimes and are a threat to themselves as well as to the staff who are tasked by the state with keeping them in custody. They deserve better. We have a real concern that spend at the moment does not enable prisons to offer the safe environment that they ought to, as a basic. The previous Minister with responsibility for prisons, the right hon. Member for Penrith and The Border (Rory Stewart), very much recognised that, as does the current one, my hon. and learned Friend the Member for South East Cambridgeshire (Lucy Frazer), and the Secretary of State.

We need to get out of the vicious circle whereby we imprison more people than any other country in western Europe, but also have some of the worst reoffending rates. We are unable to turn lives around as much as we should, and, as a result, reoffending costs the economy about £18.1 billion, through direct economic, and indirect social and then economic, costs; we ought not to forget that. That is not a wise use of money. We need to get things safe, first of all.

I am glad to see that money has been put into the recruitment of more prison officers, which is critical. Of course, we must remember that getting experienced prison officers takes some time, and one of the really worrying things in the documentary was the number of dedicated young people who came into the service—a young prison officer called Ellie has been referred to quite a lot on Twitter—who do their level best and then leave. One young lad gets “potted” on more than one occasion, which means that the contents of the slopping-out pot—faeces and urine—are thrown over him. He is probably getting paid less than a barista in some parts of the south-east. What concerned me was that there did not even appear to be a proper exit interview for those people. We need a much more systematic strategy, for not only the those people. We need a much more systematic strategy, for not only the

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While there has been a significant increase in the resource departmental expenditure limit budget, we also need significant capital spending. The estate has deteriorated appallingly, and the prison maintenance backlog now runs to many hundreds of millions of pounds. That cannot be sustainable, so I hope that the Government will, in addition to this year’s initial money, set out a greater programme, both for the human side of prison assets and for the estate side. Many of us regret that the disposal programme has stalled somewhat, and that also needs to be looked at again.

I understand the reasons behind the Government’s desire to spend more money on catching criminals, recruiting more police officers and recruiting more staff in the justice system, but all those things flow down. The more we spend on policing, the more criminals we catch, which may not be a bad thing in itself, but that will have a knock-on effect on the court system that has to try those criminals, and then in due course on the probation service, which has suffered difficulties over recent years. I welcome the bold, radical changes that the previous Justice Secretary, the right hon. Member for South West Hertfordshire (Mr Gauke), initiated in grasping the nettle of some failed contracts, and I welcome the changes to the prisons themselves. The money that has been offered this year is worth while, but it needs to be part of a much more holistic plan. The money is unprotected, so we have seen a major reduction since 2010 to about 40% of the Department’s budget. That is not sustainable, and it must start growing back as the economic circumstances permit, thanks to the success of our coming out of the economic mess that we inherited.

As for the courts budget, Her Majesty’s Courts and Tribunals Service has virtually staked the house on an ambitious programme of modernisation and on the introduction of technology. That is not a bad or undesirable thing in and of itself, but I am worried that too much reliance is being placed on the introduction of technology, because it is ambitious and, frankly, Governments of all shades do not have the best of track records on grand technological projects. I do not want it to be seen as the silver bullet, because it does not deal with the question of physical access to courts. Some 256 court facilities have closed over recent years. In some cases, that is understandable and legitimate, but we have to think very hard about how that enables vulnerable court users in particular to get to court or online.

Again, this is not just about criminals, victims and witnesses, because it applies to the civil side, where people may be party to stressful family litigation, for example, and may be going through bad times in their lives. For someone who has to go to court to deal with a possession hearing because they have got into debt and are about to lose their home, having actual physical access is important to them. We also must ensure that we have decent facilities where the hearing can take place.

As you and others may know, Madam Deputy Speaker, I practised for some 25-plus years in the criminal courts in the south-east of England. When I have visited the courts that I knew and was fond of in those days, I have found pretty shocking conditions. For years—literally years—a corridor in the judge’s area of one of our major London Crown courts had a bucket to catch the drips from the ceiling. In the robing room at Southwark, the wall had not been repainted for so long that the telephone number scrawled up by the telephone—when people used those rather than mobiles—was still an old-fashioned number from before we had 0207 and 0208. That shows the lack of investment in our courts.
We cannot expect to recruit quality people to serve in our judiciary if they have to work in those conditions. A number of surveys have indicated concern about judicial morale. The principal issue is that judges often do not feel valued, and the working conditions are part of that. Neither is it fair to expect practitioners to be able to advise people properly if they do not have proper facilities to have a conference and instead have to try to find a corner in what might be a crowded room. We need much more significant investment in the day-to-day bricks and mortar of our Courts Service. The National Audit Office expressed concerns about the operation of the reform programme and noted the concerns about the growing maintenance backlog. We need to look at investment. We are prepared—I am glad to say that this is my party’s slogan—to “invest, invest, invest”. Investment in the structure and fabric of the system is massively important.

There are also places where a small amount of money would make a real difference. For example—this is the final thing I will say about courts—I welcome the work by the Criminal Bar Association to expose rather shocking statistics about the underuse of the court facilities we have. I used to practise quite a lot at places such as Chelmsford and Basildon. As of two days ago, only two out of five courts at Basildon, and only three out of six at Chelmsford, were sitting. The same applied not far away at St Albans, where two out of six courts were sitting. This is not the summer recess; this is the autumn, when our courts are normally at their busiest. At the same time, cases are being listed for trial in 2020 in relation to allegations from 2018. That is not just. There is truth in the old saying that justice delayed is justice denied. It is not fair on defendants or witnesses.

I regret to say that that is happening because of the arbitrary measures taken by Her Majesty’s Courts and Tribunals Service to limit the number of sitting days. We used to make up the slack in sitting days by having recorders—part-time, fee-paid judges—come and sit. Now, many recorders are not being asked to sit even the minimum number of days they are required to sit under their contracts. To my mind, that is pretty serious mismanagement by Her Majesty’s Courts and Tribunals Service, and I suspect our Committee may wish to look into that further. That cannot be right. That is not big money; it is just about clever use of the assets and resources we already have.

There are small things that would make a difference in other areas. Jurors are expected to come to court. A constituent of mine—one of my councillors—did jury service recently. The allowances we pay to jurors have not been updated in years. They actually end up out of pocket by the time they have forked out for their lunches. We cannot expect people to do a public duty and treat them in that way. That small change in a budget that, after all, is only 1% of total spend would make a difference to the quality of the outcome. The same applies to magistrates’ expenses. Magistrates are sometimes out of pocket by the time they have forked out for their lunches. The allowances we pay to jurors have not been updated in years. They actually end up out of pocket by the time they have forked out for their lunches. They have also had a consequence on the MOJ’s ability to improve reoffending rates and reduce crime and to provide a service to consumers and constituents of mine and every Member of the House regarding work in prisons on legal aid, access to justice, fighting for employment rights through the tribunal system and a range of other things. That 40% reduction has made a real difference, and I wish to explore with the Minister the proposals for the revised sums he has brought forward.

Let us take this year’s figures. In many prisons, the Ministry of Justice budget fell from £10.6 billion in 2010 to £7.9 billion in 2020. Let no one be mistaken: those reductions have had a consequence on the services delivered by the Ministry of Justice, on the performance of staff under pressure and on the safety of staff in prisons across the estate for which the MOJ is responsible. They have also had a consequence on the MOJ’s ability to improve reoffending rates and reduce crime and to provide a service to consumers and constituents of mine and every Member of the House regarding work on legal aid, access to justice, fighting for employment rights through the tribunal system and a range of other matters. That 40% reduction has made a real difference, and I wish to explore with the Minister the proposals for the revised sums he has brought forward.

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record high of 57,968. The number of assaults has also risen to a record high of 34,425 in the past 12 months—an 11% increase on the previous year. In the 12 months to March this year, there were 10,300 assaults—11% of which were serious assaults—on staff and those doing their job to try to turn around those offenders in our prisons. That figure is up by 15% on the previous year.

The funding settlement needs to address ways to recruit more staff and to retain existing staff and support them in the workplace. We must try to professionalise and support staff on the front line. We know about the situation in prisons and about issues such as drugs entering prison, new psychoactive substances, increasingly violent prisoners being placed in prison and a range of people with mental health problems that cause aggressive behaviour. Those are real challenges, and the reduction in funding to date has meant they have been exacerbated by having a smaller number of staff, by the loss of experienced staff and by not allowing people out of cells to achieve some of the rehabilitation work, drug training courses or educational work that they need to turn their lives around. This settlement—the expansion in resource that the Government propose—needs to focus first and foremost on safety in prisons. Without safe prisons, we cannot have rehabilitation on the scale of our ambitions.

In August, the Government made a series of additional spending announcements. They announced additional police officers—I have also been the Police Minister—with 20,000 more officers to replace the 20,000 who have been cut. The Government announced the recruitment of police officers and prison officers: some would say that it is about recruitment of votes, rather than staff. The key point for the Minister to explain today is how he will address the issues. The policy announcements that have been made to date include 10,000 additional prison places, including investment in prison security—undoubtedly welcome—and an additional prison building programme. But we have no detail yet on how, when, where and at what stage those prison officers are to be recruited. We have no detail about the period over which those new prison places are to be built and whether they will replace new prisons or are genuinely new and additional prison places.

At the same time, a review has been announced by the Prime Minister of sentencing in England and Wales. It will not look at increasing community sentences or tackling short-term sentences, which the former Justice Secretary, the right hon. Member for South West Hertfordshire (Mr Gauke) wanted to look at. Instead, it will look at how we can put longer prison sentences in place. How will that all fit together? There were no policy details in the budget announcement in August about the condition of the prison estate, despite the fact that the prison estate is key to improving the rehabilitation of prisoners. The MOJ estimates a current backlog of some £900 million of repairs that need to be done in our prisons. There was nothing in the announcement in August that I could see about how much money will be put towards the maintenance work needed to ensure that the prison place. Fixing dangerously fitted cells, old cells and cells that people cannot leave to undertake education and training is material to improving reoffending rates.

Reoffending costs us £18 billion a year, which is far more than the Ministry of Justice's budget for investment in prisons and probation. Reoffending, especially by prisoners with short-term sentences, is extremely high. We had a lot of rhetoric six to nine months ago about tackling short-term prison sentences. I have seen nothing in the estimates about a change to super-charge community-based sentences as an alternative to short-term prison sentences of under six months, particularly for women offenders, many of whom are in prison on a short-term basis that will not secure their long-term rehabilitation back into society.

I will discount the 40% cut for now, even though it has been significant over the past nine and a half years. Instead, I ask what steps will be taken, under the current budget settlement, to make the prison estate a place of safety for staff and prisoners. What steps are being taken to ensure that we recruit and retain professional staff? What steps are being undertaken to super-charge the effort to reduce reoffending? What steps are being taken to ensure that people on short-term sentences see a real and effective shift in the time they are in prison? What steps are being taken to reduce the female prison population as a matter of urgency?

There are real arguments for reviewing short-term sentences, supporting alternative sentencing for women and looking again at the rehabilitation and employment links that require money. The emphasis on a capital building programme is wrong. We should look at investing in and improving the existing estate, retaining and improving the quality of staff and making prisons safe. I welcome the debate, because there are some serious discussions to be had. I wish the Minister well in what is a tough old job for him and his team, but real dividends can be achieved and real changes can be made. It will require political drive, but that drive seems to have shifted back towards longer term prison sentences and away from community-based rehabilitation in the statements made since the Prime Minister took office.

3.49 pm

Alex Chalk (Cheltenham) (Con): Let me say what a pleasure it is to follow the right hon. Member for Delyn (David Hanson), who speaks with such authority, particularly on prisons. It was a privilege to serve alongside him on the Select Committee on Justice.

It is important to put this debate on spending into context by setting out how much money we are talking about and where it sits in the grand scheme of things. The useful briefing provided by the Justice Committee makes it clear that the MOJ’s resource budget for 2020-21 will be a little over £8 billion. True, the total amount spent will be a little more, due to annual managed expenditure, but the departmental expenditure limit is about £8 billion. To put that in context, total Government expenditure is anticipated to be over £850 billion, the point being that, whether it is a little less or a little more, the MOJ's budget is at or around 1% of total Government expenditure. That may or may not be remarkable in and of itself, but the items that the MOJ has to fund and secure could not be more important in our society.

The right hon. Gentleman talked about the funding of prisons, and while that is critical, what he did not touch on—this is no criticism of him—was legal aid. The danger when discussing legal aid is that there could...
be a misconception in society—which could even be reflected among the relatively modest number of hon. Members present in today’s debate—of legal aid and access to justice as a “nice to have” rather than a fundamental and essential part of a functioning democracy.

That critical nature was recognised back in the 1940s, when British politicians were grappling with what the shape and nature of the welfare state should be. At that time, they considered the NHS, but they also considered the provision of legal aid to people of all means to be a critically important duty. In reaching that conclusion, they no doubt drew on some of the learning that came from Magna Carta, which said:

“We will sell to no man, we will not deny or defer to any man either Justice or Right.”

Those ancient words convey something extremely important: if we are to be equal before the law, we must have access to the law. And so it was that, in the White Paper that preceded the Legal Aid and Advice Act 1949, these words appeared:

“no one would be financially unable to prosecute a just and reasonable claim or defend a legal right”.

That must be the underpinning of a fair society. If people are granted rights by this place, they should be able to prosecute and defend them.

What has happened since 1949—no doubt, to cater for the increasingly complex world—is that the rights available to people are themselves more complex, whether it is to do with the employment sphere, protecting data or securing contact arrangements with children, which may be increasingly complicated, with one parent living abroad and so on. However, securing those rights is no less important now than it was then. The Supreme Court gave a trenchant judgment back in 2017 in the Unison case, when it had to consider whether employment tribunal fees were set too high. Ultimately, it concluded that they were, but the point that Lord Reed made—I am not quoting but paraphrasing—was that unless every person can get access to justice, the laws made in this place are liable to become a dead letter. He said that the work done in this Parliament would become nugatory and, in a memorable phrase, that

“the democratic election of Members of Parliament may become a meaningless charade.”

In those powerful remarks, Lord Reed encapsulated a fundamental truth, the importance of which I suspect hon. Members from across the House will have experienced in their constituency surgeries. I had a constituent—I will not name her, for reasons that are obvious—who faced a very upsetting set of circumstances. Her child was subject to contact arrangements made in a French court, which meant, putting it very simply, that she was unable to have access to her child, because there was a conflict-of-laws issue that needed resolving. Of course, she could not get legal aid to help her with that. Ultimately, she was assisted by a lawyer who gave tens, if not hundreds, of hours entirely pro bono to assist her. Justice was done because that lawyer was able to show that she had indeed been wronged by the courts process and that her rights needed to be asserted.

I want to take this opportunity, if I may, Madam Deputy Speaker, to pay tribute to all those lawyers up and down the country who give of their time to speak truth to power, to redress grievances and to do so entirely free of charge. They really do heroic work. It is unfashionable in this place to pay tribute to lawyers, but those who work pro bono are some of the best in our society.

The total budget for legal aid is at or around £1.7 billion, and I want to conclude by putting that figure into some context. To the Syrian crisis, alone the UK will be giving—in a gesture that is no doubt entirely appropriate and that entirely speaks of our humane and responsible nature as a nation—something like £2.7 billion. That may be entirely appropriate, but we should not neglect the legal aid budget. I do, of course, declare an interest as a legal aid lawyer, but that experience has taught me that, unless we properly resource legal aid, there will be a number of outcomes.

First, there will be the sorts of cases I referred to a few moments ago, with individuals being denied justice. Secondly, there will be an increase, which we have already seen, in litigants in person, who have to contend with an extremely alien and sometimes forbidding environment—a situation, by the way, that several judges find extremely difficult to deal with, despite their best efforts. The third and most important thing is manifest injustice. I went along to the Gloucester Law Centre, and it was really troubling to hear from hard-working and dedicated lawyers that they do what they can but that they recognise there are large areas that simply cannot be addressed.

The fourth thing—we do not want to scaremonger, but we must keep this in mind—is that if people cannot get access to justice, there is always a risk that they will take justice into their own hands. Although I suspect that the British people do not get quite as exercised about issues of legal aid as they might about the health service or education, they do recognise injustice when they see it. We all recall the case of Liam Allan, a young man who had been accused of rape. It emerged that, because of failings in the prosecution, critical text messages on the mobile telephone in that case were not disclosed. When they were, it emerged that he had been wrongly charged, and he was ultimately acquitted. When the British people became aware of that, they were rightly horrified, and the Government and the House have a duty to ensure that they will not be horrified in future by people not being able to seek access to justice.

I know that the Government are doing fantastic work in this field and that the overall budget has gone up by £4.9 billion. I also know from speaking to my hon. Friend the Minister’s predecessor that early advice and assistance have been given very close focus. As my hon. Friend begins his ministerial career, which I know will be long and successful, I urge him to give the closest possible attention to access to justice. We cannot have a society where the finest courts, which we have, and the finest judges, which we have, are truly accessible only to those with the means to pay. If we want to continue to be a shining light, with an international reputation for upholding the highest standards, those standards and that justice must be available to all.

3.58 pm

Ms Marie Rimmer (St Helens South and Whiston) (Lab): It is a pleasure to follow the hon. Member for Cheltenham (Alex Chalk), my right hon. Friend the Member for Delyn (David Hanson) and particularly the Chairman of our Select Committee, the hon. Member for Bromley and Chislehurst (Robert Neill).
I want to repeat some of what previous speakers have said. The Department has seen its budget slashed by more than 40% since 2010—the greatest cuts of any Department. A great man, Winston Churchill, said, “You judge a society by the way it treats its prisoners”. He would not be very proud of the way we have treated them in recent years. Last year, the Ministry of Justice’s total budget was £8 billion—just 1% of total Government expenditure, as the hon. Member for Cheltenham (Alex Chalk) said—but the cost of reoffending has now risen to £18 billion a year.

I want to focus on prison and probation. I want this to be considered against a backdrop of increased demand, which is not in the MOJ’s control. We have seen budget cuts of 40%. Planned efficiencies taken into account in budget planning did not materialise. We have also seen cohort changes: historical sex offenders and elderly people with ill health issues requiring care, attention and hospital escorts for heart attacks, strokes, diabetes, rheumatism and mental health illness. It is shameful to see these people in prison. We have young people with learning difficulties, autistic people, people with drug and substance addiction and women, particularly young mums, separated from children. There is the issue of short-term sentences. Ten per cent. go through the gates—thank God it is 10% and not more. Those women could be treated much better outside, with the support they need to keep them away from crime. They could be rehabilitated and it would save us money as well.

It has been chaotic in the prison system. Most of the prisons are Victorian. There is no planned maintenance programme. Everything is reactionary. It is an inefficient use of what capital resources we have. The capital allocation for 2009-10 was £716 million in real terms. In 2010-11, that changed to £63 million, a real-terms cut in the allocation—it is important to remember that this was a one-year allocation—of £654 million. That was a 91% cut in the first year. The annual allocation steadily reduced from £63 million a year to just £33 million a year, a real-terms cut of 47%. It was as low as £13 million in 2015-16, a real-terms cut of 50%. This is capital investment not going into this old estate that people are living in. We are supposed to be rehabilitating them so that they do not reoffend.

In 2016, the Government announced £1.3 billion for a prison estate transformation programme to create 10,000 prison places by 2020. That was then revised to 2022. Two new prisons were to be constructed and four were to be redeveloped. In 2017, the planned maintenance programme was postponed. Two of the redevelopments were put on hold. The building of a new prison in Wellingborough has started and the construction of a second, Glen Parva, is planned for 2020.

Here’s the interesting part: the MOJ agreed with the Treasury that the capital funding not being utilised could be used to fund current spending—that is day-to-day resource allocation—and £385 million was transferred from capital to resource. This was a one-off, so it won’t be there next year. Once it is spent, it is spent. It is not sustainable. It was essential to providing the day-to-day services and to paying the salaries of people in the prison system. There was not enough resource allocation.

The £385 million could be seen as a further cut to planned, shall we say, capital investment in our prisons, on top of what we talked about earlier. In 2019, we had an announcement of £2.5 billion, which we were told was capital investment and would be spent on creating modern and efficient prisons. I sincerely hope that it is, because previous allocations have not been spent. The £385 million went over to resource spending and the £230 million under the previous Prisons Minister was spent on increasing prison capacity. This leaves just £685 million of the £1.3 billion allocated for new spend. The outturn—actual spending—on allocations is down to 39% in some years and that is not good. It is all very well to make the announcement, but if the money is not spent, we have an announcement with nothing to show for it.

The basic conditions in our prisons are absolutely shameful. Most of them are Victorian. The cells are deplorable. People come out brutalised. Some of them have to remain locked up for 23 hours a day. What chance is there of rehabilitation?

The cost of keeping young people locked up—and that is what they are, locked up—is much higher. In one young people’s prison, Werrington, it is just pounds less than £125,000 a year. I am sure that there are much better ways in which we can help those young people to become better citizens and contribute to society when they come out of prison. The prisons are violent, ineffective and overcrowded. The cost of imprisoning an adult is £40,000 a year. We need to do something radical to reduce the prison population, so that people who need to be and should be in there can be rehabilitated, and those who need help outside and can be dealt with outside are dealt with outside.

The spending has been chaotic. As we heard earlier, the rate of reoffending is at 48.3%, and the rate among those serving short sentences is 64%. Someone serving a short sentence is much more likely to go back to prison. The revolving door of reoffending goes round about 11 times. The reoffending rate among young people is 65%.

I beg the Minister: please get someone to sit down and do some strategic planning and thinking, because at the moment it is just a case of hand-to-mouth spending and putting sticking plaster over where it is needed. There is a lot of money, but it is not being used efficiently because this is not being planned.

4.6 pm

Ellie Reeves (Lewisham West and Penge) (Lab): It is a pleasure to speak in the debate, and I thank the hon. Member for Bromley and Chislehurst (Robert Neill) for securing it. It is also a pleasure to follow my hon. Friend the Member for St Helens South and Whiston (Ms Rimmer).

Ministry of Justice spending accounts for just 1% of total Government spending, yet the Department has received some of the most vicious cuts over the last nine years, with overall budget cuts of 40% by 2020. That dramatic decrease in funding has been felt across the justice system, and has had an impact on victims, families, local communities and vulnerable individuals, and their ability to gain access to justice. The modest increase in funding for the Ministry in the September spending review provides a 4.9% budget increase in real terms, but it is nowhere near enough to deal with the pressure that is being felt throughout the justice sector.

Owing to time constraints, I shall limit my comments to cuts in civil legal aid. The Legal Aid, Sentencing and Punishment of Offenders Act 2012—LASPO—reduced
civil legal aid expenditure from £1.02 billion in 2012 to £678 million in 2018. The cost of that has been significantly reduced access to justice. Areas of the justice system being overwhelmed by litigants in person, and the sustainability of the publicly funded legal profession being deeply threatened. All that means that the Ministry’s demands on the Treasury are likely to increase over the long term, counteracting the savings made by the LASPO reforms.

LASPO removed from the scope of legal aid vast areas of law, including most private family law, and law relating to employment, welfare benefits, housing, debt, clinical negligence and non-asylum immigration. It also instigated tighter financial eligibility criteria for civil legal aid by changing the financial means test for areas of law that remained in the scope of legal aid. That included the ending of automatic eligibility for those in receipt of means-tested benefits, and reducing the limit on the maximum income and capital that an individual can have to qualify for legal aid. As a result of these reforms, many people who have previously been eligible for legal aid have been unable to gain legal assistance to pursue their cases. Instead, they must now pay for legal advice or representation themselves—often an impossible task—to find free support or navigate the problem on their own. This greatly reduces the likelihood of an individual case receiving justice. The Amnesty International 2016 report states that the LASPO reforms have resulted in a two-tier legal system, open to those who can afford it but closed to those who cannot.

The reforms have impacted on access to justice in wide-reaching ways. For example, early legal advice is no longer in scope for legal aid, so cases that could otherwise be resolved early are now escalating into more complex cases, pushing further costs on to local and national Government. For example, Shelter has documented how this approach to housing advice has led to increased costs of temporary accommodation being borne by local authorities. LASPO has also led to the emergence of advice deserts in some parts of the country, especially in rural areas. Many solicitors have given up legal aid work because there is no longer funding for it, and this has particularly impacted on immigration and housing law.

The human cost of all this is often all too real for my constituents. For example, one constituent who was the victim of female genital mutilation, who had hepatitis B and who had fled a forced marriage needed urgent help to make a Home Office application or otherwise face removal. She was not entitled to legal aid and had nowhere to turn other than to a charity rather than getting proper legal advice and assistance. Another case I dealt with involved a 63-year-old women with breast cancer who had her benefits stopped and was told by the jobcentre to look for work. Her benefits issue was out of scope for legal aid so, while also battling cancer, she had to try to find free legal representation from overstretched charities to challenge her benefits refusal at tribunal. It is likely that she will end up having to represent herself.

The crux of this is that a lot of vulnerable people in desperate situations are being refused legal aid. Often the issue is right in scope, and when it is, the means test makes legal aid really difficult to access. The Government say that they are saving money, but in reality this is costing a great deal, both to society and to the Treasury. The recent Equality and Human Rights Commission report on the impact of LASPO found that unresolved welfare benefits issues were resulting in financial deprivation, including the risk of homelessness and an inability to pay for necessities such as food, heating and electricity, and that the difficulty of resolving legal issues in general was causing physical, emotional and mental health problems. Ultimately, the cost of this is likely to be far greater than providing legal aid in the first place.

The Government have a duty to provide a justice system that ensures that members of the public are able to obtain the advice and representation that they reasonably need, but the system that we now have under LASPO is clearly failing in terms of its ability to give people access to justice. Not only does it undermine the rule of law but it has serious consequences for the lives of many. If we are to avoid long-term and potentially irreversible damage to our justice system, the Government must properly fund legal aid to ensure that members of the public are able to secure appropriate advice and representation. This would require the reintroduction of legal aid for the areas of law removed from scope, and the introduction of more generous financial eligibility criteria. These reforms are necessary if we are to have any confidence in the justness of our legal system, and if we are to see the reversal of the development of a grossly unfair two-tier justice system.

Andy Slaughter (Hammersmith) (Lab): This afternoon’s debate does feel like a meeting of the Justice Committee. It is very nice to see everybody, but the attendance for the debate may be a clue as to why the Ministry of Justice, as a Department, has suffered the largest cuts since 2010. I am not saying that it is our fault that that has happened.

Justice, as a subject, tends to be a little bit niche, and the public do not perhaps feel that it impacts on them directly in the way that cuts in other public services do. The reality is, though, that if legal aid is not there when we need it, we may not get a fair settlement in a civil dispute or get fairly treated by the criminal courts; and if we do not get the prison system right, even people who have not been to prison feel the impact, whether through recidivism or levels of criminality. The sad truth is that since 2010 every aspect of the Ministry’s work has suffered, whether it is prisons and probation, the Courts Service or legal aid.

In the past few weeks, we have talked a lot about the rule of law. There is perhaps a greater public awareness of the crucial importance of the judiciary and their role—thanks in large part to the Prime Minister and his unlawful acts. However, I do not think there is always a realisation that money is an essential driver of the justice system.

It is perhaps rather sad, therefore, that the one area of the MOJ budget that is receiving some attention financially is the Prison Service. Yes, we have heard about investment in new prison officers, but it is a shame that we lost the experienced ones that we had, and are still 2,500 below the 2010 level. There have been initiatives such as the 10 prisons project, set up by the former Prisons Minister, the right hon. Member for Penrith and The Border (Rory Stewart). Although I am sure it was well intended, I thought it was a bit gimmicky, in the sense that it addressed one or two important aspects—drug use and
assaults. It was not entirely successful. In the case of one of the 10 prisons, Wormwood Scrubs in my constituency, assaults actually increased by 50% between the second quarter of 2018 and the second quarter of 2019—the period of that programme. Even in the areas that the programme was designed to tackle, it did little more than tackle superficial elements and was very limited. I note that the inquest figures showed that in those 10 prisons, over the first 11 months of the programme, there was actually a 20% increase in deaths. So even where there have been initiatives, they are not necessarily working.

The saddest thing is that if there is going to be substantial capital investment in prisons, it appears to be all to do with new prison places—the 10,000 extra places that we have heard about. I am afraid that what the new Lord Chancellor announced this week is an extraordinarily retrograde step, and appears to be no more than a political crowd-pleaser. It appears that the restrictions on short sentences, championed by the previous Lord Chancellor and Prisons Minister, will not be going ahead, despite all the academic work that was done on that approach. That has now gone out of the window. Instead, we shall see longer time served for certain categories of prisoner.

That is all very well, in an attempt to get a tabloid headline, but in fact there already exists a power, in the case of very serious and dangerous criminals, for judges to specify an extended sentence for public protection—that prisoners should serve two-thirds rather than half their term, for example. All that is being achieved here is to push up already very high and inflated prison population even higher, and that will deplete the limited resources that are available. We will not see improvements in the appalling prison conditions that colleagues have spoken of, or tackle the lack of treatment and the lack of ability to treat mental health problems and addictions.

I look forward to hearing what the latest Minister has to say on that, but if we can get neither the personnel nor the policy to stay in place for more than a few weeks or months, we are not really going in the right direction.

On the Courts Service, all eggs have been put in one basket, which is digitisation. A huge amount of money is being invested in courts going paperless and things being done remotely. I do not think that anybody is against that in the Courts Service any more than in other parts of the public service, but it is a leap of faith. The real problem is that the money that is going to pay for a lot of that is from the closure and sale of about half the courts in the country, but that is being done in advance of seeing whether this remote access and digital processing actually work in that way.

There is real chaos in the way the court systems are working now. There has been a drop in prosecutions—down 45% over the last eight years. Even though some more money is going to be put into the Crown Prosecution Service as a response to the hope that there will be more activity by the police, more arrests made and more people charged where offences have taken place, I doubt that it is enough to correct what has happened. The consequence is that many courts are standing empty for large parts of the time—ironically, given that many courts have been closed or sold off—yet at the same time we are introducing extended court days. In my local area, for example, we will now have no courts in the borough. The county court has been moved three times so far in the last five or six years. That work is now being sent an hour or more’s journey away. Many courts are at the same time standing empty because there are not the judges to fill them and, as I have said, the court day is being lengthened, so hearings are taking place at 8 o’clock in the morning. Who has got a grip on what is happening in the Courts Service? It does not appear to be coming from the top.

Let me—[Interruption.] I hear you clearing your throat, Madam Deputy Speaker, which is a shame, because I did want to spend some time talking about legal aid. I will do that very briefly, given the time.

A huge number of law centres and other not-for-profit providers have closed over that time. We have had no increase in fees for criminal defence solicitors for about 20 years now. As a consequence, we have both legal aid deserts and practitioners either not continuing or not being prepared to go into that type of work. There is a review of criminal legal aid, but that is not due to report until next year.

I ask the Minister to have a sense of urgency in dealing with the crisis in legal aid and to look at legal aid for inquests again. It is a scandal that that is not being dealt with. I also ask that we have a proper review of LASPO and its consequences, because, frankly, what is being proposed barely touches the sides.

4.22 pm

Bambos Charalambous (Enfield, Southgate) (Lab): It is a pleasure to follow my hon. Friend the Member for Hammersmith (Andy Slaughter).

On Monday, I attended Hazelwood Primary School in my constituency, which is holding school council elections this month and learning more about democracy. In the hallway of the school is a display about British values as part of the curriculum. These include liberty, mutual respect, democracy, tolerance and the rule of law.

The rule of law underpins our unwritten constitution and is rightly given prominence in education. Unfortunately, over recent years, it has been willfully neglected and what should be a stable pillar is now crumbling due to years of under-investment and spending cuts. Despite last month’s announcement from the Government of a funding increase of 4.9%, by 2020 the MOJ will have seen cuts totalling 40% since 2010.

What is worse is that the additional funding has already been earmarked for certain policy initiatives announced by the Home Secretary, which might make for good soundbites but makes little logical sense. We know that part of the £2.5 billion announced is earmarked for an extra 10,000 prison places—no doubt the Home Secretary is expecting an increase in offending—but the reality is that the United Kingdom’s incarceration rate, with a current prison population of 82,600, is the highest in western Europe.

Violence in prisons is at record levels, due to lack of staffing and poor conditions in our existing prisons. At an average cost of £40,000 per year per prison place, our money would be far better spent on reducing reoffending rates. Reoffending rates are now at 48.3%, but this increases to 64.4% for those released from short sentences of less than 12 months. My hon. Friend the
Member for St Helens South and Whiston (Ms Rimmer) made that point excellently. The annual cost of reoffending is £18.1 billion per year, so why is more money not being invested in preventing people from entering the criminal justice system in the first place? Why is more money not going to health, housing and local authorities?

In recent years, we have seen the abject failure of the privatised probation service, and the Government threw good money after bad in an attempt to salvage it. Having now abandoned the probation privatisation experiment, I hope that the Government will properly fund the probation service, which can make a huge difference in preventing reoffending, if it is adequately resourced.

The proposed new funding for the MOJ is also linked to the additional new police numbers, but, once again, this fails to look at the current trends and to address existing problems. According to the Howard League, across 2017-18 some 103,000 women and girls were arrested, which cost the police an estimated £1 billion in time and resources, yet only 7,745 were sent to prison. Surely that demonstrates the need for more funding for women’s centres and other preventive measures, which would be much cheaper than prison.

Still on the issue of criminal justice, the additional funding for the Crown Prosecution Service is welcome, but there is nothing for criminal legal aid. Unless there is investment across the entire criminal justice system, it will not deal with the problems that are so plaguing the system. One such problem is the growing shortage of criminal duty solicitors. The Law Society estimates that in five to 10 years’ time there will be insufficient criminal duty solicitors in many regions, as far fewer solicitors are entering the profession. The average age of a duty solicitor in England and Wales is 47. That is hardly surprising as legal aid rates have not increased for more than 20 years. Unless steps are taken now, this problem will only get worse; we are at the tipping point right now, and urgent action is needed. It is not just criminal law that is affected; there are now legal aid deserts for housing law across England and Wales. The Law Society estimates that 37% of the population are living in areas that have no housing legal aid providers. At a time when we hear horror stories about homelessness, evictions and disrepair, we are in desperate need of these types of lawyers. More investment is needed in this area and in others. As part of the LASPO review, it has been accepted by the Government that early legal advice can help save time and money for all concerned. The Government should be pouring more money into early legal advice, which will benefit everyone.

After years and years of slashing the Ministry of Justice, the additional funding for the MOJ is welcome, but this is like putting a sticking plaster on a gaping wound. To cut the MOJ budget by 42% and then re-provide 4.9% and hail it as a wonderful policy announcement is akin to breaking all the windows in a house but then saying that at least you have painted the front door. The additional funding is not enough, it is a false economy and it is going to the wrong places. If the Government are serious about reducing crime and re-offending, they will invest in preventive measures such as women’s centres, healthcare services, housing, employment, education and diversionary measures. There also needs to be investment in our courts, our legal aid system, and prison and probation. As I mentioned at the start, the rule of law, one of the pillars of our society, cannot be allowed to crumble. We need true investment in it, and we need it now.

Grahame Morris (Easington) (Lab): As always, it is a pleasure to follow my good and hon. Friend the Member for Enfield, Southgate (Bambos Charalambous). This is an important debate, and I thank the Backbench Business Committee for granting time for us to discuss these issues. I must declare an interest, in that I am a member of the Justice Unions Parliamentary Group and I am proud to represent the interests of prison officers campaigning for a basic right: the right to a safe working environment. I also want to pay tribute to the dedicated and hard-working staff throughout the justice system—in the prisons, in probation and in every aspect of the Department’s work—whose work is often overlooked.

Time is short, so I shall touch on just three issues: other Members have covered the financial cuts to the Ministry of Justice, so I will refer to them only briefly; I want to talk briefly about the loss of experience in the Prison Service because of budget cuts; and I will address the consequences of cuts for prison staff who are trying to maintain a safe working environment.

I read a most disturbing article in my local newspaper, the Evening Chronicle, entitled “Seven staff stabbed at North East jail as prisoners leave officers ‘black and blue’”. That is from 13 July. The article quoted the Lord Chancellor and Secretary of State for Justice, who said in response:

“The Government is taking unprecedented action to improve safety in prisons.”

In the light of those comments it is important that, as part of our responsibility to hold the Government to account, we consider their record on law and order.

The Department has suffered cuts of more than 40% since 2010 and, according to some work that I have read by the New Economics Foundation, the indications are that that proportion will rise to more than 50% by 2023. My concern is that the cuts are a false economy. Several Members, including the Chair of the Select Committee, mentioned that the Ministry of Justice budget was around £8 billion and the estimated annual cost of reoffending is now more than £18 billion.

Ron Hogg, the police and crime commissioner in Durham, is a wonderful man who is currently struggling with a most debilitating illness. He pioneered the Checkpoint scheme in an attempt to address the issue of reoffending. Ron joined me on a delegation—in fact, he led the delegation; I joined him—to see the Secretary of State for Justice and put forward a powerful case for taking a new approach to tackling reoffending.

Private prisons are inefficient and are wasting resources. Although private prisons accommodate approximately 15% of the prison population, the Government spend nearly a quarter of the total prison budget on them. The main aim of a private prison is clearly to make profit for shareholders. Public service and staff safeguarding are secondary. Private companies aim for a profit margin of around 8% to 10%, so for every pound paid to a private prison operator, 10p is immediately top-sliced, to be given to shareholders rather than being spent on making our prisons safer.
[Grahame Morris]

The other method that the private sector has used to improve prisons' profitability is to reduce wages, cut staffing levels and accommodate more prisoners. A report by The Guardian newspaper, based on parliamentary questions, found that private prisons are up to 47% more violent than public prisons, as a consequence of understaffing and overcrowding. Put simply, private prisons cost more and deliver less.

The House will remember that the Secretary of State said:

“The Government is taking unprecedented action to improve safety in prisons”,

so let us look at the evidence in the little time I have left. The Tory-Liberal coalition cut 7,000 prison officers, leading to the loss of more than 80,000 years-worth of prison staffs’ accumulated experience. The recruitment of new prison officers, to which I understand the Minister will refer, even if to the same level the Government inherited from the previous Labour Government, will not replace the lost years of experience for many decades to come. The Government’s unprecedented actions over the past decade have damaged prison safety and increased violence, through the loss of prison officers and the valuable experience that they have in running our prisons.

At Holme House near Stockton, which is the prison nearest to my constituency, seven staff were stabbed. Meanwhile, 11 staff at HMP Northumberland suffered fractures and another 22 needed stitches. Across the north-east, there were 46 incidents of prisoners spitting at staff, and 29 other serious incidents that resulted in injuries to staff were recorded. Indeed, the annual report of HM inspectorate of prisons for England and Wales found that among category B and C prisons staff shortages have “been so acute that risks to both prisoners and staff were often severe, and levels of all types of violence had soared.”

The Government are failing in their duty of care to prison staff: their workplace is unsafe; prison officers' wages have been cut in real terms for a decade now; and their retirement age has been increased from 60 to 68.

This Government, facilitated by the Liberal Democrats in coalition, are to blame for our prisons being unsafe and for failing in their primary duty of reducing re-offending and rehabilitating prisoners. Unless prisons are safe, secure and decent, rehabilitation is simply impossible. Our prisons have become, in many cases, universities of crime, with career criminals in control of prison landings.

In my opinion, the Secretary of State, or his Minister, should start by apologising to prison staff for a decade of failure. He should apologise for devaluing their jobs through real-terms pay cuts, and apologise for creating an unsafe working environment by cutting the number of officers, losing valuable experience, increasing the retirement age and expecting prison officers approaching 70 to tackle and deal with violent inmates who are in their 20s, 30s and 40s. He should apologise for allowing private prisons to profit at the expense of staff safety, for undermining our criminal justice system, for imposing a decade of cuts at every level—t0 policing, to legal aid, to our courts and to our Prison Service. I was frankly aghast to hear Conservative Back-Bench Members at the start of this debate wringing their hands about cuts to legal aid. I must have dreamt that Tory Members trooped into the Division Lobby in 2012 to vote for cuts to legal aid. I do hope that the Government will acknowledge their role and start immediately to repair the damage they have caused over the past decade.

4.36 pm

Richard Burgon (Leeds East) (Lab): I thank the Justice Committee for securing today’s debate. Its members play a crucial role in highlighting the failings in our justice system and in offering very constructive ways to tackle them. I also welcome the new junior Justice Minister to today’s debate. It is a shame that the Justice Secretary himself could not be here; perhaps he is busy having to defend the rule of law again after some not very anonymous briefings from Dominic Cummings, his boss. Perhaps he does not want to defend his own record that we have just heard about of voting for Conservative cuts, which have caused such damage to our justice system. Our justice system is in a Tory-created crisis. The driving cause is cuts of billions of pounds over the past decade, with the Ministry of Justice the second most cut Department.

We have heard a lot today about percentages here and millions there, but beyond that there is a real human cost to these cuts. What effect does the Minister believe that Government cuts have had on public safety? Does he believe that halving youth offending team budgets, along with wider cuts in youth services and elsewhere, has contributed to the violence that has seen the loss of too many young lives? What impact does he think that these justice cuts, along with those to the police and the CPS, have had on tackling serious crime? For example, what impact does he think that they have had on the all-time record lows of rape convictions that mean that women’s groups are warning that rape is now effectively decriminalised?

I want to be clear that the Conservative party’s cuts have left our criminal justice system less able to keep our streets safe and ensure that victims of serious crime get justice, and have enabled a wave of violence that affects too many families. That is the record of the Conservative party and we will never let its members forget it.

Cuts have consequences, and nowhere is that clearer than in our prisons. Slashing hundreds of millions of pounds every year from prison budgets and axing thousands of staff unleashed unprecedented levels of prison violence. Political choices at the very top caused that. Prisoners, staff and the wider public paid the price. Recent one-off funding awards to prisons are simply tinkering at the edges. Everybody knows that tackling understaffing is key to making prisons safe, yet there are still thousands fewer officers than in 2010. The latest figures show numbers falling again. Is the junior Minister aware of any plans to return levels to those of 2010 at the Labour party has committed to do? None was announced at the Conservative conference. Will he confirm that any prison officers recruited above the 2,500 announced in 2016 have been funded not through new Treasury funding, but within existing Department budgets? Could he clarify what else has been cut in justice to fund them?

Over the summer the Prime Minister pledged funding for 10,000 new prison places; 10,000 new prison places were also promised by each of the five previous Justice Secretaries in every year since 2015 and by the last two
Conservative Prime Ministers. Will the Minister apologise to the public for trying to pass this off as a new announcement, as he and the Prime Minister have both done? We do not need 10,000 new prison places or repeats of the errors of the past. We need effective alternatives that are proven to keep the public safe. As we have heard, women’s centres are one such alternative. Members of the Government’s own advisory board on female offenders have expressed frustration at this underfunding, stating that at least £20 million is required annually for community provision. A Labour Government will immediately plug the funding gap in the female offender strategy. Does the Minister have plans to do the same?

Nearly two thirds of short-term prisoners go on to reoffend, committing crime costing £7 billion to £10 billion a year, so will the Minister confirm that the Government have scrapped plans to legislate for an end to ineffective short-term sentences? The Ministry’s own evidence shows that 30,000 victims of crime each year could be prevented by replacing ineffective short-term prison sentences of less than six months with community orders. Will the Minister explain why the Government are ignoring that evidence?

As we have seen, justice cuts go hand in hand with a push for privatisation. Since we last debated the Ministry of Justice budget, the Government have been forced to take HMP Birmingham off G4S and return it to public ownership, yet the Conservative party simply refuses to learn the lessons and plans yet more privately run prisons. Why did the Government insist that these new prisons had to be privately run? Why was the public sector excluded from bidding? Is this not simply ideological? Will the Minister publish the research that led the Government to decide that this apparent carve-up is actually supposedly in the public interest? The companies bidding for new prison contracts need to be clear that a Labour Government will put an end to our prisons being run for private profits. These private companies should not bother wasting their money bidding for such contracts because our lawyers will be better than theirs, and will ensure that those prisons are put back into public ownership.

Probation was one area of privatisation that even the Conservatives have had to agree to reverse, but only after hundreds of millions of pounds were wasted bailing out failing companies that had not even managed to keep the public safe. However, the Justice Secretary managed nothing more than a single, vague platitude about probation in his party conference speech. There are concerns that the Government still plan for £280 million of annual probation contracts to be allocated by the market, and that that is a ruse to allow failing corporate giants to keep their hand in. Will the Minister make a commitment today that none of the companies that botched probation will be allowed to run these new contracts?

The single mention of probation in the Justice Secretary’s party conference speech was disrespectful to a system that manages a quarter of a million offenders in the community, but at least it did get a mention. There was not a single mention in his conference speech of courts—unbelievable, especially as the Tories are not just under-investing in our courts but are selling off hundreds of courts and sacking thousands of court staff, undermining the ability of victims and witnesses to access justice. The NAO’s recent report on court reform found that progress was behind schedule, with expected savings having fallen by over £170 million. Does the Minister accept that there is a real risk that these court reforms will repeat the failings of probation reform, and without such scrutiny? Will he back Labour’s call for a moratorium on further closures until there has been proper public and parliamentary scrutiny of these changes?

On access to justice, just as with courts, there was not a single mention of legal aid in the Justice Secretary’s conference speech—absolutely disgraceful. Labour is committed to reversing all cuts to legal aid-funded early legal help within the first 100 days of a Labour Government. There is, as we have heard, clear evidence that cuts to legal aid-funded advice are simply a false economy, but if the Minister is not prepared to look at the evidence, will he at least commit today to undertaking independent research into how much the state can save by restoring all funding for early legal help?

This July, Lambeth Law Centre announced its closure after nearly 40 years of service, citing financial pressures caused by legal aid cuts. Is the Minister aware of any MOJ plans for an emergency fund to prevent more law centres from going under? Given that a PwC report calculated that law centres produce direct net cost savings to the Treasury of over £200 million, does the Minister plan to undertake research into the benefits of investment in legal support for disadvantaged communities?

In conclusion, today has been an important opportunity to discuss a Department that is much neglected by the Government—well, neglected in one sense, but certainly vigorously attacked in another. For those who thought that the latest Secretary of State for Justice would bring a welcome and moderating approach, his conference speech, with its paucity of detail and no mention of crucial things raised today by Members on both sides of the House, will cause incredible concern. The Ministry of Justice is a Department in crisis. That is not a situation that has fallen from the sky; it is the direct political consequence of how people have run this country for the past nine years. I hope and trust that those people will not be running the country too much longer.

4.46 pm

The Parliamentary Under-Secretary of State for Justice

(Chris Philp): It is a great pleasure to conclude this debate. I start by thanking my hon. Friend the Member for Bromley and Chislehurst (Robert Neill), the Chairman of the Justice Committee, as well as the other Committee members here, for securing this afternoon’s very important debate. When I attended the opening of the legal year on Tuesday, it became clear to me just how many of the senior judiciary in this country the Committee Chairman knows. I will certainly endeavour to listen to him, and to other members of the Committee from both sides of the House, as I embark on my new role.

As my hon. Friend the Member for Cheltenham (Alex Chalk) and the hon. Member for Enfield, Southgate (Bambos Charalambous) indicated, justice is of fundamental, vital importance to the functioning of our society. Justice is the foundation of any civilised society. Without justice, there is no freedom, and without the rule of law, there can be no prosperity, so the state discharges few functions that are more important than ensuring that justice is done. I join Members on both
sides of the House in paying tribute to judges, lawyers, the police, Crown Prosecution Service officials, court officials, prison officers, probation officials, and of course Ministry of Justice civil servants for their work in making sure that our justice system functions.

As this debate is on funding, I should like to comment on the overall funding figures. A number of Members have referred to a reduction in spending of 40% since 2010. It is important to mention that that figure is based on figures for the 2015 spending review. Since then, there has been additional resource spending on Ministry of Justice matters from a variety of sources, and when that spending is added back in, the real-terms reduction is 21%. That is still a reduction, but of a great deal less than 40%. To put that in context, the British crime survey, which produces the most reliable crime statistics—in fact, the only ones recognised by the Office for National Statistics—finds a 33% reduction in crime over the same period; that is significant, and we should bear it in mind.

That said, there are clearly issues with the way that various parts of our criminal justice system operate that need addressing—issues that Members on both sides of the House have powerfully and eloquently referred to. That is why it is welcome, as some Members have acknowledged, that in the spending review statement made just a few weeks ago in this House, it was announced that the Ministry of Justice’s resource budget will increase from £7.631 billion this financial year to £8.142 billion in the next financial year. That is an increase of £511 million, which is over half a billion pounds, 6.7% in cash terms, or 4.9% in real terms. I am glad that Members across the House welcome that increase. On the capital side, the capital DEL budget has increased from £417 million in the current year to £620 million next year—a 48% increase.

The Department is going through the allocations process to work out where the extra £511 million will go. I heard powerful representations about the probation service from the right hon. Member for Delyn (David Hanson) and the hon. Member for Enfield, Southgate (BAMBOS CHARALAMBOUS), and I think pretty much every Member who spoke in the debate mentioned the prison system. My hon. Friend the Member for Bromley and Chislehurst spoke about the courts system, and many Members discussed the legal aid budget, including the hon. Member for Lewisham West and Penge (ELLIE REEVES), who spoke powerfully. What has been said in this debate will be carefully looked at as the allocations are made. However, we should remember that the reason why these savings had to be made was the catastrophic state of the public finances 10 years ago, so as we look forward to next year, as the economy continues to prosper and as public finances come under control, I hope that the 2020 spending review can do a lot more for the Ministry of Justice and the various areas that it looks after.

I will now respond to some of the specific points raised in the debate. On prison places, I am delighted that two prisons are now under construction, with 3,360 new places. Construction started just last week at the new prison in Wellingborough, and the Secretary of State turned the first sod of earth with his very own hands. That £2.5 billion programme will, as Members have said, add 10,000 places by the middle of the 2020s.

Members also made reference to the need to maintain and improve conditions in prisons themselves, with the right hon. Member for Delyn and the hon. Member for Hammersmith (Andy Slaughter) both referred specifically to the conditions within prisons. The Government fully recognise that issue, and I can confirm today that, in addition to the spending review 2019 figures that the House heard a few weeks ago, an extra £156 million will be spent next year expressly on prison maintenance and conditions. That is a 75% increase across the capital and resource budgets on the amount planned in the spending review, so I am sure that everybody in the House who raised the important matter of prison maintenance will be pleased to hear that.

Several Members mentioned the number of serving prison officers, including the hon. Member for Easington (Graeme Morris) a few moments ago. Members will therefore be pleased to hear that, as of June this year, there were 22,321 serving prison officers, which is an increase of 4,366 since 2016. The shadow Justice Secretary said a moment ago that 2,500 extra officers were announced in 2016, so I am pleased that we have delivered almost double that.

The hon. Member for Hammersmith talked about an important trial that took place in 10 of the most challenging prisons to try to improve prison safety and address, for example, assaults on prison officers. The trial published its results in August this year, and assaults fell by 16% and positive drug tests by 50% across those 10 prisons. Those are important results, and I hope that the pilots can be expanded. I will certainly be passing that point on to the Minister of State for Prisons and Probation.

We heard a bit less about our courts than about prisons, but they are also extremely important, with my hon. Friend the Member for Bromley and Chislehurst drawing particular attention to them. The digitisation process is not, as he said, a panacea. It is part of the solution, not the whole solution, but it is welcome that uncontested divorce proceedings, probate proceedings, the issuance and response to civil money claims and minor pleas can now all be done online, saving both participants in the criminal justice system and the court system itself a great deal of time and money. The common platform designed to make criminal cases run more effectively and efficiently between the police, the CPS and the courts will start to be rolled out in the first half of next year. That will do more to make the courts run more efficiently.

My hon. Friend the Select Committee Chairman mentioned issues with sitting days and maintenance in the court system, which I recognise. As the Minister with responsibility for courts rather than prisons, I will of course make the case for sitting days and for the maintenance programme in the court system as we go through the allocation process in the coming two or three months to divide up that half a billion pounds of extra money.

On court closures, which the shadow Secretary of State raised a few moments ago, the courts that were closed—those that were consulted on in 2015—were running at about one-third utilisation, partly because of the one-third reduction in BCS crime since 2010. Clearly, having courts running at only one-third utilisation does not make a lot of sense, but before there are any further closures, there will be a consultation process and extremely careful thought, for the access to justice reasons that he and other Members mentioned.
Legal aid was mentioned by a number of Members, particularly my hon. Friend the Member for Cheltenham and for Bromley and Chislehurst, and the hon. Member for Lewisham West and Penge and for Hammersmith. I am pleased to recall the House that last year the rates for criminal barristers were increased by around 10%—that was a £23 million commitment—and, as Members said, the criminal legal aid review is under way. In fact, some parts of that review, because they are so urgent, will report early: the parts related to unused material, cracked trials, paper hearing cases, pre-charge advice and payments for sending cases to the Crown court will report next month. The rest of the review will report in the summer of next year, and I hope it will address some of the concerns hon. Members raised about the legal aid system.

The hon. Member for Lewisham West and Penge mentioned victims. They are very important—particularly victims of sexual assault. The victims and witnesses budget is £92 million, and I am sure she will join me in welcoming last week’s announcement of an extra £5 million specifically to help victims of sexual violence.

Let me conclude with sentencing, which the Lord Chancellor and I have responsibility for. I support the change in the automatic release point for standard determinate sentences from half to two thirds, because I think the public expect someone who is sentenced to serve the majority of their sentence. Releasing them at the halfway point undermines public confidence in the sentence that is handed down. The change aligns the release point with the discretionary release point for extended determinate sentences, at two thirds. That will, of course, apply only to the more serious cases; it will not apply to all cases where a standard determinate sentence is handed down.

Grahame Morris: Will the Minister give way?

Chris Philp: I would love to, but I only have a few seconds left. I would love to take an intervention from the hon. Gentleman on a future occasion.

On less significant offences, I recognise the extremely high reoffending rate—60%—that Members referred to. As the Minister responsible for sentencing, I will look very carefully at expanding trials in which treatment, in particular for drug addiction, alcohol addiction and mental ill health, is put at the heart of sentencing and rehabilitation. There is much more we can do to learn from those trials and from countries around the world where more effective treatment is the key to reducing reoffending rates. That is my personal commitment to the House this afternoon.

It has been a great pleasure to participate in the debate. I look forward to hearing the Select Committee Chairman conclude it.
**Taxi and Private Hire Licensing Reform**

*Motion made, and Question proposed. That this House do now adjourn.*—(Iain Stewart.)

5.1 pm

**Wes Streeting** (Ilford North) (Lab): As a member of the all-party group on taxis, I am delighted to see you in the Chair for this debate, Madam Deputy Speaker. I am sure that many of the themes and issues that I raise will be of enormous interest to you as a constituency MP and neighbour, as well as being in the Chair in your usual fair-handed and fair-minded way.

It is a matter of some regret that I need to stand up once again and make the case to the Government about the urgent need for reform of our taxi and private hire licensing laws. I think we are now on our third Minister since I first raised these issues and founded the all-party group, and I pay enormous tribute to the two former Ministers with whom I had the pleasure of dealing—the right hon. Member for South Holland and The Deepings (Sir John Hayes), and the Under-Secretary of State for Transport, the hon. Member for Wealden (Ms Ghani), who remains in the Department but has moved to other matters. I hope that we will get an open mind and a fair ear from the new team, which I am sure will be the case when the Minister replies.

There is enormous consensus about the need for reform and about the kinds of reforms that must take place. Some years have passed since the all-party group published “Lessons from London: the future of the UK taxi trade”, which made a number of recommendations to the Government and set out the compelling case for change. That led the Department for Transport to commission its own task and finish group to look independently at those issues.

I commend to the House the excellent report, “Taxi and Private Hire Vehicle Licensing: steps towards a safer and more robust system”. It was produced by Professor Mohammed Abdel-Haq, who I am delighted has joined us and is watching our proceedings in the House today. In his foreword to the report, he said:

“It is clear that the status quo whereby taxi and PHV licensing is inconsistent, ineffective and incompatible with the protection of vulnerable people must not be allowed to continue. Alongside other incidents of criminality, the events in Rotherham, Rochdale, Oxford and elsewhere have brought the fundamental flaws in the licensing regime into the sharpest possible focus; these oblige uncompromising determination to make taxis and PHVs safe for all.”

Many of the recommendations in his report to the Department for Transport echo those made on a cross-party basis by the all-party group. They include the need for national minimum standards, so that any passenger in any part of the country can get into a taxi or minicab, safe in the knowledge that the laws and safety regulations governing their journey will keep them safe wherever they travel and in whatever type of vehicle.

It was acknowledged that we have a ridiculous patchwork quilt of varying standards and regulations across the country that national minimum standards would help to reinforce. It has also been recognised that in some places, often for tragic reasons, licensing authorities have gone further, as Rotherham Council did following the appalling role that the local minicab industry played in the terrible sexual abuse and exploitation of young women in that town.

It was acknowledged, from the work we did on the all-party parliamentary group and in the working group, that too many drivers and operators are flouting the rules, taking advantage of loopholes in the law and the patchwork quilt of safety regulations that exist to get their vehicles licensed in authorities with much less stringent safety regulations to undercut the more robust regulations that have been put in place in other towns and cities.

**Sir John Hayes** (South Holland and The Deepings) (Con): The hon. Gentleman has been an unremitting and courageous advocate for better licensing, along with the hon. Member for Cambridge (Daniel Zeichner). Indeed, three of my favourite Opposition Members are in their places. The hon. Member for Ilford North (Wes Streeting) is right to draw attention to the report by Professor Abdel-Haq and the superb work he did. The foreword to the report says that it is about public wellbeing. The Government welcomed the report and accepted its recommendations, and I know the hon. Gentleman will want to ask—I do, too—when we will have the legislation necessary to put its recommendations into effect.

**Wes Streeting:** I strongly endorse what the right hon. Gentleman has said. There is a real need to act, whether on the introduction of new rules to govern cross-border hiring so that people cannot flout safety terms and conditions, on finally providing a working statutory definition of plying for hire to prevent abuse of the two-tier system, or on ensuring that all drivers have disability training, recognising the concerns that Guide Dogs and other disabled passengers’ groups have raised about the inaccessible nature of too many journeys.

The Department cannot have failed to notice that Professor Abdel-Haq said at the end of his foreword:

“I look forward to the Government’s prompt response to this report in order to maintain the momentum for improvement.”

His final and clear word on the matter was:

“Undue delay would risk public safety.”

I am afraid that that is where we are now. We are in a position where passengers are made unnecessarily unsafe because the Government have been too slow to act, even though we have a clear cross-party consensus.

The Government and all Members of Parliament are held in low esteem by the general public because of the deadlock on Brexit. While the Government try to move through that deadlock, and we all try to work constructively to break the deadlock so that we can turn our attention to other issues, Wednesday’s debate on the Domestic Abuse Bill showed that the House does an enormous amount of good for the country. There are so many areas where we could build cross-party consensus for the benefit of our constituents and the country. The good news for the Minister, the Government Whips and the Prime Minister in looking forward to Her Majesty’s Gracious Speech and in thinking how they might legislate is that the votes exist for a taxi and private hire Bill. I hope that the Minister, even if he cannot pre-empt the Gracious Speech, can drop a significant clue about what might be in it.
There are also city-specific issues. As a Greater London MP, I am well aware of the impact that private hire vehicles have had on congestion in the streets of our capital city.

Jon Cruddas (Dagenham and Rainham) (Lab): I must put on record my hon. Friend’s extraordinary work since becoming an MP on the regulation of the taxi industry. Does he agree that it is a democratic right that Transport for London and the Mayor should have the power to set—and, if necessary, limit—the number of private hire vehicles on London’s streets?

Wes Streeting: My hon. Friend has anticipated the point that I was about to make. Clearly, capping the number of private hire vehicles would not be appropriate in every town or city in the UK. However, the Mayor of London and Transport for London have made a compelling case to enable Transport for London to use a cap if that is deemed necessary and appropriate. Although I hear the objections from some parts of the industry, particularly those using vehicles with lower emissions, it is not just about the emissions of those vehicles. If those vehicles are clogging up the streets of London and the gas-guzzling lorries or other polluting vehicles are pumping out toxic fumes, that congestion is as big a contributor to poor air quality as those individual vehicles. For the first time in history—although perhaps not even the last—we have a former Mayor of London in No. 10. I hope that he will not be there for too long, but while he is, I hope that the Prime Minister, based on his experience as Mayor, might look on that proposal favourably. We have huge area of consensus and a huge opportunity to legislate with cross-party support, so I hope that the Minister will give us some good news about how the Government will respond to our pleas for urgent action.

I want to raise a related issue, particularly in the light of Transport for London’s decision to grant a two-month licence extension to Uber: namely, the conduct of that operator. I recently met with Uber in London for the first time in many years. I also met with Uber when I visited its headquarters in San Francisco with the all-party group on the fourth industrial revolution, which is reflected in the Register of Members’ Financial Interests. I am not from the luddite wing of the House of Commons; in fact, I have yet to find the luddite wing. [Interruption.] It is being suggested that the right hon. Member for South Holland and The Deepings (Sir John Hayes) and my hon. Friend the Member for Dagenham and Rainham (Jon Cruddas) might fit into that category. I think that is rather uncharitable and would never let it be said.

I have no problem at all with the way in which technology is going to change our society. Technological change is inevitable—it is coming; it is happening—but let me say to this Minister in particular, who is often at the cutting edge of political thinking on the centre right of British politics, that we have to think carefully about how we respond to this technological revolution, which is going to change the landscape of this country in terms of our work, our interactions, our relationships and our relationship with the wider world.

It is particularly important to learn the lessons of what we got wrong with globalisation. Just as globalisation has been a fantastic force for good in the world, bringing about peace and prosperity and lifting millions of the world’s poorest out of poverty, we cannot be ignorant of the fact that it has had enormous downsides, which have led to rapid deindustrialisation, the hollowing-out of towns and cities and the degradation of people’s working conditions and quality of life. Our failure—by which I mean the failure of the champions of globalisation—to recognise those downsides and mitigate them has led to a huge backlash, which is upending the peace, prosperity and stability that we have enjoyed in western liberal democracies since the end of the second world war, whether it is the referendum result to leave the European Union or the election of Donald Trump as the President of the United States of America. There may be something ironic about a global movement against globalisation, but it is none the less there, and if the champions of globalisation had recognised the downsides and worked with those communities to ensure that everyone reaped the benefits, our politics, our country and our world would be in a better place.

We are now on the cusp of a new technological revolution that offers enormous opportunities for how we live, work and relate to the wider world, but there are downsides, and we see that in the case of Uber. Sure, people find it convenient to call Uber at the touch of a button—I should add that they will also find it convenient to call an iconic licensed London taxi at the touch of a button—but it cannot be right that a multinational corporation based in San Francisco that is effectively a glorified minicab app can undercut other competitors in the industry through aggressive tax avoidance, by not recognising their workers as employers, with standard employment rights, terms and conditions, by not paying them their fair share and by playing fast and loose with passenger safety.

I recognise that Uber has taken some steps, following rigorous enforcement from Transport for London, to clean up its act. It is now subjected to an additional 20 licence conditions on its London licence. However, I am afraid to say that it still has to be dragged through the courts to recognise basic employment rights and conditions. When it floated, its own report to the Securities and Exchange Commission said:

“Our workplace culture and forward-leaning approach created significant operational and cultural challenges that have in the past harmed, and may in the future continue to harm, our business results and financial condition.”

It mentioned in that report its “focus on aggressive growth and intense competition, and...failure to prioritize compliance”.

Whether Uber is having to be dragged through legal action to comply with data standards and to give drivers access to the data they have requested, or whether it is being dragged through the courts by trade unions and Uber drivers—I really do pay tribute to GMB and United Private Hire Drivers—I am afraid that it is not yet acting in the way I would expect a forward-thinking, forward-looking, responsible technology provider to behave. I therefore hope that Transport for London scrutinises very carefully the case for renewing Uber’s licence.

Let me conclude on that point by saying this. If a licensed London taxi driver had breached their conditions in the way that Uber has, or if the minicab office up the road from my home had flouted its operating conditions, they would have lost their licences, and they would no longer be operating. We cannot send a message to big multinational corporations that we deem them too big to fail. It is important that the Government and Transport for London hold Uber rigorously to account.
I hope the Minister will take those messages on board. The taxi drivers, minicab drivers and Uber drivers I represent are looking to the Government to make sure we have a level playing field, fair competition and a diverse taxi and private hire industry in this city and in other towns and cities across the country that works in the interests of drivers and passengers and that, most of all, prioritises safety. That is what is at stake here.

Mr Jonathan Lord (Woking) (Con): In Woking, our Woking Street Angels have an informal arrangement with our licensed taxi drivers. If people are the worse for wear late at night—normally on a Friday or Saturday evening—the taxi drivers will take them home. My taxi drivers—many are from the Muslim community and do not drink themselves—often do not charge those customers or get any reimbursement. Will the hon. Gentleman join me in thanking all those licensed taxi drivers across the country who go above and beyond on behalf of the community?

Wes Streeting: I am grateful for that intervention, because it speaks to the generous hearts of taxi drivers and minicab drivers. We will see that reflected again when licensed London taxi drivers ferry some of our veterans from the big railway terminals and bus terminals across London to London to take part in Remembrance Sunday.

The great licensed black taxi is an iconic feature of our capital city. I think that it has a bright future. I think that it will survive every technological trend coming. It may well be the only driven car in a city with driverless cars. That is because people value the knowledge of London and the skills that licensed taxi drivers bring, and they love seeing the black taxi on the streets of London. We can have a competitive, but most of all a safe, industry in this city and in towns and cities across the country, but it requires the Government to act—and to act soon.

Daniel Zeichner (Cambridge) (Lab): I very much appreciate your giving me permission to speak, Madam Deputy Speaker. I will be very brief. I thoroughly endorse the comments of my hon. Friend the Member for Ilford North (Wes Streeting): this is absolutely about safety.

I just want to raise the professor’s report. He came to the Transport Committee and was questioned about it. He told us:

“The main takeaway from my point of view is that currently the public is at risk.”

That is a very strong thing to say, and I cannot understand why the Government have allowed this to run for so long. I am grateful to the former Minister, the right hon. Member for South Holland and The Deepings (Sir John Hayes). We worked in a cross-party way to produce a private Member’s Bill that was ready to go, but it was talked out, unfortunately. It is still there; it is still alive; and it would deal with driver licensing and enforcement. I plead with the Minister to keep it alive in the next few days. It is there to be done. Given that this has been running since the Law Commission report four or five years ago, it is quite extraordinary that we can allow the public to be put at risk in this way.

5.20 pm

The Minister of State, Department for Transport (George Freeman): It is a great pleasure and privilege to open the debate at the perfect time, as the Government are thinking about their legislative programme. I am particularly delighted to be responding on behalf of my noble Friend the taxis Minister and in my capacity as Minister for the future of transport—a new role at the Department for Transport—responsible for using our research and development budget, procurement and regulation to drive decarbonisation and digitalisation and to tackle disconnection in the Department.

As this debate and the hon. Gentleman’s work have shown, the 360,000 licensed taxi and private hire drivers in England play an important role in our transport system, meeting those journey needs that mass transit does not. They help people to reach shops and vital services and they get people home safely at night. As he and others highlighted and attested, they often offer those services to communities free of charge—gratis.

Taxis and private hire vehicles provide a particularly important service for disabled passengers, supporting their independence, allowing them to get to work, shop and visit friends and family—things that most of us are lucky enough to be able to do without a second thought. We know that disabled passengers make twice as many taxi and private hire journeys as non-disabled passengers. For those reasons and many others, the Government want the sector to thrive so that it can continue to meet the public’s needs and expectations.

There is clearly a problem. We agree with the comments made tonight and those made elsewhere in the House that the legislation that governs the taxi and private hire vehicles sector needs reform. That has been driven by a series of issues: the pace of innovation in mobility; the out-of-date nature of some of the legislation; the urgency of the decarbonisation, digitalisation and automation revolutions; the safety of passengers; and the need to ensure accessibility for those who suffer from disabilities.

Mr Lord: Woking has introduced some class-beating emissions standards for vehicles. I am sure I am not alone in hoping the Minister might give some comfort to other towns and cities that they will also be able to have clean air from their taxis in the years ahead.

George Freeman: My hon. Friend makes an excellent point. I will touch on that later. Part of my work on the future mobility zones is to drive the power of future mobility to help support clean air.
The use of apps to book vehicles is increasingly popular with passengers and, this, perhaps more than any other factor, has thrown into sharp focus the fact that legislation drafted in the 20th century for private hire vehicles, let alone Victorian taxi legislation, has not kept pace with technological change and progress in the sector. As with other forms of licensing, the sector is licensed at a very local level, with 284 licensing authorities in England setting the standards they feel appropriate for their area. Unlike other forms of licensing, however, those that are licensed are by the very nature of the trade mobile and so will occasionally operate outside the area that granted the licence.

The increased use of technology has also added to the complexity by making it far easier to book a private hire vehicle, thereby fuelling an increase in the number of licensed vehicles across England in recent years. Numbers are up by more than 58% since 2005. This growth has been driven primarily by an increase in private hire vehicles, which today make up over three quarters of the total. The sector is clearly providing a service that passengers value, but the level of this increase does raise serious issues.

Let me now say a word about what the Government have done, and what we will do. We have recognised the issues relating to the regulation of the sector. As the hon. Gentleman said, the previous Minister of State convened the task and finish group on taxi and PHV licensing. I echo the thanks of others for the work done by the members of the group, particularly its chair, Professor Mohammed Abdel-Haq, who is with us this evening. The group considered submissions, and took oral evidence, from a wide range of stakeholders over a number of months.

Professor Abdel-Haq managed to draw out a commendable amount of consensus among group members, but the report also includes annexed contributions from individual group members, which identify the often complex areas of disagreement. A notable example is the question of what approach should be taken in tackling the issue of cross-border or out-of-area working. As I have said, this trade is mobile, and authorities do not have complete control over the drivers and vehicles that operate in their areas, which means that authorities with higher licensing requirements have concerns about the potential migration of their private hire vehicles to other authorities.

The Government welcomed the report in their response earlier this year, and made a commitment to legislate on a number of key matters: national minimum standards, national enforcement powers and a national licensing database. I believe that, taken together, those measures would enable passengers—wherever and whoever they might be—to know that their driver had passed a nationally agreed safety standard, and was working with robust oversight.

In the meantime, the Department is making full use of the tools that are currently available to shape and influence, doing what it can to support licensing authorities in the use of their extensive existing powers. In particular, passenger safety remains in the forefront of our minds. I know that many licensing authorities have learnt lessons from some of the previous licensing failures mentioned by the hon. Gentleman: Rotherham, Rossendale and Southampton—to name but a few—have reviewed their licensing functions, with a focus on robust safety measures. However, we must ensure that those lessons are clearly and strongly disseminated across the country, and that all licensing authorities have that focus.

Earlier this year, the Government consulted on draft statutory guidance for local authorities in England and Wales, describing their view on how taxi and PHV licensing powers should be used to safeguard children and vulnerable adults. The draft was the subject of extensive engagement, including a review by the task and finish group. We received more than 500 responses, very largely in support of the proposed measures, but also making valuable suggestions for improvement. Consultation serves an important purpose in securing wide and expert input, and that will be reflected in the final version of the guidance, which I am delighted to confirm will be issued very shortly. Licensing authorities will be required by law to have regard to the guidance in formulating and implementing their licensing policies, and the Department will monitor its use and impact.

Baroness Vere, the Minister responsible for taxi and private hire vehicles, and I, as Minister for the future of transport, are well seized of the potential for technological innovation in transport to change the sector and fuel demand, and the likelihood that it will continue to blur the lines between different modes and challenge existing regulatory structures. As the Government said earlier this year in our response to the task and finish group report, in our work on the future of mobility we will consider how we can support new technology and innovation through regulatory frameworks. I am delighted to have this opportunity to announce to the House that I will shortly be launching a very wide consultation on the future of mobility, which will look into how existing and future transport systems can interact. In the long term, as part of our future of mobility review, we will consider how to introduce a regulatory framework which recognises the changes that the sector has undergone and can adapt to innovation.

I am delighted that the hon. Gentleman is meeting the taxis Minister shortly to discuss these issues, and that, as I have said, he has raised them at a time when the Government are pulling together their final plans for the Queen’s Speech; it has been announced that it will take place on 14 October. I look forward to working with the hon. Gentleman in any future discussions.

Question put and agreed to.

5.29 pm

House adjourned.
This Government are stringing terminally ill people and their families along. They already have the evidence from stakeholders and from what is happening in Scotland. When will they do what they should for these people and their families and scrap the six-month rule, get implicit consent in place, and make the situation one of fairness and dignity for people who are dying?

**Justin Tomlinson:** I pay tribute to the hon. Gentleman for his work as chairman of the APPG. We do take things seriously, which is why we are doing this thorough evaluation. We are already working with organisations such as Marie Curie, the MND Association, the Royal College of Nursing, the British Medical Association, Hospice UK, the Association for Palliative Medicine, Macmillan, the Queen’s Nursing Institute and Sue Ryder. We must get the balance right so that those who should be getting fast-track access to support are always prioritised, and we will be doing a thorough evaluation to ensure that we get that right.

17. [912576]**Sir Vince Cable** (Twickenham) (LD): Is the Minister aware that there can be severe financial stress for the carer when a terminally ill person dies? One of my constituents was forced into serious debt as a result of missing payments after trying to migrate from the carer’s allowance and premium to universal credit. Where is the promised ministerial guidance on this sensitive subject?

**Justin Tomlinson:** Part of the evaluation is about looking at the whole process, including not only the six-month rule but the process before and after. I believe that there has been a case in the right hon. Gentleman’s constituency, so it would be helpful to have further information on that as part of the evaluation.

**Several hon. Members rose**—

**Mr Speaker:** I call the hon. Member for Easington (Grahame Morris); I am very grateful to him for proffering me a very effective throat remedy on Thursday.

**Contracted-out Health Assessments**

2. **Grahame Morris** (Easington) (Lab): What recent assessment her Department has made of the (a) accuracy and (b) efficiency of contracted-out health assessments for (i) employment and support allowance and (ii) personal independence payments.

**The Minister for Disabled People, Health and Work (Justin Tomlinson):** We are committed to ensuring that individuals receive high-quality assessments as part of the suite of evidence that decision makers can use to decide entitlement. Providers are closely monitored against a range of measures, including through independent audit, to improve the accuracy of the advice they provide to decision makers. We continually look to improve the efficiency of the assessment process by working closely with providers.

**Grahame Morris:** I listened intently to the Minister’s response, but my constituent has a series of complex and debilitating medical conditions and had been in receipt of disability benefit since 1994. At 60, when she had expected to retire, the Department for Work and...
Pensions declared her fit for work. Given that 74% of fit-for-work decisions were overturned on appeal in 2018-19, what confidence can the Minister give my constituent that there is equality and consistency of decisions on work capability assessments and, indeed, that the decision-making process is correct?

Justin Tomlinson: We strive to get the right decision first time, but we have to do much more to speed up the appeal process in the minority of cases where that does not happen. That is why we launched a series of pilots in the spring of mandatory reconsideration centres for both personal independent payment and work capability assessment, to ensure that we proactively gather the additional written and oral evidence that is often presented at the end of the independent appeal process, speeding up the process of ensuring that people get the right decision quickly.

Sarah Newton (Truro and Falmouth) (Con): I know the Minister is determined to see improvements in how decisions are made. Will he kindly update the House on the progress on introducing a single assessment service, which will greatly help the situation?

Justin Tomlinson: I thank my hon. Friend for raising that. She works tirelessly in this area and is held in great respect by all Members on both sides of the House.

The integrated assessment is looking at how, with the claimant’s permission, we can share the evidence they have already gathered. We know that the majority of successful appeals contain additional written and oral evidence, often because the claimant had previously struggled to get that evidence. If the evidence is already in the system, we should be making it as easy as possible for the claimant to use it a second time.

Frank Field (Birkenhead) (Ind): Might I meet the Minister immediately after questions to give him a file of photographs of constituents who have failed to get the right decision quickly?

Justin Tomlinson: I would be very happy to meet the right hon. Gentleman, who has a huge amount of expertise in this area. Of those who have transferred from disability living allowance to PIP, there are 144,000 claimants who were not on enhanced mobility under DLA but who now are under PIP.

Sir Desmond Swayne (New Forest West) (Con): If a 16-year-old’s DLA stops before PIP starts, should not the contractor be made liable for the maintenance of that child until the PIP settlement is determined?

Justin Tomlinson: The two benefits link through together. It is set at 16 to allow time for adaptation, and we continue to work with stakeholders to make sure the process is as straightforward as possible.

Marsha De Cordova (Buttersea) (Lab): Figures recently published by the Department reveal that disabled people are being forced to wait up to 69 days for their mandatory reconsideration for PIP. This process is a barrier to accessing vital social security and, for many, is a deliberate delay to the appeal process. As 85% of MR decisions are upheld, almost three quarters of PIP assessments are overturned on appeal. Will the Minister lay out his plans to improve this failing process, or will he follow Labour’s lead and scrap this unfit-for-purpose assessment?

Justin Tomlinson: The hon. Lady is absolutely right to highlight the need to improve mandatory reconsiderations, which is why we brought forward the pilots in the spring. The pilots are proactively gathering the additional written and oral evidence that was often presented at the end of the independent appeal process, which would sometimes take a year or even longer—that was not acceptable. We have been doing this over the summer, and we are now doing it for all PIP and work capability assessments. I attended a PIP mandatory reconsideration in Cardiff over the summer, and we are seeing some fantastic results because, rightly, we are speaking directly to claimants to ask them why they are challenging a decision. That will make a big difference, and stakeholders warmly welcome it.

Universal Credit: Disabled Claimants

3. Jessica Morden (Newport East) (Lab): What assessment her Department has made of the impact of universal credit on the financial circumstances of disabled claimants.

18. Debbie Abrahams (Oldham East and Saddleworth) (Lab): What assessment her Department has made of the impact of universal credit on the financial circumstances of disabled claimants.

The Minister for Disabled People, Health and Work (Justin Tomlinson): Universal credit targets additional support at a wider group than the system it replaces, with a much higher rate for severely disabled people than the employment and support allowance equivalent. Around 1 million disabled households will gain, on average, £100 a month on universal credit compared with legacy benefits.

Jessica Morden: It is shameful that it took the Government 15 months and a High Court ruling to sort out payments for those with severe disabilities, but it goes on. Why does a young constituent with Down’s syndrome who is making a new claim have to wait more than three months for a full payment?

Justin Tomlinson: We continue to work with stakeholders and claimants to make sure the system is improved and can operate as quickly as possible. I encourage Opposition Members to support the £600 million of additional support for the severe disability premium and not pray against those regulations.

Debbie Abrahams: Despite what the Minister says, the reality is that a new claimant on universal credit will be £180 a month worse off as a result of disability premiums not being available. That is in addition to the increasing number of disabled people who are dying after being found fit for work or being refused PIP.

When will the Government ensure that disabled people are not discriminated against and are adequately resourced, as they would be under the Labour party’s policy?
Justin Tomlinson: This Government are spending an additional £9 billion per year—a record high of £55 billion—supporting those with disabilities and long-term health conditions. The universal credit rate for the most severely disabled is more than double the equivalent employment and support allowance group rate, at £336.20, compared with a legacy payment of just £167.05.

**Universal Credit: Financial Resilience**

4. Patrick Grady (Glasgow North) (SNP): What assessment she has made of the effect of transferring to universal credit on households’ levels of financial resilience. [912561]

14. Martyn Day (Linlithgow and East Falkirk) (SNP): What assessment she has made of the effect of transferring to universal credit on households’ levels of financial resilience. [912573]

The Parliamentary Under-Secretary of State for Work and Pensions (Guy Opperman): Universal credit ensures that support goes to those who need it, allowing 700,000 more people to receive benefits than did previously—this is worth approximately an extra £2.4 billion. Those who move to UC from legacy benefits and whose circumstances remain the same will be eligible for protection of their entitlement at the point of transition.

Patrick Grady: This is Challenge Poverty Week, and plenty of people are challenged by UC. They face what Citizens Advice Scotland describes as an “acute dilemma” between enforced hardship for five weeks, while there is no income whatsoever, and ongoing hardship if they choose to take out a loan and have to face reduced monthly payments while they pay back that loan for the first five weeks.

Guy Opperman: The situation is that this is an assessment period and no one has to wait to receive a UC payment; an advance of up to 100% is available to those in need, and significant funding has gone to Citizens Advice Scotland.

Martyn Day: Some 700,000 households yet to move to UC have insufficient savings to cover that five-week wait, which clearly proves that UC is not working. Will the Minister consider making that advance payment to claimants a non-refundable first UC payment?

Guy Opperman: As the hon. Gentleman is aware, there is a managed migration pilot in Harrogate, where we are learning lessons, and I take on board the points he makes. That completes at the end of 2020 and, obviously, everyone not in the pilot stays on the legacy system as it currently runs.

Stephen Crabb (Preseli Pembrokeshire) (Con): One important way for people on UC to build their financial resilience is through regular saving, although that can feel incredibly difficult for those on lower incomes. Does the Minister agree that the Government’s Help to Save scheme, which is precisely for people on tax credits and UC and which provides a 50% bonus on their savings, is a really important tool?

Guy Opperman: Just today, I met Toynbee Hall and other organisations that are championing the idea of Help to Save. It is making a massive difference, and it is linked to automatic enrolment and to various other schemes we are trying to pioneer in order to ensure that people have savings as well as UC.

Michael Tomlinson (Mid Dorset and North Poole) (Con): I visited my local jobcentre, and it is very positive about the effects of UC. Specifically on financial resilience, how many people have been helped into work and the security of a regular pay packet as a result of UC?

Guy Opperman: My hon. Friend makes the good point that hundreds of thousands of people have been helped into work, but more particularly this is about the difference between the current system and the legacy system: we now have a dedicated work coach and personalised support; we have scrapped the 16-hour cliff edge; there is more help with childcare; and we have given additional support that was never there under the legacy system.

20. [912579] Rachael Maskell (York Central) (Lab/Co-op): A young constituent of mine could not afford to go to his UC appointment, was sanctioned and then lost his home in York’s resettlement project and ended up on the streets. We were told that the Government would fix the problems with UC as it was being rolled out. Why have the Government not stuck to that commitment?

Guy Opperman: If the individual case is sent to the Minister with responsibility for UC, they will take that up and respond accordingly.

Kevin Hollinrake (Thirsk and Malton) (Con): If people are paid on a four-week cycle, once a year they get paid twice in the same month, which disrupts the UC payment for two months. Will the Minister meet me to see what we can do to prevent these cash flow issues?

Guy Opperman: I take the point that my hon. Friend makes, in his usual astute way, and I know that the Minister concerned will be happy to have a meeting with him.

21. [912580] Ruth George (High Peak) (Lab): Several of my constituents have been victims of UC fraudsters, and I have written to Ministers about this on several occasions. I have now received a response to say that only “where there is clear evidence that the claimant had no involvement in that claim” will the Department “consider re-instating legacy benefits” and consider repaying the advance that was made to them. The claimants are being asked to an interview under caution, which is incredibly intimidating, and they have no access to legal advice and support for that. What is the Department going to do to stop intimidating such victims?

Guy Opperman: As we discussed before the start of questions, the hon. Lady knows that I will soon write to her in great detail on those particular points. The individual issue is being addressed so that there is a much gentler way forward. We are reforming the way that advances are made so that there is no fraud involved in the process.
The Parliamentary Under-Secretary of State for Work and Pensions (Will Quince): Since 2010, there are over 3.7 million more people in work and 730,000 fewer children growing up in workless households. About three quarters of employment growth has been in full-time work, which has been proven to substantially reduce the risk of poverty. But it is not enough to have any job; we want people to have good jobs.

Mr Dhesi: With regard to in-work poverty, 20% of people in relative poverty in 2016–17 were single people without children and 11% were couples without children. The Government have done absolutely nothing to reverse cuts to work allowances for people without children who do not have a disability. What action is the Minister going to take to tackle in-work poverty among those people?

Will Quince: I totally disagree with the hon. Gentleman’s comments. We are committed to helping lone parents into a job that fits around their caring responsibilities. There are now more than 1.2 million lone parents in work. To support parents into work, the Government spend £6 billion on childcare each and every year.

Brendan O’Hara (Argyll and Bute) (SNP): As my hon. Friend the Member for Glasgow North (Patrick Grady) said, it is Challenge Poverty Week in Scotland, and 400 events will take place to highlight the reality of living in poverty. One of the most significant push factors that take people into poverty has been the five-week waiting time between applying for universal credit and receiving it. Today, three quarters of a million households are unable to cover their outgoings during those five weeks and are trying to repay their universal credit advance. We know it, the public know it and I suspect the Department knows it; when will the Minister do something about it?

Guy Opperman: I am sure the Secretary of State looks forward to appearing before the Select Committee on Work and Pensions, of which the hon. Lady is a member, next week.

An advance is available to people in the usual way. Supported by the Treasury Committee and the Work and Pensions Committee, we have brought in the Money and Pensions Service to provide debt advice and budgeting support for claimants. There is no doubt that the extra money for Help to Claim, which is administered by trusted providers—whether that is the citizens advice bureaux or Citizens Advice Scotland—is very much helping the process.

Guy Opperman: The hon. Gentleman will understand that it is an assessment period and no one has to wait to receive a UC payment. On migration, there will be a two-week run-on for both housing benefit and employment support benefits.

Brendan O’Hara: As part of Scotland’s Challenge Poverty Week, the Joseph Rowntree Foundation has published a report that shows that the Scottish Government’s actions—such as the building of 87,000 affordable homes and the introduction of specific child poverty legislation—are making a real difference in tackling poverty. Given the fact that there is at least one Government on these islands who are determined to tackle the scourge of poverty in our society, is it not time for social security to be devolved fully to the Scottish Parliament?

Guy Opperman: There is much that I could say about the Scottish Government and their approach to welfare, but I will pass on that. The point is surely that this Government have introduced childcare changes, more employment and support on an ongoing basis, including through lower taxes. It is obvious that there is a benefit from the changes and advances we have made.

In-work Poverty

5. **Mr Tanmanjeet Singh Dhesi** (Slough) (Lab): What recent assessment her Department has made of trends in the level of in-work poverty.

The Parliamentary Under-Secretary of State for Work and Pensions (Will Quince): Since 2010, there are over 3.7 million more people in work and 730,000 fewer children growing up in workless households. About three quarters of employment growth has been in full-time work, which has been proven to substantially reduce the risk of poverty. But it is not enough to have any job; we want people to have good jobs.

**Will Quince:** I totally disagree with the hon. Gentleman’s comments. We are committed to helping lone parents into a job that fits around their caring responsibilities. There are now more than 1.2 million lone parents in work. To support parents into work, the Government spend £6 billion on childcare each and every year.

**Harriett Baldwin** (West Worcestershire) (Con): Has the Minister read the report from the Resolution Foundation that stated:

“Low pay is falling for the first time in four decades”

and that women were the biggest beneficiaries? It pointed out that since the national living wage was introduced in 2016 the percentage of employees on low pay has fallen from 20.7% to 17.1% last year.

**Will Quince:** I thank my hon. Friend for raising that matter. I have not seen the report, so I will go away and dig it out. We have invested £8 million to develop the evidence on what works to support people to progress in work, including enhancing our operational capability to support claimants to make good decisions on job switching.

**Chris Bryant** (Rhondda) (Lab): The thing is, it is really difficult for many families in my constituency on the minimum wage, as they may have to travel quite substantial distances to be able to work, while having to meet family responsibilities at the same time. They end up not being able to do enough hours to make the whole package add up at the end of the week. How are the Government going to make sure that such families have a chance to provide for themselves? That is all they are trying to do.

**Will Quince:** The statistics show that full-time work reduces substantially the chances of poverty. The absolute poverty rate for children where both parents work full-time is only 4%, compared with 44% where one or more parents are in work, so we need to support more people into work, and we are doing so, for example, by offering 30 hours of free childcare to parents of three and
four-year-olds. The national living wage is £8.21, increasing to £10.50 by 2024, and we have taken millions out of paying tax altogether.

**Employment: Young People**

6. **Eddie Hughes** (Walsall North) (Con): What recent steps the Government have taken to help young people into employment.

15. **Huw Merriman** (Bexhill and Battle) (Con): What recent steps the Government have taken to help young people into employment.

**The Parliamentary Under-Secretary of State for Work and Pensions (Mims Davies):** This Government are committed to providing targeted support for all our young people, to give them the best chance of getting into work. That includes the youth obligation support programme, Jobcentre Plus support for schools, and the recently introduced mentoring circles.

**Eddie Hughes:** I thank the Minister for that answer. I welcome the Government funding given to Go Train, which provides recruitment and training services to businesses at no cost to business. Will she visit Walsall North in November, when a course will be provided specific to the Birchills area of my constituency?

**Mims Davies:** I was recently nearby, at one of our universal credit service centres, with my hon. Friend. It was absolutely clear that opportunities for young people in his constituency and the surrounding area are vital. The Department for Work and Pensions is working with the West Midlands Combined Authority to bring together local skills, employment support and Jobcentre Plus services. We are investing £1.2 million in the west midlands for extra resources, including helping young people to tackle the biggest hurdles to finding employment.

**Mr Speaker:** Ah yes, I shall be having a cup of tea or coffee with the mum of the hon. Member for Bexhill and Battle (Huw Merriman) this week, so doubtless we shall compare notes on his inquiry. Huw Merriman.

**Huw Merriman:** Thank you, Mr Speaker. Speaking of young people, they will welcome the decision to grant the living wage to people aged 21 to 25 at £10.50 an hour, but are the Government satisfied that there will be any impact on young people and their job opportunities as a result of their being paid the same rate as those who have more experience in the workplace?

**Mims Davies:** I welcome the Chancellor’s announcement to bring more people, including younger people, into the scope of the national living wage over the next five years. Employers will continue to select the best person for the job, based on multiple factors. Like me, they will take confidence from the fact that young people will have a chance to take advantage of the support offered to make sure that they are ready to meet those challenges and be the best person for the job. So local labour markets will still be strong.

**Mr Barry Sheerman** (Huddersfield) (Lab/Co-op): When are we going to see a glimmer of passion from this Front Bench about young people who do not have any employment opportunities? Has the Minister looked at the report from the Children’s Commissioner that showed that 20% of kids come out of schools at this time with no qualifications? A lot of them are already on the skills journey in further education colleges, waiting to get an apprenticeship. What is she going to do about it?

**Mims Davies:** Wonderful passion—that is very much appreciated. And I make no apology for bringing passion to this new role when it comes to youth unemployment. In fact, I explicitly asked the Secretary of State if I could continue with my focus on young people in this role. Please do not forget that youth unemployment has almost halved since 2010 under this Government.

**Kate Green** (Stretford and Urmston) (Lab): The Minister may be aware of the talent match programme that was run in Greater Manchester in order to reach young people not in education, employment or training. We have learnt a great deal about how to ally industrial education and skills, and employment strategies, for that group as a result of that programme. Will the Minister look at devolving some of the initiatives that she has described to Greater Manchester, along with providing funding, so that we can do more to work at a sub-regional and city-regional level to support our young people effectively into employment?

**Mims Davies:** Place-based support and understanding is really important in devolving down and making changes on the ground. There is a great opportunity in the coming changes to the European social fund, in the shared prosperity fund and in the ability to work with local enterprise partnerships and local mayors, because young people may have fantastic employers around them, but never know that those opportunities exist.

**Caroline Nokes** (Romsey and Southampton North) (Ind): I welcome my hon. Friend’s comments about the national living wage and young people. On what evidence has she based the decision not to extend that down to 18, or is she perhaps considering providing the national living wage to those who are younger but still able to provide a great deal to employers in the workplace?

**Mims Davies:** My right hon. Friend knows that, if it were up to me, I would love to extend the national living wage down to 18, but sadly this is down to the Treasury; I will question the relevant Ministers accordingly.

**Mike Amesbury** (Weaver Vale) (Lab): Well-paid, secure work is a good route out of poverty, yet far too many young people—11%—are not in education, employment and training under this Government; or they are in low-paid jobs and on zero-hours contracts. Will the Minister press the Chancellor to set the national living wage at the same rate for all young people in work, as Labour has committed to do—£10 an hour in 2020?

**Mims Davies:** Everybody in this Chamber speaking up for our young people does all our communities a great service. We need a mixture of chances and opportunities for young people, including through mentoring. I am particularly interested in the work that we do with schools around engagement with jobcentres. [Interruption.] It is not all about money; it is also about skills and opportunities. I hear the hon. Gentleman, as do many colleagues, and I hope the Treasury will too.
State Pension: Women

7. Maria Caulfield (Lewes) (Con): What support her Department is providing to women working for longer before reaching state pension age. [912564]

The Parliamentary Under-Secretary of State for Work and Pensions (Guy Opperman): We have extended the right to request flexible working, abolished the default retirement age, and introduced and financed the returner programme. I have seen the success of the returner programme through the company Release Potential, which is based in my Hexham constituency and which I have seen help many people back into work.

Maria Caulfield: If WASPI women were successful in appealing last week’s Court ruling, would the Government abide by that judgment and compensate women accordingly?

Guy Opperman: I spent 20 years as a lawyer, and my last client was a Mr Ed Balls, when he was Secretary of State for Education. I can assure my hon. Friend that this Government will abide by court decisions and follow the law. If there are any changes—two independent High Court judges heard the case and made the decision—clearly the Government will obey that decision.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): I have been contacted by my constituent, who said: “I have to work as a cleaner and it is hard physical work. I am nearly 63 and getting health problems. Our retirement age has been changed and we have had little time to plan for this so have little alternative but to keep working.” Does the Minister not get that the real injustice here is that so many women have had no time to plan their pensions, no time to plan their savings and no time to plan for their families, and were told in their late 50s that they would have to work for so much longer? The WASPI women are not going to go away, so when will the Minister give them a fair deal?

Guy Opperman: I say with great respect and gentleness that the right hon. Lady, I believe, served in the Department for Work and Pensions as a Minister during the period that the right hon. Lady, I believe, served in the Department before reaching state pension age.

Guy Opperman: With great respect to my right hon. Friend, I refer him to the judgment in last Thursday’s case, a copy of which I will place in the Library of the House of Commons—in particular, paragraph 118 and the successive paragraphs in which the High Court outlines the exact work that was done in copious detail.

Jack Dromey (Birmingham, Erdington) (Lab): Some 3.8 million women born in the 1950s who built Britain face hardship as a consequence of pension changes by this Government. Before the Court, they were told with cavalier disregard that they had no right to be consulted on the change of retirement age. Labour has already committed to some preliminary measures—early retirement and pension credit—and we will now consult with the women concerned about how much further we can go to bring justice to them. Thus far, the Government have committed to nothing. However, the Prime Minister said during the Conservative leadership contest that he is committed to doing “everything” he can to bring justice to the 1950s women. Can the Minister update the House on progress, or will this be another cynical broken promise on the part of the Prime Minister?

Guy Opperman: This is the matter of a court case which may be the subject of appeal. With great respect to the hon. Gentleman—who is, to his discredit, a friend of mine—the honest truth is that he should be consulting with a 1950s-born woman who was Secretary of State at the Department for Work and Pensions: the right hon. and learned Member for Camberwell and Peckham (Ms Harman), who is also his wife and who was responsible for the continuation of the self-same policy that he now objects to. For 13 years, the Labour party did the perfectly proper thing of taking due account of equality and the rises in life expectancy, and it should stick to that, having made those decisions for 13 years.

Universal Credit: Wages

8. Jack Lopresti (Filton and Bradley Stoke) (Con): What steps her Department is taking to ensure that universal credit claimants who receive two regular wage payments in the same review period are not penalised. [912565]

The Parliamentary Under-Secretary of State for Work and Pensions (Will Quince): Universal credit takes earnings into account in a way that is fair and transparent. The amount of universal credit paid reflects as closely as possible the actual circumstances of a household during each monthly assessment period, including any earnings reported by the employer during the assessment period, regardless of when they were paid.

Jack Lopresti: Does my hon. Friend have any plans to introduce a mechanism to universal credit that allows claimants to move their review date?

Will Quince: As I said, monthly assessment periods align with the way that the majority of employees are paid and allow universal credit to be adjusted each month, which means that, if a claimant’s income falls, they will not have to wait several months for a rise in their UC. We have produced guidance to help to ensure that claimants, staff and representatives are aware of the importance of reporting accurate dates and the
impact on payment cycles. I am conscious that my hon. Friend has written to me. I would be happy to meet him and my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake), who also raised that issue.

Carol Monaghan (Glasgow North West) (SNP): I have been contacted by a number of constituents who have received unexpected pay—for example, holiday pay—during the assessment period. Because that pay is unexpected, it impacts on the amount of universal credit that they are awarded. What work is the Minister doing to ensure that unexpected pay, like holiday pay, will not severely impact their award?

Will Quince: As I have said, the amount of UC paid to claimants reflects as closely as possible the actual circumstances of a household during each monthly assessment period, and those periods align to the way that the majority of employees are paid. I recognise the issue. I have said that I am happy to meet two other colleagues, and I would be happy to also meet the hon. Lady.

Mr Robert Goodwill (Scarborough and Whitby) (Con): I raised this issue with the Secretary of State’s predecessor in the run-up to Christmas last year because many enlightened employers will pay their staff early in December so they can afford Christmas. She told me it was fixed. However, I was phoned last week on my 24-hour helpline by a constituent who, because her partner was paid on the 28th of the month the previous month and on the 27th of the month subsequently, it appeared—to the computer at least—that they had had a 100% pay rise, and her benefit was cut to £1. Can we fix this, particularly before Christmas this year?

Will Quince: The simple answer to my right hon. Friend is yes, I am looking at ways in which we can do this. It is important to put this in context: UC replaces the outdated and complex benefits system, which too often stifled people’s potential, creating cliff edges at 16, 24 and 30 hours and punitive effective tax rates, of over 90% for some, punishing people for doing the right thing. UC seeks to take earnings into account in a way that is fair and transparent, and we want to preserve this simplicity as far as is possible.

Universal Credit: First Payments

9. Tom Brake (Carshalton and Wallington) (LD): What steps she is taking to reduce the time taken for universal credit claimants to receive their first payment. [912566]

23. Lisa Forbes (Peterborough) (Lab): What progress her Department is making on improving the timeliness of initial payments of universal credit. [912582]

The Secretary of State for Work and Pensions (Dr Thérèse Coffey): Universal credit payment timeliness continues to improve and is near a record high, with the most recent data showing we paid 83% of new claims in full and on time.

Tom Brake: Can I thank the Secretary of State for answering my question? I welcome that. She will know that the five-week delay is still causing huge harm, so could I ask her what effort the DWP is making to ensure that UC recipients are not penalised by other organisations for the five-week gap in their incomes, and what extra support can the Government give to organisations that support universal credit recipients with financial management during this very difficult period?

Dr Coffey: It is important to recognise the help to claim—I think it is £39 million of support—that has been given through the citizens advice bureaux to try to help people who may not always be there with the paperwork that is required, so we are making best efforts so that people can make the right claims so they can be paid on time. As regards other elements, of course the advance is available, which can then be repaid over a 12-month period.

Lisa Forbes: With former Thomas Cook employees being offered food bank vouchers by the Department for Work and Pensions and the Trussell Trust in Peterborough reporting a 50% increase in the number of food parcels given to my constituents in the last year alone, can the Secretary of State tell us what impact she thinks the collapse of Thomas Cook will have on these figures?

Dr Coffey: The hon. Lady was at our first taskforce, and I am sure she will be impressed with the work that we have already been doing together, including the jobs fair that happened last Thursday. It is important, and we have seen this with Thomas Cook ex-employees, that they make a universal credit claim quickly—some of them have—so they can get the support that they need. I welcome, actually, the support that is given through the Trussell Trust in order to help people in this difficult time, but the sooner people come into Jobcentre Plus and start claiming universal credit, the sooner we can help.

Margaret Greenwood (Wirral West) (Lab): Without giving this House a debate or a vote, as they had promised, the Government have pushed through regulations for the pilot of universal credit managed migration and payments to severely disabled people who lost out in being forced to transfer to universal credit. Will the Government explain why those payments still do not fully reflect the financial loss those disabled people have suffered?

Dr Coffey: There is an extra £600 million of support going to the most vulnerable. I really do want to encourage the Opposition to withdraw their early-day motion, because if they succeed in praying against this, they are hitting the most vulnerable people, and I am sure that is not something that they wish to be remembered for.

Spending Round 2019

10. Alan Brown (Kilmarnock and Loudoun) (SNP): What assessment she has made of the implications for her Department’s policies of the spending round 2019. [912567]

12. Marion Fellows (Motherwell and Wishaw) (SNP): What assessment she has made of the implications for her Department’s policies of the spending round 2019. [912571]
The Secretary of State for Work and Pensions (Dr Thérèse Coffey): The Department’s resource budget will increase by 1.9% ahead of inflation for the first time since 2011, enabling us to provide excellent customer service, help people move into and progress in work, and provide financial security through timely benefit payments. As part of this, the DWP has been allocated £106 million to support vulnerable people and help to tackle private rented sector housing affordability through additional funding for discretionary housing payments.

Dr Coffey: The hon. Gentleman will be aware that the Government have lifted 400,000 people out of absolute poverty since 2010 and that income inequality has fallen. I encourage the hon. Gentleman to go back to the Scottish Government and see what more they are doing to increase the number of higher paid jobs, because we all know that the best way out of poverty is to work.

Dr Coffey: I have just laid out that we increased the amount of money for discretionary housing payments. I have spoken to Shirley-Anne Somerville, the Scottish Minister, and it is my intention to see her soon, but the hon. Lady knows there are things the Scottish Government can do with the funding they have.

Marion Fellows: On this subject yet again, the spending round did nothing to address the cuts to the local housing allowance and the pressures on private renters, who are £38.49 a week worse off due to the UK Government’s benefits freeze. To ensure affordability and prevent evictions and hardship, will the Secretary of State immediately increase the LHA to the pre-2010 level, and uprate it in line with inflation and rent increases?

Dr Coffey: The new independent panel?

Dr Coffey: The catalogue of the Department for Work and Pensions’ own failings has created a hostile environment for disabled people. Figures released this year show that almost 6,000 people died within six months of being found fit for work. The announcement of the new independent serious case panel lacks any meaningful detail, terms of reference or purpose. Will the Minister confirm whether the new panel will review previous social security benefit deaths, and will he set out what the statement of purpose is for the new independent panel?

Universal Credit: Identity Verification

13. Chi Onwurah (Newcastle upon Tyne Central) (Lab): How her Department verifies the identity of universal credit claimants who do not have a (a) home, (b) bank account, (c) driving licence and (d) passport.

The Parliamentary Under-Secretary of State for Work and Pensions (Mims Davies): It is a priority for this Government to provide swift access to support those who need it, while protecting those same people from potentially fraudulent behaviour. If a claimant does not have the documentary evidence we need, we can verify by using: biographical tests and checks, and information held on the Department’s systems; confirmation of third-party organisations; and two members of jobcentre staff knowing and recognising the claimant as part of their work.

Chi Onwurah: This is not what is happening in practice. Constituents are coming to me who have had their claims denied or who have just been turned away and told, “Go and find the documentation.” Newcastle citizens advice bureau also reflects that. Will the Minister guarantee that no vulnerable claimant will be turned away because of not having the right documentation? Will she write to me with the number of those who have had their claims denied because of a lack of documentation, so we can see the size of the problem?

Mims Davies: I thank the hon. Lady for her question. I know she is passionate about her constituency. It is absolutely right that there is a balance, but to get a universal credit claim right we need to ensure we verify the identities of all vulnerable people. We heard earlier about the challenge if a claim is made fraudulently. We must be able to understand when there is a particular need to intervene. As we heard earlier, home visits are
possible in relation to Help to Claim. If she would like to give me the details, I am very happy to look into this matter further.

Mr Speaker: The hon. Member for Rugby (Mark Pawsey) can legitimately shoehorn his Question 19 into this exchange.

19. [912578] Mark Pawsey (Rugby) (Con): The Secretary of State has referred to the valuable role of citizens advice bureaux, and the Rugby CAB does fantastic work. It has told me about the challenges that clients face when they transition from employment and support allowance to universal credit. Will the Minister assure me that that transition is being sensitively and effectively managed?

Mims Davies: The Department is absolutely committed to making sure that we have the most compassionate and approachable opportunities for people to claim in every single constituency. I have met work coaches—from Scotland to Crawley to Walsall—who are dealing with this day to day, and the Help to Claim scheme backs that up.

Child Poverty

16. Stephen Morgan (Portsmouth South) (Lab): What recent assessment her Department has made of trends in the level of child poverty.

The Parliamentary Under-Secretary of State for Work and Pensions (Will Quince): This Government take child poverty extremely seriously. The evidence shows that work is the best route out of poverty and that there are 730,000 fewer children in workless households compared with 2010, but there is more to do—one child in poverty is one too many—and this is a key priority for me and the Secretary of State. I will continue to work with colleagues from across the House, other Government Departments and stakeholders to identify and tackle the root causes of poverty.

Stephen Morgan: Children are not getting the nutrition that they need on the 170 days a year when they are not at school. Local authorities and devolved Governments are tackling this issue head on; why are this Government not doing so?

Will Quince: This is probably a question for the Department for Education, but we are supporting more than 1 million children with free school meals, investing up to £26 million in school breakfast clubs and providing approximately 2.3 million four to six-year-olds with a portion of fresh fruit or vegetables each day at school. Through the Healthy Start programme, hundreds of thousands of low-income families benefit from vouchers that can be redeemed against fruit, vegetables, milk and infant formula.

Stephen Timms (East Ham) (Lab): Child poverty is being driven up by the five-week delay during which people have to wait before they receive universal credit. Will the hon. Gentleman confirm that what Ministers refer to as an advance is in fact a loan that has to be repaid by claimants, and will he commit to scrapping the five-week delay?

Will Quince: I think that this one has been answered several times already, but advance payments of up to 100% are available from day one of a universal credit claim and budgeting support is available for anyone who needs extra help. The repayment time for the advances has been extended to 12 months and will be further extended to 16 months from October 2021.

Mr Speaker: There was a discernible world-weariness in the Minister’s reference to this question having been answered several times already. I simply remind those observing our proceedings that repetition is not a novel phenomenon in the House of Commons. It never has been, and I doubt that things are going to change very much.

Margaret Greenwood (Wirral West) (Lab): An article in The BMJ shows that researchers have highlighted a possible link between an increase in the number of babies who die before their first birthday and child poverty. They estimate that there were an additional 570 excess deaths between 2014 and 2017, with 172 attributable to an increase in child poverty, so will the Minister scrap the two-child limit and the benefit cap, which are driving up child poverty?

Will Quince: I humbly suggest that few Members in the Chamber have raised child and infant mortality more than I have. I take the issue incredibly seriously and I have read that report. No one in government wants to see poverty rising. Wages have outpaced inflation for 18 months, and there are more people in work than ever before. We know that children in households in which no one works are about five times more likely to be in poverty than those in households in which all adults work. Our welfare reforms are incentivising work and supporting working families.

Topical Questions

T1. [912583] Grahame Morris (Easington) (Lab): If she will make a statement on her departmental responsibilities.

The Secretary of State for Work and Pensions (Dr Thérèse Coffey): It is a pleasure to be in the Chamber as Secretary of State for Work and Pensions, leading a fantastic Department that serves people from the Shetlands to the Scilly Isles, with more than 20 million customers across the country. In my short time in this role, I have already witnessed at first hand the inspiring and incredible work of civil servants throughout the country, and they are benefiting as well in seeing our employment rate continuing at a joint record high and an unemployment rate at its lowest since the ’70s. There is more to do, however, and I will keep focusing on improving the payment of universal credit and ensuring that we support everyone in society.

Grahame Morris: I am grateful for the Secretary of State’s sunny disposition in outlining her priorities, but the retirement plans of millions of women born in the 1950s are in ruins because of a decision by the previous Conservative-Lib Dem coalition Government to accelerate the increases in the state pension age. Last week, a decision in the High Court made it clear that only a political decision could deliver a just solution for these women, so will the Government now give the WASPI...
women dignity in retirement? Some 197 MPs have signed early-day motion 63 calling for justice for the WASPI women and for this historic injustice to be put right.

Dr Coffey: The High Court set out quite clearly that successive Governments had taken a measured approach in recognising the inequality in the state pension age and the need to increase the state pension age. Indeed, it was the Pensions Act 2007 that started the trigger going beyond 65. It is important to recognise that and the efforts made to communicate it, but I can assure the House that, as the hon. Gentleman will be aware, there are record numbers of women in employment. We will continue to support them in fulfilling their careers.

T7. [912589] Steve Double (St Austell and Newquay) (Con): I am privileged to have the universal credit processing centre for the south-west in my constituency. The staff there do an incredible job making sure the roll-out of universal credit is successful. They have done so well they have been asked to take on processing for several London boroughs, but they are currently experiencing very high case loads because of the transfer of employment and support allowance to universal credit. Will the Secretary of State make sure they get all the resources they need so that we can support these incredibly hard-working frontline staff?

Dr Coffey: My hon. Friend is right to praise the people who work for the DWP in his constituency. We have more than 4,000 civil servants in service centres nationally and we constantly monitor the volume of work as universal credit grows, but I assure him that sufficient resources will be in place to support those workers in his constituency.

T2. [912584] Dr Sarah Wollaston (Totnes) (LD): Last month, I met my constituent Dr Karen Gilmore, a specialist in pain management, and several of her colleagues and members of the independent assessment service. We discussed how the personal independence payment assessments in particular do not meet the needs of people living with chronic and severe pain. Will the Minister meet Dr Gilmore and me to discuss how we can improve these assessments?

The Minister for Disabled People, Health and Work (Justin Tomlinson): I would be very happy to meet the hon. Lady and her colleague. We are determined to continue to improve PIP—31% of claimants now access the highest rate of support, compared to just 15% under the legacy benefits—but I would welcome any additional information.

Tim Loughton (East Worthing and Shoreham) (Con): As we have heard, many 1950s-born women have now reached the age at which they expected to receive a pension but are not, and many are struggling. Given that the judicial review is now out of the way, will the new Secretary of State agree to meet me and my co-chair of the all-party group on state pension inequality for women, the hon. Member for Swansea East (Carolyn Harris), to discuss the proposals in the transitional arrangement document we produced? Can she also give us an estimate of how many women are affected in this way and whether they are in work?

Dr Coffey: That was about four questions in one. I would be delighted to meet my hon. Friend and the hon. Member for Swansea East (Carolyn Harris) in due course.

T3. [912585] Chi Onwurah (Newcastle upon Tyne Central) (Lab): The benefits freeze has driven increased food bank usage in my constituency, as family incomes have fallen far below rising costs. The freeze is supposed to end in April. What work is the Secretary of State doing now to assess the real minimum income levels necessary to avoid destitution?

Dr Coffey: Such decisions need to be made fairly soon, and I am conscious of the analysis presented to me and the Under-Secretary of State for Work and Pensions, my hon. Friend the Member for Colchester (Will Quince), as we make decisions on that matter.

Peter Heaton-Jones (North Devon) (Con): On Friday, I visited the new Barnstaple Work Club, a fantastic initiative giving support to those seeking employment, particularly those with disabilities. Will the Minister join me in welcoming this new initiative and in thanking the volunteers as well as Barnstaple library for hosting it?

Justin Tomlinson: It would be a pleasure to thank those volunteers doing so much to create new opportunities for disabled people, which is something I know my hon. Friend, as their MP, regularly champions, as I have seen at first hand on some very good visits there.

T4. [912586] Peter Grant (Glenrothes) (SNP): This morning, at the start of Challenge Poverty week, the Joseph Rowntree Foundation published a report entitled “Poverty in Scotland 2019”, which looks into some of the reasons why poverty levels in Scotland are not quite as bad as those in the rest of the United Kingdom. One of the major factors that it identifies is the much greater availability of affordable housing, and, in particular, the impact of nearly 20 years of council house building, and the fact that the Scottish Government have built 87,000 affordable houses since 2007.

Does the Minister agree that, while he may claim that work is the best way out of poverty, unaffordable housing is a sure-fire way into poverty? Will the UK Government learn the lessons of what is happening in Scotland, and make social and council housing something to be celebrated instead of something to be demonised?

The Parliamentary Under-Secretary of State for Work and Pensions (Will Quince): I do agree with the hon. Gentleman that secure and stable accommodation is one route out of poverty. It will come as no surprise to him that I raise this issue regularly with my counterpart at the Ministry for Housing, Communities and Local Government. I have been pushing the Ministry to consider providing more affordable homes, and homes for social rent, as one of its policy initiatives.

Michael Tomlinson (Mid Dorset and North Poole) (Con): As chairman of the all-party parliamentary group for youth employment, I warmly welcome the Minister’s announcement about additional support for our young people. Can the Minister confirm that mentoring will be an important part of that, given that it has been proved that it will help, in particular, those furthest from the labour market and the most vulnerable into work?
The Parliamentary Under-Secretary of State for Work and Pensions (Mims Davies): I thank my hon. Friend for raising this issue. In the middle of last year, there were 63 new mentoring circles in operation. The circles originally focused on the race disparity audit, but they are now being rolled out across the country, as was agreed last January. I recently met the members of one circle in Basingstoke, where they were having a real effect on local young people who know what is around them. Mentors, businesses and employers can do a great deal to change young people’s lives locally.

T5. [912587] Rachael Maskell (York Central) (Lab/Co-op): Childcare in York can cost more than £1,000 a month, and those on universal credit are being asked to pay that amount upfront. What is the Secretary of State doing to ensure that providers have the resources that they need and claimants are not having to pay?

Will Quince: Childcare provision is far more generous under universal credit than it was under the legacy benefits system. Another recent change is that the flexible support fund can now be used to pay deposits or first month’s payments.

Mr Speaker: I call Toby Perkins. [Interruption.] I did not call a Conservative Member because I know that the hon. Member for Chesterfield (Toby Perkins) is none of the hon. Members sitting on the Government Benches wished to contribute to the proceedings. I therefore alighted on the oratorical opportunities offered by the hon. Gentleman.

T6. [912588] Toby Perkins (Chesterfield) (Lab): There is literally nothing else to say about Conservative welfare policy. The truth is that anyone who has met people who work in a food bank, or people who work with the homeless, will recognise that there is a direct link between welfare policy, the sanctions regime, and the increase in homelessness and poverty. What serious work will the Government do to address that link—or will they at least have the decency and honesty to admit that that increase in homelessness and poverty is an absolutely accepted part of Government policy?

Dr Coffey: That is simply not the case. The first time that I became involved with a food bank was in 2006, when people were falling between the gaps. One of the things that make me proudest of the Conservative Government and the coalition is that people are better off in work than out of it unless they cannot work, and we have championed the vulnerable. Universal credit is ensuring that people can have more and more income, and I should have thought that the hon. Gentleman would welcome that.

T8. [912590] Kate Green (Stretford and Urmston) (Lab): What training is in place to make jobcentre and other DWP staff properly aware of the needs of claimants with learning difficulties? A claimant in my constituency has been left with just £40 a month to support his family because of the lack of support that he received in a jobcentre.

Justin Tomlinson: I thank the hon. Lady for raising that important issue. We have doubled the number of disability employment specialist advisers, and we are ensuring that we do everything in our power to identify claimants who need additional support. That is a real priority for us.

T9. [912591] Tom Brake (Carshalton and Wallington) (LD): What assessment has the Secretary of State made of the impact on DWP budgets of the failure to promise to uprate pensions for UK citizens in the EU for more than three years, and also to guarantee their healthcare for more than six months, in a no-deal scenario?

Dr Coffey: The right hon. Gentleman will know that we are still in the middle of a negotiation for how we leave the European Union at the end of the month. It is important to stress that we have decided on a three-year rise unilaterally. We encourage other European Union countries to do exactly the same and we will continue to support those who have relied on UK pensions.

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): People with a terminal illness want the choice of whether to work or not, and they should expect help and support from their employer. Does the Minister support the TUC’s Dying to Work campaign, which asks businesses to sign up and promise not to sack employees who have a terminal illness, and will she encourage more businesses to sign it?

Justin Tomlinson: The TUC has done really good work here. We are working with employers to highlight the importance of making those sorts of changes, and this is an area where I am sure there would be cross-party support.

Ronnie Cowan (Inverclyde) (SNP): There are over 5,700 WASPI women in Inverclyde. Many have worked their entire adult lives. They have paid their dues and they were expecting a pension, not a benefit. If we mucked around with MPs’ pensions in the same fashion, many Government Members would be standing and asking questions. Will the Secretary of State commit to undertaking an impact assessment for all women affected by changes in the state pension age and, once completed, offer a payment acknowledging any disadvantages caused?

The Parliamentary Under-Secretary of State for Work and Pensions (Guy Opperman): I am sure that the hon. Gentleman will be speaking to his own Government, who have the power under sections 24, 26 and 28 of the Scotland Act 2016 to take interventions and address the problem that he has raised.

Cat Smith (Lancaster and Fleetwood) (Lab): Why are the Government not tracking young people when they leave the youth obligation? As such, how do they know whether the scheme works? [Interruption.]

Mr Speaker: Order. This is very unseemly. The hon. Lady was asking her question and there is a lot of very noisy chuntering taking place between the SNP Benches and the Under-Secretary of State for Work and Pensions, the hon. Member for Hexham (Guy Opperman), who luxuriates in the lather of the Treasury Bench. It is very unfair on the hon. Lady, very unseemly and very uncharacteristic of the hon. Gentleman, who is normally a most emollient fellow.
Mims Davies: The youth obligation programme is now being fully rolled out and looks at 18 to 24-year-olds making a new claim on universal credit. We had an internal evaluation report in April 2018 that identified a need for what the hon. Lady raises. We believe it is too soon to be looking at this, but I know that she and I share a great interest in how we can support our young people, and I am happy to speak to her further about this.

Mr Jim Cunningham (Coventry South) (Lab): One way that the Government could start to put right the injustices done to the women born in the early ‘50s who were denied their pensions is to have a discussion with their colleagues in the Department for Transport and local authorities and provide free bus passes. That would help them a lot.

Guy Opperman: I refer the hon. Gentleman to the judgment given by the High Court on Thursday and, obviously, any individual local authorities that wish to address that point in a particular way.

Mr Speaker: The hon. Member for Edinburgh West (Christine Jardine) is being addressed by her leader, which is a very solemn matter. Nevertheless, I intrude, in the hope that she still wishes to ask a question.

Christine Jardine (Edinburgh West) (LD): Thank you, Mr Speaker.

Mr Speaker: Or perhaps not by her leader but by any leader.

Christine Jardine: Further to the points already raised by other hon. Members, there are 6,500 women in Edinburgh West who were born in the 1950s and who have been affected by last week’s Court judgment. Can the Secretary of State assure me that, in the meeting that she has agreed to with the chairs of the APPG, there will be a meaningful attempt to address the poverty that these women face and not just sweep it under the carpet like an inconvenient problem?

Dr Coffey: I refer the hon. Lady to the judgment that the Under-Secretary of State for Work and Pensions, my hon. Friend the Member for Hexham (Guy Opperman), has already raised. She might also wish to speak to her party leader, because she joined me in the Division Lobby when we made the changes that we did in the Pensions Act 2011. [Interjection.] Or rather, at least that the coalition Government did. I wish to make sure that we have a sensible conversation going forward, but the judgment stands. It is open for the ladies to appeal, but I can assure the House that we have made every effort, as did the Labour Government before us, to ensure that people knew about these changes.
Withdrawal Agreement: Proposed Changes

3.39 pm

Keir Starmer (Holborn and St Pancras) (Lab): To ask the Secretary of State for Exiting the European Union if he will make a statement on when the Government intend to publish the full legal text of their proposed changes to the withdrawal agreement and political declaration.

The Parliamentary Under-Secretary of State for Exiting the European Union (James Duddridge): We are unconditionally committed to finding a solution for the north-south border that protects the Belfast/Good Friday agreement and the commitments that can best be met if we explore solutions other than the backstop. The backstop risks weakening the delicate balance embodied in the Belfast/Good Friday agreement between both main traditions in Northern Ireland, grounded in agreement, consent and respect for minority rights. Any deal for Brexit on 31 October must avoid the whole UK, or just Northern Ireland, being trapped in an arrangement without consent in which it is a rule taker. Both sides have always been clear that the arrangements for the border must recognise the unique circumstances of the island of Ireland and, reflecting that, be creative and flexible. Under no circumstances will the United Kingdom place infrastructure checks or controls at the border.

On Wednesday 2 October, the Government proposed a new protocol on Ireland/Northern Ireland. These were serious and realistic proposals that reflect the core aims put forward by both the UK and the EU. These proposals are consistent with the Belfast/Good Friday agreement and deliver our aim of avoiding any checks or infrastructure at the border. The proposals were set out in detail in an explanatory note and in a letter to the President of the European Commission, Jean-Claude Juncker. The Prime Minister deposited both documents in the Library on Wednesday 2 October and published them in parallel on gov.uk. To support these negotiations, a draft legal text was also shared with the Commission on a confidential basis. The Prime Minister’s Europe adviser, David Frost, and UK officials have been in intensive discussions with the Commission for some time now and will continue to meet their counterparts from taskforce 50 for further technical talks this week. These meetings will cover our proposals on the protocol and the political declaration to reflect the goal of a comprehensive free trade agreement.

The previous withdrawal agreement and political declaration would have trapped the United Kingdom within European regulation and customs arrangements. The Prime Minister is continuing talks with the EU leaders today, including the Prime Minister of Sweden, the Prime Minister of Denmark and the Prime Minister of Poland. My right hon. Friend the Secretary of State for Exiting the European Union is also travelling to EU capitals, including visiting Amsterdam and Valletta over the course of this week. Discussions with the Commission are ongoing and thus sensitive, and we must ensure that we as a Government act in a way that maximises our chance of success in these negotiations. We will of course keep the House informed as the discussions continue. The legal text that we have shared with the Commission will only be published when doing so will assist the negotiations.

We hope that those in Brussels will decide to work with us over the upcoming days. If they do, we will leave with a new deal. If they do not want to talk, we are prepared to leave without a deal. We need to get a new deal or a deal, but no more delays. We must get Brexit done so that the country can move forward and focus on other issues, such as the cost of living, the NHS and other domestic priorities.

Keir Starmer: Thank you for granting this urgent question, Mr Speaker. The Government have presented the EU with a 44-page legal text, a seven-page memorandum and a four-page letter. In this House, we have seen the memorandum and the letter, but not the full legal text. Frankly, that is not good enough, because without the full legal text, we are being asked to guess at the detail of the Government’s proposals, or, worse, we are being asked to take the Prime Minister’s word on it. We do not want a summary. We do not want the Prime Minister’s interpretation of the text. We need to see the full legal text. And it matters, because there appears to be what the Taoiseach has called a “contradiction”—his word—between what the Prime Minister tells the House and the words of the legal text.

Last week, in response to a question from the right hon. Member for Ashford (Damian Green), the Prime Minister said that “the proposals we”—that is, the Government—“are putting forward do not involve physical infrastructure at or near the border or indeed at any other place.”—[Official Report, 3 October 2019; Vol. 664, c. 1389.] I noted the words used by the Minister just now, and I hope he can clarify this. The contradiction the Taoiseach appears to be highlighting is that the legal text may say something different on that very issue, and the Minister will know just how important that is.

Can the Minister now clear the issue up at the Dispatch Box? Does the full legal text bear out the Prime Minister’s assertion to the House that his proposals do not entail physical infrastructure at the border, near the border or in any other place? That is what he said, and that is what prompted the Taoiseach to say that the full text should be published. That goes to the heart of the only chance of success in these negotiations. We must get Brexit done so that the country can move forward and focus on other issues, such as the cost of living, the NHS and other domestic priorities.

I hear the claims that it does not. If it does not, the Government should publish the full legal text. Frankly, that is not good enough, because without the full legal text, we are being asked to guess at the detail of the Government’s proposals, or, worse, we are being asked to take the Prime Minister’s word on it. We do not want a summary. We do not want the Prime Minister’s interpretation of the text. We need to see the full legal text. And it matters, because there appears to be what the Taoiseach has called a “contradiction”—his word—between what the Prime Minister tells the House and the words of the legal text.

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Both the Taoiseach and the President of the EU Commission have called for the legal text to be published. That shoots through the confidentiality argument. They want us to see the text so that we can properly debate and scrutinise what the Government are putting forward. The only party insisting on secrecy are the UK Government, so the question is obvious: what are the Government hiding?

Then there is the question of a level playing field. As the House knows, no Labour MP could support a deal that strips away or undermines workers’ rights, environmental protections or consumer rights, yet that is the very.—[Interruption.] I hear the claims that it does not. If it does not, the Government should publish the text and assure the House. Before I first came to the House, and since I have been in the House, I have dealt with summaries and interpretations of texts, and I have seen texts, and there are differences between the full text and somebody’s summary or interpretation. If it is clear that the text does not undermine workplace rights, environmental rights and consumer rights, the Government...
should publish it and assure the House. What is being hidden? Will the Minister agree now to do the right thing and publish the full legal text forthwith?

James Duddridge: I thank the right hon. and learned Gentleman for those comments. Last week, I was able to tell the House that proposals would be tabled to the EU by the end of the week. Not only were we able to table those proposals, but we were able to publish them and share them with the House. It is the Government’s intention to share as much as possible, but at a time that is right, and not at a time when getting a good negotiation through takes precedence.

The right hon. and learned Gentleman asked about the Prime Minister’s position in relation to his assertion that there would be no checks at the border, near the border or at any other place. I have not seen the Taoiseach’s exact comments, but I can confirm that the position that the Prime Minister stated is still correct today and is the Government’s position, and I see no reason why that is going to change.

In relation to level playing fields, we are not hiding anything. We do not wish to undermine workers’ rights. We will keep those workers’ rights. Truth will tell over time, when the right hon. and learned Gentleman sees the results of the negotiation. He wants a deal, and I want a deal. The Government genuinely do not think that sharing the full text now will make doing a deal more likely.

Sir David Evennett (Bexleyheath and Crayford) (Con): I welcome my hon. Friend. The Minister’s statement in response to the urgent question, and we all hope for no further delays on the Brexit negotiation. Is he aware that business groups across the country want certainty, to allow them to plan for the future? What discussions has he had with them to reassure them?

James Duddridge: I thank my right hon. Friend for that question. Clearly, he has been talking to business groups in his constituency. Businesses certainly do want certainty, and whether it is meetings with business groups in England, Northern Ireland or Wales, everyone wants to get Brexit done. The last thing they want is more delay. We have had delay and delay and delay, and the answer to delay cannot be more delay.

Peter Grant (Glenrothes) (SNP): I congratulate the Minister on managing not once but twice to include all this week’s Brexit buzzwords in such a short but, I am sorry to say, not particularly informative answer.

The Government have made public only their version of a seven-page explanatory document based on a full 44-page legal text. Last week, a number of Government loyalists criticised Opposition Members for saying we were likely to oppose the Prime Minister’s plan before we had read it properly. They then went ahead and committed themselves to supporting it before they had read it properly—they cannot have seen it or read it properly, because nobody has seen it yet.

It is simply not acceptable for us to be asked to commit to support something based on the Prime Minister’s version of what it says, because none of us can trust what he tells us. Last week, he twice gave us a promise from the Dispatch Box—one to the hon. Member for Banff and Buchan (David Duguid) and once to my hon. Friend the Member for Glasgow North (Patrick Grady)—that the Government are going to restore full control of Scotland’s fishing to the people of Scotland. If only that were true.

The Taoiseach told us that the Prime Minister’s version of what is in the 44-page confidential document was not accurate. The Prime Minister told us last week that there would be no checks on trade between Great Britain and Northern Ireland, but even the seven-page summary tells us that that was not true.

Does the Minister not accept that if he is to have any hope of Parliament agreeing to the withdrawal agreement, he must trust Parliament and allow us to see the full agreement now, not at the last minute when there is no time to read 44 pages of detail? When will the document be published? When can we expect to be asked to vote on the deal? How much notice will we have regarding the detailed legal text? Going back to the question that is still being dodged, does the Prime Minister’s proposal mean that there will be additional infrastructure anywhere in relation to the Irish border? If so, where will it be?

James Duddridge: The legal text will come forward at the right time. The hon. Gentleman is critical of Tory Members for supporting the Prime Minister before seeing all the detail, but I would not be critical. Indeed, I suggest that my hon. Friends should always support the Prime Minister as a matter of default. I understand that SNP Members will be more sceptical, but they will have all the information in front of them before they are asked to vote. However, we will not provide the legal text if it gets in the way of the negotiations and the deal, which I think the hon. Gentleman would want.

Sarah Newton (Truro and Falmouth) (Con): As the Government approach the final stages of the negotiations to get the necessary changes to the backstop, is it not the case that if the EU believes that this House will not support the Government’s deal, it is less likely that a deal will be achieved? We have heard people say, month after month, that they want the Government to negotiate a deal, so I say to Opposition Members who, like me, want a deal that now is the moment to speak up and support the Government in getting that deal.

James Duddridge: I thank my hon. Friend for raising that point. Now is the time for a deal, but the way that the House has behaved has made a deal less likely and made it more likely that we will have no deal. However, it is not too late. The Government are reaching out across the Chamber to our friends on the other side, saying, “Join us in supporting a deal. It is the right thing for the country.”

Jo Swinson (East Dunbartonshire) (LD): Earlier this year, the Government said that if we left the EU with a deal, we would keep our world-leading standards and rights on food, quality, employment and environmental protections. That commitment was pretty flimsy then, but people now fear that it has been ditched in desperation, and the Government will not even publish the text. The public have a right to know whether the Prime Minister is prepared to sacrifice the quality of food on supermarket shelves, the rights of workers to take holiday and our children’s right to breathe clean air.
James Duddridge: We are supposed to be temperate in our language, but, quite frankly, that is a load of rubbish. That is not our intention, and if our constituents are worried and scared as a result of what the Liberal Democrats say, that is a terrible thing; it simply is not true.

Andrew Percy (Brigg and Goole) (Con): I said from this spot a few weeks ago that it did not matter what the Government brought back, because there are Members in here representing leave seats who will always find a reason to vote against what the Government bring forward, because their real aim is to stop us leaving. Is it not the ultimate irony that the people who are giving the biggest croggy to a no-deal Brexit are the very people who repeatedly stand up and tell us that we have to vote for compromise but then vote against any compromise—any deal—that is put on the table?

James Duddridge: My hon. Friend is right. That is a particular problem with the Liberal Democrats who, for perfectly respectable reasons, do not want a no-deal exit but who will not back a deal. It makes sense for us all to get behind a deal, which is better than no deal. That is what the Government want to do, and we reach out to all Members to support a deal.

Hilary Benn (Leeds Central) (Lab): Something does not quite add up on there being no physical infrastructure at any other place, which is probably one reason why the Government’s proposals are currently not acceptable to the European Union. The Prime Minister told the BBC last week that

“there will have to be a system, for customs checks away from the border.”

The explanatory note says that such checks will

“take place at traders’ premises or other designated locations. Goods moved under either mechanism would be under customs supervision by one or other customs authority from the point at which they are declared for export until they are cleared by customs in the territory of import for free circulation”.

Can the Minister name any jurisdiction in the world where there are customs checks but no customs infrastructure?

James Duddridge: The Government are looking for a tailored solution. Of all the trade between the UK and Northern Ireland, only 1% of goods cross the border. As well as trusted trader schemes, goods could be examined by authorities at commercial sites run by hauliers and freight forwarding companies. That is already provided for under existing transit rules, under which logistics services are commonly approved as authorised consignees for these very purposes. It already happens.

Sir Desmond Swayne (New Forest West) (Con): Were any of the frightful diminution of rights mentioned by the hon. Member for East Dunbartonshire (Jo Swinson) to occur, it would clearly require primary legislation by this Parliament, wouldn’t it?

James Duddridge: Yes. We would not oppose it; I would not support it; and I do not think my right hon. Friend would support it. Perhaps the Liberal Democrats can say whether they would support it.

Mary Creagh (Wakefield) (Lab): We know the Prime Minister thinks that preparation is just for girly swots, but at least the last Prime Minister gave us a 90-page White Paper on her proposals and we got to see them at the same time as the European partners. Here we are, 11 days before the summit, and we have this pathetic rag—four pages—and an explanatory note. It would be comical if the Good Friday agreement and the promises contained therein did not rest on this. Can the Minister explain the magic thinking by which we have a border down the Irish sea and a border on the island of Ireland without border posts?

James Duddridge: I acknowledge, as I think the whole House would, that we are working to a compressed timescale compared with the previous negotiations, but those negotiations were not successful. Following the same tack in our negotiating strategy and expecting a different result would be foolish. It is time for a change of tack in the negotiations, which I welcome.

Victoria Prentis (Banbury) (Con): As a member of the “MPs for a Deal” group, it would make my life easier if we were to include environmental and workers’ protections, as requested by many Opposition Members, but does the Minister agree that the right place for those protections is probably in the political declaration?

James Duddridge: I thank my hon. Friend for her work with the “MPs for a Deal” group, which brings together MPs from across a number of political parties. I welcome her introduction of the political declaration, as getting that right will set the tone going forward from 1 November, after we have left on 31 October, and will form the basis of the future economic partnership and the first-in-class free trade agreement that most hon. Members want.

Jim Shannon (Strangford) (DUP): I thank the Minister for his response to our questions, and I wish him well in his job. Can he confirm that there is no intention to change the original position that the United Kingdom and Northern Ireland will take back control of our seas and our fisheries, enabling our fishing sector to grow and create jobs, and that we, the citizens of this great nation, will be in charge and in control?

James Duddridge: I can give the hon. Gentleman that confirmation, but I encourage him to discuss the detail with my colleagues at the Department for Environment, Food and Rural Affairs. If that is not to his satisfaction, I will be happy to talk to him about fishing rights or impact at the same time.

Rachel Maclean (Redditch) (Con): Does my hon. Friend agree that it is the agenda of Members from the Opposition parties to overturn the referendum result, put a stop to Brexit and revoke article 50? Will he confirm that this Government and this Prime Minister will not let that happen?

James Duddridge: With great sadness, I can confirm that I fear that some Members on the Opposition Benches and in this House simply do not want to follow the mandate of the British people. They do not want to exit and they will use every trick and turn in the book...
to frustrate it. That is not to say that there are not some genuine concerns, and I recognise those, but she is right: some people, having offered the referendum to the electorate, do not like the result and are trying to interfere and overturn the democratic will of the public.

Tonia Antoniazzi (Gower) (Lab): Can the Minister confirm whether the full legal text has been shown to the Democratic Unionist party? If it has, why is it reasonable for one party to be able to make an informed judgment about the Government's proposals while everyone else is kept in the dark?

James Duddridge: I am not going to get into the detail of—[Interruption] Opposition Members who have been Ministers will realise that lots of people see documents, and Ministers do not constantly want to be in the position of saying who has seen what documents, which versions and when. I will not comment on who has seen which documents or indeed on documents that I have seen or have not seen.

Harriett Baldwin (West Worcestershire) (Con): I love the way that Opposition parties are implying that if only they could see these documents, they would rush to support the deal. I think the British public are now wise to the way in which Parliament has frustrated the Government's negotiating position. Would it be possible for the Government to strengthen their negotiating hand by holding a vote on these proposals, in the way that we did on the Brady amendment in January, and show that there is a majority in this place for them?

James Duddridge: I think members of the public are getting wise to what is going on: this Government are trying to deliver Brexit and this Parliament, collectively, is trying to frustrate it. My hon. Friend raises the interesting solution of putting this to a vote, and I will discuss that with my ministerial colleagues.

Ms Angela Eagle (Wallasey) (Lab): Has the Minister seen the documents?

James Duddridge: I have already said that I will not comment on which documents I have and have not seen, or which versions I have and have not seen. This is a document that we are negotiating on. It makes sense to look at that document, negotiate on that document and come back to the House with a final document. This House does not want a blow-by-blow account; it wants to deliver a deal.

Richard Drax (South Dorset) (Con): As has been said by honourable colleagues on the Government Benches, it is a well-known fact, and the public are not fooled, that most MPs in this place—in all positions in this place—do not want to leave the EU. That is a dishonourable stance to take, after the EU referendum. Will my hon. Friend reassure the public and us that we will honour this referendum and leave the EU, with or without a deal, on 31 October?

James Duddridge: I can reassure the people of Dorset and the United Kingdom that we will be leaving on 31 October. Our preference is to do so with a deal, but we are very much ready to leave with no deal.

Anna Soubry (Broxtowe) (IGC): I am sure, Mr Speaker, that you may not have heard the use of the word “dishonourable” to describe those of us who think that our great country has made a mistake and are doing nothing more than speaking out with the freedom that I thought was at the heart of our democracy. I would have hoped that the hon. Member for South Dorset (Richard Drax) might have withdrawn his comments. In any event, it is very odd that we are all being asked to support a deal, the details of which we know very little of, unless of course our name is Arlene Foster. We want to know the details of these customs arrangements, and of the structures and infrastructure, because of the position in other countries, notably Norway and Sweden. Sweden is a member of the single market and the customs union, and Norway is in the single market but not the customs union, and they have a hard border. May we therefore have these unicorn details please?

James Duddridge: I must say that although I am reaching out across the Floor, I have given up on reaching out to the right hon. Lady. There are many Opposition Members and there is still hope for people who will support a plan, but I suspect that under no circumstances will she support a plan, regardless of what we produce and what it says.

Mr Speaker: That may well be true but I hope that the right hon. Lady, who is not too delicate a flower, can bear the almost unendurable pain of the criticism of the Minister with such stoicism and fortitude as she feels able, in the circumstances, to muster.

Martin Vickers (Cleethorpes) (Con): Last week, the Leader of the Opposition said that no self-respecting Labour MP could vote for the proposals, yet we are now being pressed on a confidential document, the production of which would undermine yet again our negotiating position. Does the Minister agree that to reveal the documents would make no deal more likely?

James Duddridge: I thank my hon. Friend for asking that question. No deal is indeed made more likely by the House not supporting the Government’s position. As for the Leader of the Opposition, I think that MPs and the public are coming around to the idea that he is flip-flopping on these issues left, right and centre, and want a general election so that they can re-elect a Government with a strong Conservative majority.

Mr Clive Betts (Sheffield South East) (Lab): A few days ago, I asked the Minister whether the term “infrastructure” included cameras. He was not quite sure at the time; now that he has had a few days to go away and look it up, will he give us an answer?

James Duddridge: I do not think I said that I was not quite sure. I think I used the words, “It would have been something that was considered,” but that the House should not read anything into that in any way. I think that is what I said, virtually verbatim, and that remains the position.

Mr Peter Bone (Wellingborough) (Con): I wonder whether the Minister could help the House. Opposition Members say that they are not supporting a deal because they are worried about workers’ rights, yet if we had
a deal, it would be this House that would decide on workers’ rights, and if they were ever in government, they could do whatever they liked. Can we conclude only that the Opposition do not think they will ever be in government?

**James Duddridge:** I think everyone in the House believes in higher protections for workers’ rights and maintaining and expanding them over time. My hon. Friend makes an interesting point about the Opposition’s level of confidence: not only are they not confident that they will be in government to improve workers’ rights, but they do not seem to be confident that they will even win a general election. They are running scared of going back to the people because they know that they are trying to overturn the will of the people who wanted Brexit.

**Mr Pat McFadden** (Wolverhampton South East) (Lab): Paragraph 13 of the memo issued last week confirms that even if the European Union agrees to the proposals, and even if Parliament then agrees them, they would not come into force for more than a year, unless they had also been endorsed by the Northern Ireland Executive, which has not met for several years. Will the Minister confirm that if the Northern Ireland Executive continues to fail to meet, the proposals automatically fall away after 12 months?

**James Duddridge:** The right hon. Gentleman is right: we are in a constrained period and we are trying to do an unprecedented amount of work. Even separate to the problem of which he speaks directly, there are already many hurdles to get over, but we will work together with all our partners to re-form Stormont—that is our priority in relation to Northern Ireland—so that we can get this deal through.

**Vicky Ford** (Chelmsford) (Con): In the most recent general election, more Chelmsford constituents emailed me about the environment and animal welfare than about all other issues put together. I am enormously proud of the way in which the Government are leading on the world on protecting the environment and on endangered species. Does my hon. Friend agree that the Lib Dem’s suggestion that this deal, which is to resolve the issues on the Irish border, could somehow be used to undermine our standards on the environment, animal welfare or workers’ rights is pure scaremongering and totally irresponsible?

**James Duddridge:** I thank my hon. Friend for her question. We will maintain environmental and animal welfare standards. I know that she works tirelessly to improve those standards, both in Chelmsford and with Back Benchers. I remember many a campaign that she has led in her time in the House of Commons, particularly on environmental issues, recycling, and changing behaviours and perceptions. I thank her for that work, and there is nothing in this process that means that we are going to go back on any of those commitments. In fact, the Government are committed to going further, as she has demanded.

**Dr Sarah Wollaston** (Totnes) (LD): It is almost as if members of the Government have been taking lessons dancing around slippery poles this afternoon. Essentially, we do not have a credible deal, because there are no customs borders anywhere in the world without some form of physical infrastructure. We have a Government who are still insisting that they will obey law, but only those parts that it chooses to obey. Will the Minister at least confirm that the Government will comply with the spirit and the provisions of the Benn Act in full?

**James Duddridge:** In answer to the latter question, yes. When it comes to slippery poles, the thing that is slippery is introducing a ten-minute rule Bill to say that if hon. Members, for whatever reason, cross the Floor of the House and leave their party they should stand in a by-election, then not doing that when she crosses the Floor of the House. That is slippery.

**Dr Julian Lewis** (New Forest East) (Con): My hon. Friend the Minister had a strong outing on this subject on 26 September—a date that I happen to remember. Today, I noticed a subtle difference in his wording, as he talked about our leaving with a deal or being “prepared” to leave without a deal on 31 October. Will he confirm not only that we are prepared to leave without a deal on 31 October but that we will actually leave without a deal on 31 October, unless we have deal?

**James Duddridge:** I thank my right hon. Friend, and confirm that nothing has changed since his birthday—I think that that was what he was referring to. Apologies for not congratulating him at the time. My language was not nuanced in any way. We will be leaving on 31 October with a deal or without a deal.

**Mr Speaker:** If I were charitable, I would say that the right hon. Gentleman turned 58 on 26 September, but I am afraid that I must not mislead the House. [Interruption.] I call Chris Bryant.

**Chris Bryant** (Rhondda) (Lab): May I ask about the political declaration, which is of as much concern to many of us as other elements of the withdrawal agreement? The former Prime Minister was quite right to say that if there is no deal, there is no deal on security. All the elements of security are shunted forward into the political declaration. I wonder where we are with extradition, because since the original version of the political declaration was signed, four major European countries have said that they will not on any terms extradite their nationals to the UK if we are no longer members of the European Union. Will that not pose a significant problem for us if we want people to face justice in this country?

**James Duddridge:** I thank the hon. Gentleman for raising that. Obviously, the broader case is that the convention of the ’50s on extradition will come into play. There is a problem with four or five countries, and we are having discussions with them. They are quite significant difficulties, as they concern constitutional arrangements, but there are other arrangements that are not entirely satisfactory to try people in their home country that can be used if we do not secure a workaround. It is not ideal, but there are workarounds, and we are progressing them.

**Bim Afolami** (Hitchin and Harpenden) (Con): Will the Minister update the House on the volume of trade that would be subject to special customs arrangements that have attracted so much heat and light in discussions? Will he confirm that with good political will on both sides problems can be resolved?
James Duddridge: Where there’s a will, there’s a way. People said that it was impossible that negotiations would reopen, but negotiations did effectively reopen after the Prime Minister spoke to President Macron and Chancellor Merkel, so I am optimistic. I am optimistic because negotiations are ongoing now: David Frost is in Brussels as we speak; my Secretary of State is travelling around, whipping up support and enthusiasm from other member states; and I understand that at around the time we are speaking—if not as we are speaking—the Prime Minister is on the phone to other Prime Ministers to whip up enthusiasm for the deal and avoid no deal. If only there were that much enthusiasm on the Opposition Benches.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): With respect, who do the Government think they are kidding? The reaction from the EU to the Prime Minister’s proposal is courteous but critical, and it is abundantly evident that no agreement will be reached on his terms. We ask only of the Prime Minister that he is straight with people and their Parliament, and acknowledges this. Can the Minister therefore guarantee that the Prime Minister will not hold a meaningless vote before the European Council meeting?

James Duddridge: To paraphrase a famous quotation: well, they would say that, wouldn’t they? EU representatives are negotiating. When we put papers in front of them, they are not going to say, “Gosh, this is wonderful. Thank you very much for making all these compromises. Let’s accept that wholeheartedly and send you back to celebrate.” They are bound to probe and see how far the Prime Minister is going to go. We have already compromised significantly; this is a good solution in which the UK Government have made a number of compromises. It is now time for the EU Commission and member states to say that they are up for compromising as well.

Andrew Bowie (West Aberdeenshire and Kincardine) (Con): Does my hon. Friend share my frustration with the attitude of the Opposition parties, particularly the Scottish National party, who seem more intent on sowing discord and division in our United Kingdom than acting in the national interest? If they really were working for the economy and peoples of our country, they would get behind the Government and support us as we try to get a deal to leave the EU in good order on 31 October.

James Duddridge: I thank my hon. Friend for speaking up for Scotland in this Parliament, and for focusing on the nitty-gritty of the economy. No deal will not be as good as a deal for the whole United Kingdom, including Scotland, so he is right to ask colleagues on both sides of the House—including Scottish National party Members and other Scottish Members—to back a deal.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): The Minister may not be aware of this, but until about half an hour ago I had no idea who he was. From his answers today, I wonder how he can be so deeply unpleasant to so many colleagues on the Opposition Benches. The fact is that today he has said that it is not loyal or legitimate to stand up for our constituents when we are asking questions about what is contained in the deal. Some of us would vote for a good deal if we could see it—if we did not live in a secret society and a secret state. Will he wake up to the fact that there is a lot of good will in this House for a deal, if we could actually see it?

James Duddridge: I am flabbergasted that the hon. Gentleman says he does not know who I am, because previously when I was at the Dispatch Box he asked me whether I knew about Huddersfield, and afterwards he thanked me for not mentioning that I was a comprehensive schoolboy who went to school in Huddersfield and he is the Member of Parliament for Huddersfield who was privately educated in the south of England.

David Duguid (Banff and Buchan) (Con): Does my hon. Friend agree that at least some SNP Members are simply attempting to undermine the progress that has already been made and that this Government are attempting to make towards a deal? Does he find it as worrying as I do that, when challenged on passing on the Brexit preparation funding to local authorities in Scotland, the First Minister said: “We should not be having to spend a single penny on Brexit preparations”?

Is that not taking a political view of Brexit preparations, rather than looking at what is good for the economy of Scotland?

James Duddridge: I thank my hon. Friend for speaking up for Scotland. He raises a very important point about fund distribution, and while some of these things are in the purview of the Cabinet Office, I am happy to have a discussion with him about how we can improve the situation.

Several hon. Members rose—

Mr Speaker: May I now appeal to colleagues for single-sentence questions without preamble? I do not want speeches. We have four other urgent questions, so short inquiries would help.

Alex Sobel (Leeds North West) (Lab/Co-op): We are here on 7 October. The Government’s plan was for Parliament to be prorogued and not return until 14 October. Under the original plan, we would have had no scrutiny at all of the withdrawal agreement and very little time when we returned. Is that not the case, Minister?

James Duddridge: If Parliament had not been in Session, I would have been helping to negotiate with member states, and perhaps we would have collectively, having spent more time doing that, got a deal.

Mr Robert Goodwill (Scarborough and Whitby) (Con): Much nonsense has been spouted about the impracticalities of dealing with consignments when they reach their destination, rather than when they cross the border. Is it not the case that Britain’s biggest port by value operates within parallel with those goods travelling.
James Duddridge: My right hon. Friend served in the Department for Transport and knows these issues incredibly well. I look forward to talking to him in more detail about East Midlands airport and UPS, particularly because Southend airport is doing a little bit of transit of goods with Amazon. He is right that these things can happen without intricate checks.

Several hon. Members rose—

Mr Speaker: I gently point out that Members who came into the Chamber after the questions started cannot now expect to be called.

Lady Hermon (North Down) (Ind): The Minister will be well aware that the withdrawal agreement we already have says that it protects the Belfast/Good Friday agreement “in all its dimensions”—those are the precise words. The withdrawal agreement also protects the constitutional status of Northern Ireland and the principle of consent. I would like the Minister to take a few moments to explain in detail to the people of Northern Ireland in particular how the Prime Minister’s new proposals guarantee those essential features of the withdrawal agreement.

James Duddridge: The reason why they are an improvement on the backstop is that the backstop could have left Northern Ireland linked to the EU in perpetuity without any consent. This consent mechanism is a massive improvement. I thank the hon. Lady for the discussions we have had. I think she wants to have another discussion with me after this, and I am more than happy to do that.

Michael Tomlinson (Mid Dorset and North Poole) (Con): The Minister was asked whether the Government are committed to publishing the details, but would that question not carry more weight if those on the Labour Front Bench had not already closed their minds? Within minutes of the deal being proposed last week, they said it was not good enough. Sadly, too many minds on the Opposition Benches—with honourable exceptions—are already closed. Is it not time to just get on with it?

James Duddridge: It is certainly time to get on with it. I think that there are a significant number of Opposition Members who have more open minds than those on the Labour Front Bench, and we look forward to working with them over the coming days and weeks.

Caroline Lucas (Brighton, Pavilion) (Green): One reason why we need to see the legal texts is that there is ever chance that this Government are planning to throw food and environmental standards under the bus for the sake of securing a dodgy trade deal with President Trump. Forgive us if we do not find the Minister’s reassurances very reassuring. We would like to see the full legal texts. While he is at it, could he have a word with the Prime Minister to make sure that the Trade Bill comes back in the Queen’s Speech, so that we have a chance at least of ensuring that planetary health comes before the interests of US trade lobbyists?

James Duddridge: We will continue food and environmental standards. I have made that clear, and I will pass on the hon. Lady’s comments to the Prime Minister with pleasure.

Kevin Hollinrake (Thirsk and Malton) (Con): In Michel Barnier’s speech in October last year, he said that a hard border in Northern Ireland needed to be avoided; that customs checks would be required, but they could happen using existing customs transit procedures; and that regulatory checks would need to increase, but they could continue to happen in the Irish sea. Does that not sound remarkably like the Prime Minister’s deal? Is it not time for the EU to negotiate in good faith, so that Members across the House can vote for this deal and we can leave on 31 October?

James Duddridge: I thank my hon. Friend for that information, and I had not quite linked the two together. Perhaps we should call it not the Prime Minister’s proposal, but the Barnier solution.

Joanna Cherry (Edinburgh South West) (SNP): It has been interesting to watch the Minister’s position morph from “We are prepared to leave without a deal” to “We will be leaving without a deal” in the course of this afternoon. Is he aware that in Edinburgh at lunchtime today, the Court of Session accepted from the Prime Minister “unequivocal assurances” that he would comply with the Benn Act? Is the Minister now departing from that promise made by the Prime Minister to the Scottish courts?

James Duddridge: Just to be clear, we will leave on the 31st and we are prepared to leave on the 31st—that adds information, rather than detracts—and we will abide by the Court decision.

Jo Stevens (Cardiff Central) (Lab): This morning, a Cabinet source was quoted as saying that the reason the Prime Minister is removing the level playing field protections on consumer, workers’ and environmental rights is that the Government know they would “seriously restrict our ability to deregulate and do trade with other countries.” That is the real aim of the Government’s Brexit proposals, is it not—to deregulate our economy and cut back rights?

James Duddridge: No, it is not.

Jack Dromey (Birmingham, Erdington) (Lab): I have to say that the world of work wants a deal to be done, but the Minister’s contempt for Parliament today makes it less likely that a deal could ever be arrived at. Serious questions have got to be answered seriously. May I ask the Minister about this specific point, as someone, like many in this House, who fought for decades for peace in Northern Ireland and would never, ever put that at risk? The Prime Minister talks in his letter about the very small number of physical checks needed, including at “other points on the supply chain.” I asked the Prime Minister last week: “Where are they, and what are they?” —[Official Report, 3 October 2019; Vol. 664, c. 1409.] He was unable to answer. Can the Minister?

James Duddridge: I have tried to be as open as I can within the remit of trying to get a good negotiation. On the record, in response to an earlier question, I went through the trusted trader scheme and where checks could take place.
Tom Brake (Carshalton and Wallington) (LD): Can the Minister confirm whether he has seen the most recent legal document and read it, and say whether it confirms when a data adequacy agreement between the UK and the EU will be agreed? Without one—whether it is deal or no deal—very little is likely to be crossing any border.

James Duddridge: I see all the papers I need to, but I will not go through them, on a paper by paper basis, saying which version I have seen and when I have seen it. I simply will not do that; it is not helpful to the Government process.

Ruth George (High Peak) (Lab): If the Minister is so convinced that this is a good deal, whether or not he has seen the paperwork, why will the Government not put that deal straight to the British people?

James Duddridge: Because they have already voted for Brexit.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): I raised with the Prime Minister on Thursday the concerns of the Irish Deputy Prime Minister, Simon Coveney, about the nature of the democratic issue in Northern Ireland, where a minority could potentially hold a veto over the wishes of the majority. The Prime Minister assured me that he would seek discussions with the Irish Deputy Prime Minister, so can the Minister update me on whether those discussions have taken place—or when they are scheduled—and what the outcome of them might be?

James Duddridge: I heard the hon. Gentleman in the questions to the Prime Minister. I have not discussed this issue with the Prime Minister since then, so unfortunately I cannot update him, but I am happy to do so in correspondence.

Mike Gapes (Ilford South) (IGC): Last year, The Economist reported from the Norway-Sweden border—at Svinesund—and said:

“Even with the latest technology being outside the customs union entails a hard border”.

There is automatic number plate recognition, and there are lorry parks and the confiscation of alcohol. How can we have anything but that if the Government proposals come forward?

James Duddridge: The hon. Gentleman refers to one border. There are many borders around the world. Technologies can be used to avoid a hard border, and this Government are committed to having no hard border.

Chris Elmore (Ogmore) (Lab): Do the Government stand by the December 2017 joint report, in which the UK is committed to the avoidance of “any physical infrastructure or related checks and controls” in Northern Ireland?

James Duddridge: Yes, entirely.

Patrick Grady (Glasgow North) (SNP): Are the proposals for the Northern Ireland border the Government’s vision of the perpetual future relationship on the border, or are they actually another form of backstop until some glorious new customs relationship is reached between the whole of the UK and the European Union?

James Duddridge: There will be the point of exit on 31 October: a future economic partnership and a final relationship; and the consent point for the Northern Ireland Assembly to review the issue. So there are many junctures in the future where things can change.

Karin Smyth (Bristol South) (Lab): Have the Government sought and received advice on the compatibility of their proposals with strands 2 and 3 of the Belfast/Good Friday agreement?

James Duddridge: As a matter of course, the Government do not share the legal advice they receive, nor do they confirm or deny whether they have sought legal advice. That is standard practice not related to this specific issue, but more generally.

Jim Fitzpatrick (Poplar and Limehouse) (Lab): As someone who supported Prime Minister May’s deal and wants to support a deal as opposed to no deal, and further to the answer to the hon. Member for North Down (Lady Hermon), may I ask the Minister to reassure me that strenuous efforts are being made in Northern Ireland to recover the support for a deal that seems to have been lost since the DUP changed sides and supported a deal?

James Duddridge: Work is going on in Northern Ireland at a number of levels. I have been involved more at a business level, looking at the detail of the arrangements. The Secretary of State for Northern Ireland has been involved on a more political level, as have a number of members of the Cabinet. This is obviously the big issue remaining: the Northern Ireland-Ireland border within the withdrawal agreement. All of the Government are working towards solving that. I am more than happy to discuss this issue with the hon. Gentleman in more detail, because I know he has a high level of expertise on it. I personally very much respect his position, and his thoughtful comments on this issue and many others.

Ged Killen (Rutherglen and Hamilton West) (Lab/Co-op): The Minister wrongly says that the backstop threatens power sharing. The Government’s solution is to hand a veto to one side, undermining strand 2 of the Good Friday agreement. What assessment has been made of the economic harm all this uncertainty presents for the promotion of business and investment in Northern Ireland?

James Duddridge: The whole idea of Brexit is to reposition the economy not only of Northern Ireland but of the whole United Kingdom around the growth areas of the world. That is not to say that we are turning our back on our European friends, whose trade is very important, but global growth in the longer term is with the rest of the world. It positions Northern Ireland alongside the UK in a much better place for long-term economic growth.

Janet Daby (Lewisham East) (Lab): The Government’s proposal makes it clear that the UK will not be in a customs union, there will not be a close single market
alignment and there will be even less protection for rights than the May deal offered. Given that, how do the Government expect the proposals to win cross-party support in this House?

James Duddridge: I think the Government expect cross-party support because there are a number of colleagues who have behaved very reasonably. I am afraid I did not hear who the hon. Lady was quoting at the beginning of her question, but I am more than happy to talk to her about that later on. Apologies, but I did not hear the beginning of her question.

Martin Whitfield (East Lothian) (Lab): Are cameras on the border infrastructure?

James Duddridge: To be frank, I was not being careful with my terminology. If the hon. Gentleman is asking, “Is there no infrastructure?” there is no infrastructure. In relation to cameras, I saw cameras in Northern Ireland on the main road. I do not think it would be tenable to have cameras all along the border. They would simply be ripped down and be targets for terrorists to attack. I think he has successfully stretched my desire not to comment in any more detail. Certainly, he has done so effectively.

No-deal Brexit: Schedule of Tariffs

4.33 pm

Mr Chris Leslie (Nottingham East) (IGC) (Urgent Question): To ask the Secretary of State for International Trade if she will set out the final schedule of import tariffs proposed in the event of a no-deal Brexit.

The Minister of State, Department for International Trade (Conor Burns): I am grateful to the hon. Gentleman for his question.

On 13 March, the Government announced that they would implement a temporary tariff regime in the event of a no-deal Brexit. This regime would apply equally to all imports that are not subject to alternative trade arrangements and would apply for up to—I stress, up to—12 months while a full public consultation takes place to inform long-term tariff arrangements. The Government would prefer to leave with a deal and will continue to work energetically and with determination to get that better deal. This will require the European Union to show the same spirit of compromise that my right hon. Friend the Prime Minister is demonstrating in his engagement with our European friends and allies.

As the UK leaves the EU, the Government are stepping up their preparations to get the UK ready to trade if there is no deal. The temporary tariff regime will maintain open trade on the majority of UK imports, helping to support consumers, business supply chains and sensitive sectors of the UK economy. Due regard has been given to the five principles set out in the Taxation (Cross-border Trade) Act 2018: the interests of consumers in the UK; the interests of producers in the UK; the desire to maintain and promote external trade of the UK; the desire to maintain and promote productivity in the UK; and the extent to which these goods are subject to competition. It reaffirms our commitment to become a free-trading nation. It realises the benefits of an independent trade policy to support increased trade and investment with partners new and old around the world and increased choice for British shoppers.

At the same time, Her Majesty’s Government recognise the importance of retaining some tariffs. Tariffs would therefore apply on just over 10% of imports, supporting sectors facing unfair global competition, mitigating otherwise significant adjustment costs for the agricultural sector, supporting the strategically important automotive sector and maintaining our commitments to developing countries. Preferential access to the UK market is important for our developing country partners, and tariffs are being retained on a set of goods, including bananas, raw sugar cane and certain kinds of fish, to demonstrate the Government’s ongoing commitment to countries in the developing world. During the article 50 extension, the Government have remained responsive to the concerns of business and have reviewed the tariffs that would come into effect if the UK left the EU without a deal.

To answer the hon. Member for Nottingham East (Mr Leslie), the Government will publish the final tariffs shortly. It would not be appropriate for me to comment on any amendments being considered prior to that announcement. As he will understand from his former guise as shadow Chancellor, to do so would be irresponsible. The Government will ensure that Parliament is informed as soon as is practically possible once a final decision has been made.
Mr Leslie: Thankfully, the Benn Act will safeguard Britain from a no-deal Brexit, but with the Minister still insisting that, in only 24 days’ time, we might somehow crash out on a World Trade Organisation basis, does it not beggar belief that the Government have still not got around to publishing the final schedule of import tariffs for that eventuality? The Chancellor of the Duchy of Lancaster has said that what we have had is not the final word, and he has repeated that today.

At present, we can import from and export to the EU without any customs duties applying, but that could be about to end. The consequences for so many sectors of our economy, including farming, manufacturing and engineering, are massive. I ask the Minister: how are businesses supposed to “get ready”, as the £100 million advertising campaign suggests, if Ministers still cannot tell us the tariffs that will be imposed and seem incapable of even the most basic competent level of preparation?

The CBI director general Carolyn Fairbairn rightly asks why there is no time to consult industries about what tariffs will be applied. Even if we put aside the enormous non-tariff barriers of veterinary inspections, border checks and certification, are businesses to assume that the draft tariffs that were put out in March will still apply? Some of the import tariffs that Ministers are rumoured to be planning are really high. For example, if a British haulage company needs to buy an HGV truck from abroad, should it plan to pay an additional 22% on the cost or 10% because of the Government’s tariff plan? Will my constituents have to add 10% to the cost of buying a new car? What about the UK energy and bioethanol sector? Will customers have to pay the 4.7% tariff on fuel imported from the EU, as they currently do for fuel from beyond the EU? If not, will that not push the British energy sector into a competitive disadvantage when the 4.7% is imposed on its exports? There are container ships full of goods, components, textiles and clothing that have already been dispatched from the far east and elsewhere, heading for arrival at our shores at the end of the month. Will they face tariffs when they get to Britain, or not?

If British businesses suddenly have to start paying tariffs to export into Europe, what will the reciprocal tariffs be on goods imported into our country? How will British farmers compete with foreign produce when, for example, their lamb will face a 48% tariff when selling into Europe, their cheddar 57%, their poultry 37%, their wheat 53% and their beef 84%? The National Farmers Union is deeply concerned about the risk of foreign producers undercutting domestic production. So can the Minister at least do us the courtesy of setting out the rationale and strategic logic behind his decisions? Where is the parliamentary authority for imposing these tariffs and taxes? When will there be a vote in the House of Commons as the customs legislation requires?

Given that the Government now want a customs frontier in Ireland, will the Minister confirm that goods coming from the Republic into Northern Ireland will have tariffs added on? How does he think people and businesses in Northern Ireland will respond to the imposition of a tariff border in that way?

Would it not be far better to accept that erecting reciprocal tariffs between the UK and the EU is a fool’s errand—an endless cycle of costs and bureaucracy where everyone loses out in the end? Will the Minister at least have the good grace to acknowledge that, by leaving the single market and the customs union, British businesses and customers will be worse off, and for no good reason?

Conor Burns: I said in reply to the hon. Gentleman’s first question that it would be irresponsible to go through the entire list of proposed tariffs prior to the formal announcement by the Government, which, as I indicated to him, he may not have to wait all that long to see. He spent the majority of his subsequent questions asking me to do that which I had said it would be irresponsible to do and I will not be drawn down that road, however tempting it is.

I thought the hon. Gentleman’s subsequent questions underlined the desirability of there being a deal between the United Kingdom and the European Union as we seek to leave. I hope that in the days ahead the EU will respond in the same spirit that my right hon. Friend the Prime Minister has demonstrated and show flexibility and compromise to get a deal that will pass the House. Then the tariff announcements might become redundant. That is very much our hope. The hon. Gentleman said that he found it extraordinary that so long had passed and we had yet to publish this. Many people in my constituency and around the country find it equally astonishing that it is more than three years since the UK voted to leave the EU and still people in this House are determined to thwart that democratic decision.

The hon. Gentleman asked specifically about the situation on the island of Ireland. I am happy to confirm, as I think he will know, that there will be no tariffs on goods coming from the Republic of Ireland into Northern Ireland. On parliamentary process, he will know exactly how that works. The House will have the opportunity to have its say within 60 days of the tariff regime coming into place.

Several hon. Members rose—

Mr Speaker: This is the second of five urgent questions I have granted today. There is a premium upon time and therefore I reiterate what I said in respect of the last urgent question. People who came into the Chamber after the question began should not expect to be called. I have a list of about half a dozen people who beetled into the Chamber after the question began. Please do not stand. It is not the right thing to do.

Dr Liam Fox (North Somerset) (Con): The day one tariffs were set to produce price stability, protect businesses that took time to make adjustments and ensure there were not additional costs for British importers, who then add value and re-export. Given that it is a good policy and that the assumption of a sterling depreciation of 7% to 13% in the event of a no deal has not changed, can the tariffs be published as soon as possible? Will my hon. Friend also make it very clear that, if we have to introduce the day one tariffs as they are at the present time, the responsibility will lie not with the Government but with those who refused to accept a deal of any sort in the House?

Conor Burns: My right hon. Friend has put that argument extremely effectively and powerfully. May I use this opportunity—my debut at the Dispatch Box—to
thank him for all the work that he did in the Department? The fact that, in the last couple of weeks, we now have more than 72% of trade agreed in continuity agreements is largely due to the enormous efforts that he put in during his time at the Department. He is absolutely right: the day one tariff regime is determined to protect British consumers in the event of a no-deal Brexit. Those who can avoid a no-deal Brexit are our friends in Europe coming to terms with the Prime Minister in a deal that will be passed by the House and implement the democratic decision in the referendum of 2016.

Barry Gardiner (Brent North) (Lab): I welcome the Minister to the Dispatch Box.

The Government failed to consult properly with business organisations or with trade unions before publishing these tariff measures, ignoring the very producers whose jobs and livelihoods would be most affected. Their refusal to listen and their inability to compromise are now posing grave dangers to our country.

The Government told us that EU manufacturers would be demanding a deal with us. They did not. The Government said that a trade deal with the EU would be the easiest in human history. It is not. The Government told us that they would have 40 trade agreements ready to be signed one second after midnight on Brexit day. They do not. Far from our seeing other countries “champing at the bit to strike trade deals with a post-Brexit Britain”, as the Secretary of State claimed, many of those countries already have a trade agreement with us by way of the EU, but it is a trade agreement that will fall away if we leave the EU without a deal. The Government have failed to roll over all the existing deals with approximately 70 countries. That is why, earlier this year, the Government announced emergency proposals to reduce up to 87% of UK tariffs to zero, and to expand our tariff rate quotas in the event of a no deal. As new tariffs are imposed on our exports, damaging jobs, this is a desperate attempt to keep import costs down for British consumers.

So may I ask, first, whether the Minister will publish the Government’s assessment of the price rises that they anticipate would hit UK consumers in default of these tariff rates? The Government advise businesses that, in a no-deal scenario, we would trade under World Trade Organisation rules. However, the Government have yet to have our WTO schedules formally ratified owing to challenges over our tariff rate quotas—challenges that are likely to require substantial compensation to resolve. So, secondly, when does the Department believe that such a challenge may crystallise, and what contingency funds have they laid aside to pay compensation to any complainants?

The lunacy of the Government’s position has been exposed by a country that they previously regarded as a friendly model for their future free trade agreement with Europe. Canada has walked away from trade talks with the UK precisely because these measures would mean free access for Canadian exporters without requiring them to open up access to our goods and services in return. So, thirdly, can the Minister tell us what progress has since been made with respect to Canadian trade talks, and whether any other countries have similarly refused to negotiate as a result of the announcement of zero tariffs by the UK? Under this regime, UK companies will face competition from a flood of cheap imports, undercutting them and putting thousands of UK jobs at risk, without any reciprocal right of free access to their markets for our manufacturers and businesses.

Just about every single major trade body and trade union in the UK has decried the lack of engagement with it, and, in particular, the Department’s lack of understanding in respect of trade defence measures. So, fourthly, I ask the Minister what assessment he has made of the diversion of goods originally destined for other markets at a time when those other markets are increasing tariffs and taking substantive action to tackle the issue of dumping. These are existential threats to our industrial heartlands. The steel sector, the ceramics sector and the automotive sector are all greatly at risk from the proposed measures.

The EU has introduced stringent new safeguard measures to tackle dumping, and is due to set out its approach to tackling circumvention shortly. So, fifthly, does the Minister recognise that this could add further tariffs to our EU exports in the event of a no-deal Brexit, and could drive even more dumped goods to our markets? If so, sixthly, can he explain why the Government have sought to establish the weakest Trade Remedies Authority in the world, and to do so without proper legal authority?

Conor Burns: Well, goodness me! We heard not a single word about what the Opposition would do to support the Government in trying to get a deal. We heard no word of compromise. We heard flip-flop after flip-flop, with not a single constructive suggestion from the shadow Secretary of State. Why am I not remotely surprised by that?

The hon. Gentleman talks about the lack of interest. [Interruption.] If the hon. Member for Kirkcaldy and Cowdenbeath (Lesley Laird) stopped chuntering and listened, she might hear something. The shadow Secretary of State said there was no interest in trade agreements. What does he think is going on with the United States? With Australia? With New Zealand? Everywhere that I have travelled in this role, I have discovered an enormous interest in what our withdrawal from the European Union means not just for the United Kingdom, but for our ability to do bilateral trade agreements with other countries. As I said in reply to my right hon. Friend the former Secretary of State, we have transitioned over 72% of UK trade in continuity agreements, which will protect us in the event of a no-deal Brexit—which is something that the hon. Gentleman seems determined to advocate, given his lack of support for the Prime Minister.

The hon. Gentleman talks about the Trade Remedies Authority. There is not a single member of the civil service working today who was working in the civil service the last time the United Kingdom had her own independent trade body. The fact that we have established the Trade Remedies Authority, which I visited several weeks ago—[Interruption.] If the hon. Gentleman took a bit of time to understand his brief, he would understand very clearly—[Interruption.] The hon. Gentleman laughs. He should be laughing at himself, because he does not understand the very policy that he shadows. The body is created. The body can function temporarily without the statutory footing when we introduce a new trade Bill in a new Session of Parliament.
The shadow Minister talked about all the things that we have not done. Let us talk about some of the things that he said he would do. He said that he would respect the referendum. He did not. He said that he would implement the decision of the British people. He will not. What we will do is take the opportunities of having an independent trade policy—the opportunity to sign bilateral trade agreements and the opportunity of free trade—to deliver prosperity to our citizens.

Mrs Maria Miller (Basingstoke) (Con): I congratulate my hon. Friend on his clear command of his brief. Will he take this opportunity to update us on the progress that he is making on seeking continuity of some of the other EU trade agreements, particularly those with Canada and Africa, many of which the Opposition opposed?

Conor Burns: This Government take great pride in the number of those agreements that we have transitioned into continuity agreements. There are many more on the cusp of being agreed. We are dealing with some technical issues and there is ongoing engagement all the time. I was recently in Algeria and Morocco, where we are making substantial progress, and I returned yesterday evening from Vietnam—you might say that I am in another time zone, Mr Speaker, while the hon. Member for Brent North (Barry Gardiner) is on another planet. Even in Vietnam there is significant interest in coming to a continuity agreement with the UK. We will continue to work to deliver those. Of course, as my right hon. Friend and I will both agree, it would be much better if we did not have to go to continuity agreements but instead got the best continuity agreement, which would be a new agreement between ourselves and the European Union, which I hope the Opposition will finally support.

Stewart Hosie (Dundee East) (SNP): When the temporary tariff regime was announced this March, the UK Government argued that if they maintained the current external tariff regime, there would be new tariffs on EU imports. They said that if zero tariffs were maintained with the EU, even though that would minimise trade disruption, that would be required to be extended to the rest of the world due to WTO rules. The Government also said that they would keep 43 of the existing trade remedy measures that were in place, but much has changed since then. There has been another round of US tariffs and there is the potential for another round of EU tariffs in response to the US action, so let me ask the Minister this:

Given new tariffs from the US and the EU, has the schedule in the temporary tariff regime changed and, if so, by how much? Has the list of 43 trade remedies to be kept and 66 to be abandoned changed and, if so, by how many? Most importantly, with barely three weeks to go to a potential no-deal Brexit, a trade agreement including a permanent tariff regime that would be required to be extended to all future trade agreements is in place. I give the hon. Gentleman full marks for consistency on his point of departure. Is it not the case that, to put in place a permanent trade agreement will take at least three years? If I am wrong about that, can he name one EU leader who is suggesting that we could get a permanent trade agreement in place quicker than that timeframe? Nothing is going to be done, really, by 31 October.

Conor Burns: If there is a deal by 31 October, as the Government wish, it is highly likely that the deal will come with an implementation period. That would give us the opportunity to come to a comprehensive free trade agreement with our European Union friends and neighbours before the end of that implementation period. I give the hon. Gentleman full marks for consistency on this, as he has never seen any opportunities in the idea of Brexit, and he believes—it is a perfectly logical and consistent position—that our current membership of the EU under the current terms is the best thing possible. Many of us believe that there are significant opportunities for the United Kingdom not only to trade with our largest and nearest trading partner, but to have new bilateral trade agreements with countries around the world—that is the opportunity that Brexit provides.

Jeremy Lefroy (Stafford) (Con): Will my hon. Friend confirm whether an impact assessment will be published at the same time as the new schedule of tariffs to show the effect of these tariffs on both imports and exports, and hence on jobs within the United Kingdom?

Conor Burns: The schedule has been draw up to take account of much of the lobbying and of the assessments that the Government have made, and by our drawing on wide expertise on the position that we would face in a number of scenarios. My hon. Friend will have to wait for the publication, but I assure him that he will not have to wait for very long.

Alison McGovern (Wirral South) (Lab): For manufacturers in the north of England, it is hard to know which is worse: the fact that this Government are prepared to countenance no deal, or the fact that the deal that they are proposing significantly disadvantages...
the north compared with Northern Ireland. Can I ask the Minister, therefore, further to the question from the hon. Member for Stafford (Jeremy Lefroy): which representative organisations has he met that represent companies in the complex modern manufacturing supply chain?

Conor Burns: I have met both companies and representatives of companies—and, indeed, representatives of the two devolved Governments. My first visit as Minister of State for Trade was to Scotland, to meet Derek Mackay, and I then went to Wales and met Baroness Morgan; our two counterparts. I have met with various representatives of trade organisations and employers’ organisations. We are listening widely. The idea that the hon. Lady seems to be advancing that we are sitting in Whitehall dreaming up schemes that are completely and totally divorced from reality—[Interruption.] If the hon. Member for Stockton North (Alex Cunningham) really thinks that—well, how many years has he been in the House? Come on.

We have our own advisory body, which we set up within the Department, and that has multiple employer groups, business and representatives of the regions and nations of the UK. We seek to inform ourselves as much as possible before these decisions are made.

James Cartlidge (South Suffolk) (Con): I very much agree with my hon. Friend. Friend’s point that the best way out of this situation is to pass a deal and avoid a no-deal outcome. However, I recently met arable farmers in my constituency who are profoundly concerned that, if there were a no-deal outcome, they could face tariffs of £90 a tonne. That would make their surplus unexportable through the port of Ipswich, especially as we seem to be considering nil tariffs on foreign wheat and barley. Does my hon. Friend understand that, from their point of view, that is not unilateral free trade, but unilateral protectionism for overseas competition? Whatever happens in the schedule, I urge him please to remember to support the bread basket of England.

Conor Burns: I am grateful to my hon. Friend. I point him to the comment that I made twice in my first reply to the hon. Member for Nottingham East (Mr Leslie)—that this day-one tariff regime will apply for up to 12 months, and it will be reviewed during that time. We will be open-minded and open-eared to representations that are made to us. I would be happy to extend an invitation to people to meet me and to talk specifically about the point my hon. Friend made, which, if I may say so, he did robustly, as he always does, on behalf of those he represents.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): Fawcett in Castleford, which exports malt to Europe, has described the tariff arrangements it will face in the event of no deal as manufacturing suicide. Tereos in Normanton, which imports sugar, expects a 50% increase in its costs as a result of tariffs in the event of no deal. Will the Minister confirm that these tariffs are not just costs that can be mitigated away by preparations or border changes, and that these are real costs to industry? If he has done all this work on the possible impact of different tariff schedules, surely he has a responsibility to publish the full impact assessment alongside the tariff schedule.

Conor Burns: I indicated the tests this tariff regime is set against. It is set to try to protect the interests of consumers and producers in the UK, and it will be kept under review. It will go for up to 12 months. However, I stress again that the best way to avoid any of this happening is for us to come to an agreement in this House and with the EU, and to get a deal through and leave the European Union on 31 October in an orderly way. Then, this would become an academic exercise.

Richard Drax (South Dorset) (Con): The Leader of the Opposition’s vision is for us to stay in the customs union. Does my hon. Friend not agree that that does not honour the result of the EU referendum?

Conor Burns: It will not come as an enormous surprise to my hon. Friend that I agree wholeheartedly. Indeed, at the time of the referendum, the Government, of which we were Back-Bench observers, spent over £9 million sending a leaflet to every home in this country making exactly that point.

Several hon. Members rose—

Mr Speaker: Order. I reiterate what I said at the start of this exchange, which is that people who arrived after it began should not stand and expect to be called—[Interruption.] No, no. No matter how illustrious they are, and irrespective of the exalted office that they occupy. Other Members of this—[Interruption.]

Conor Burns: I am incredibly grateful to the right hon. Lady, whom I hold in the highest regard, having worked with her on a couple of international issues. She almost invites me to trespass on the subject of the next urgent question on the potential imposition of tariffs by the United States on the whisky sector. I would be happy to respond to that question in detail during the course of my reply to that UQ, but the Government take this matter very seriously and will be working to try to persuade our friends and allies in the United States that the imposition of such tariffs is not the way to go, that they harm both of us, and that the best thing to do is to talk and come to a resolution.

Ann Clwyd (Cynon Valley) (Lab): One of the most successful exports from my constituency is Penderyn whisky, which comes from a small village in the Brecon Beacons. If the Minister went to Wales, he must have discussed the situation of an industry such as that with Baroness Morgan. Penderyn is obviously concerned about the impact on its export potential.

Conor Burns: I am incredibly grateful to the right hon. Lady, whom I hold in the highest regard, having worked with her on a couple of international issues. She invites me to trespass on the subject of the next urgent question on the potential imposition of tariffs by the United States on the whisky sector. I would be happy to respond to that question in detail during the course of my reply to that UQ, but the Government take this matter very seriously and will be working to try to persuade our friends and allies in the United States that the imposition of such tariffs is not the way to go, that they harm both of us, and that the best thing to do is to talk and come to a resolution.

Mr Speaker: I gently point out to the hon. Member for Na h-Eileanan an Iar (Angus Brendan MacNeil) that there is a later urgent question on a matter of which he has considerable knowledge and in which I think he will be interested. If the hon. Gentleman wishes to participate in that exchange, he will, of course, have the opportunity to do so, and the whole House and the nation will benefit from his eloquence.
Andrew Percy (Brigg and Goole) (Con): Anybody with a ha'p'orth of understanding of the Canadian skill at negotiating trade deals should have foreseen in March, when we issued our day-one tariff schedules, that Canada would not sign a rollover for the comprehensive economic and trade agreement. As we move forward with these new schedules, will the Minister assure me that nothing in them will undermine the deal that the Canadian Government and the Canadian opposition both say they want to achieve? If we are unable to achieve that deal, will he assure me that the Department is beginning work on at least rolling over the provisions on labour mobility, which are so important when it comes to independent professionals and inter-company transfers?

Conor Burns: My hon. Friend yields to no one in his understanding of and expertise in Canada. I understand that not least because he never tires of telling us. I pay tribute to him for his work as the Prime Minister’s trade envoy. I am probably not allowed to say this at the Dispatch Box, but I hope that he will take up that position again in due course, because no one in this House is better qualified to do it. I am happy to confirm to my hon. Friend that we remain determined to come to terms with Canada. It is one of our closest allies, and we share so much in common in terms of values. A free trade agreement between us will be to the mutual benefit and prosperity of all our citizens.

Lady Hermon (North Down) (Ind): Dairy Council Northern Ireland represents the four companies that account for over 90% of the milk collected from farms in Northern Ireland each year. We are talking about 3,000 farming families in Northern Ireland. I want the Minister to address the warning given by the chief executive of Dairy Council Northern Ireland, who said today: “If we don’t get a Brexit deal and cannot transport raw milk south, without significant delays and/or certification requirements, then our industry is facing a crisis of epic proportions”.

How will the Minister attempt to reassure dairy farmers in Northern Ireland?

Conor Burns: We are still seeking to come to terms and get a deal by 31 October. That is the Government’s ambition and, as the hon. Lady will know, I am more alive than most to the situation in Northern Ireland. The situation there is unique and complex, and I hope that our European friends would demonstrate some of the spirit of compromise that has been demonstrated in various parts of the House, including by Opposition Back Benchers, in helping us to get to that deal and to avoid the difficulties that she so rightly identifies.

Hywel Williams (Arfon) (PC): Welsh farmers are still unclear as to how the Government intend to sustain Welsh farming, particularly the production of beef and lamb. Is it by long-term tariffs, is it by market-distorting subsidy, or is it by paying farmers to produce nothing at all?

Conor Burns: First, we still want a deal, and therefore we hope this does not come into play. I was in Vietnam only two days ago to push Welsh lamb to the Government there as we look to a deal, and that is just one of many places where we are looking for new export opportunities by removing barriers and doing free trade agreements. The Government are looking closely at how we would respond to protect such producer interests in the event of a no-deal situation, and I believe nothing is ruled out.

Gareth Snell (Stoke-on-Trent Central) (Lab/Co-op): The Minister and his Department have been in consultation with the British Ceramic Confederation on the impact that zero tariffs could have on the ceramic industry, which would affect many of my constituents. Can the Minister give me an assurance that on day one, if we have a no-deal Brexit, which I genuinely do not want to see—I think a deal is the way forward—no anti-dumping legislation and no anti-dumping duty on Chinese goods will be less than it was the day before under the European scheme?

Conor Burns: Not only would I be very happy to meet the hon. Gentleman to discuss this in some detail, but I would be very happy if he felt minded to invite me to visit some of the ceramic manufacturing businesses in and around his constituency. I am sure that will have been heard by people who can make it happen.

Pete Wishart (Perth and North Perthshire) (SNP): It is reckoned that a quarter of rural businesses may face bankruptcy if there is a no-deal Brexit and we see the expected tariff schedule. Dairy has now joined beef and lamb in expressing an existential threat. How many rural businesses does the Minister think will survive in my primarily rural constituency if we have a no deal?

Conor Burns: I hope the hon. Gentleman and his colleagues will help my right hon. Friend the Prime Minister and the Government by doing all they can to lobby our European friends and allies, and indeed Monsieur Barnier, to ensure that does not happen.

I hope the predictions of doom and gloom and bankruptcy that the hon. Gentleman makes again today prove as ill-founded as those he has made over the past three years.

Mr Clive Betts (Sheffield South East) (Lab): I am sure the Minister will agree that certainty is important for business, so will he give a guarantee that, on 1 November, all the necessary systems and technical infrastructure will be in place for businesses to be able to deal with any tariffs that are imposed? Particularly for small businesses, how far in advance of 1 November will advice and guidance on these systems be available?

Conor Burns: I have indicated several times that I do not think hon. Members will have to wait too much longer for the publication of the schedule. The Government are working with incredible energy to put out the information that businesses need. It has been more than three years since the referendum, and businesses have had plenty of warning.

By the way, recent surveys indicate that the behaviour of this House has made it more likely that businesses will not put in place the necessary measures to prepare for the event of a no deal, because this House continues to send a signal that it intends to do all it can to thwart that.

Paul Girvan (South Antrim) (DUP): Everyone seems to be interested in what is happening with Northern Ireland and the Republic of Ireland. Our farming industry has serious concerns about the tariffs that will potentially
be imposed by Europe. As the hon. Member for North Down (Lady Hermon) said, milk is exported to the Republic of Ireland, where it is mainly processed, before being sent back. Milk will have no tariffs on the way back, but it will receive tariffs on the way into the Republic of Ireland.

**Conor Burns:** As I indicated to the hon. Member for North Down, I am acutely alive to these very serious challenges. I spent the first eight years of my life in Northern Ireland, so I understand it pretty well. The best way to avoid these challenges is to come to a deal.

By the way, the best way to have effective government in Northern Ireland is for all the parties in Northern Ireland to get back together and get back into government. Let us get a functioning Executive and a functioning Assembly that can truly speak at a local level for the people of Northern Ireland.

**Alex Cunningham** (Stockton North) (Lab): The imposition of tariffs on the export of chemicals from Teesside will have a hugely detrimental effect on the region’s industry. That comes on the back of the decision by Ineos to close its plant, which is both a supplier and a customer within a complicated supply chain. What are Ministers doing about this additional threat to the chemical industry—over and above the tariffs—that will cost more than 220 direct jobs in my constituency, and potentially many more? Maybe the Minister could visit us, too.

**Conor Burns:** I always stand ready to visit colleagues from across the House and their constituencies, and their local businesses, to understand the background to commercial decisions that are being made. I am not particularly aware of the detail of that one, but, again, if the hon. Gentleman thinks it useful, I would be happy to have a meeting with him. It may be more appropriate for him to meet colleagues from the Department for Business, Energy and Industrial Strategy, but I am very happy to talk to him.

**Justin Madders** (Ellesmere Port and Neston) (Lab): I was approached by people from Stanlow oil refinery in Ellesmere Port over the summer as they were concerned about proposals to zero-rate certain petroleum imports. I therefore added my name to a cross-party letter from a number of Members whose constituencies were affected by those proposals warning the Secretary of State about the impact such proposals might have on the refinery sector. Will the Minister therefore assure us that these representations are having an impact and are being listened to carefully.

**Deidre Brock** (Edinburgh North and Leith) (SNP) rose—

**Jim Shannon** (Strangford) (DUP) rose—

**Martin Docherty-Hughes** (West Dunbartonshire) (SNP) rose—

**Mr Speaker:** Ah, the competing claims of Edinburgh, Strangford and West Dunbartonshire. What a taxing choice. I call Deidre Brock.

**Deidre Brock:** Thank you, Mr Speaker. Does the Minister consider that these new tariffs will be good for Scottish businesses? And how?

**Conor Burns:** Obviously, we do not consider that the imposition of the temporary tariff regime is, of itself, a good thing; we would much prefer to leave on 31 October with a deal. As I have explained, what these arrangements do is our level best to protect producers and, crucially, consumers in the event of a no-deal Brexit.

**Jim Shannon:** I thank the Minister for his responses. The Ulster Farmers Union has consistently stated that it has worries about tariffs—I declare an interest, as a member of the UFU. I know the Government and the Minister are well aware of the position of Northern Ireland lamb, beef, pig and chicken producers, and I am keen to know what discussions he has had with the UFU in order to support, assist and protect our farmers in Northern Ireland. In addition, have any discussions taken place with the Republic of Ireland?

**Conor Burns:** I am grateful to the hon. Gentleman for that. I have not had direct talks with the UFU, but the voice of Northern Ireland is very effectively represented in government by the Secretary of State and the Minister of State, and the voice of Northern Ireland will always be heard when the hon. Gentleman is in this House.

**Martin Docherty-Hughes:** In the last hour, the President of the United States has tweeted:

“As I have stated strongly before, and just to reiterate, if Turkey does anything that I, in my great and unmatched wisdom, consider to be off limits, I will totally destroy and obliterate the Economy of Turkey (I’ve done before!).”

So I wonder whether the Minister can tell my constituents who are producing and bottling fine Scotch whisky—this is especially in relation to the next urgent question—whether these arrangements are to be used as leverage against the unmatched wisdom of the President of the United States in a future trade agreement of a no-deal Brexit?

**Conor Burns:** I am enormously grateful to the hon. Gentleman for that. As I said, this is my first appearance at this Dispatch Box, but my cursory knowledge of these matters is that one is accountable at this Box for things within one’s responsibility. However vast the portfolio that I have the honour to discharge, the tweets of the President of the United States were not in my job description the last time I checked.

**Mr Speaker:** Very deft, if I may say so. Some of us might think, on the basis of personal experience, that there is an unmatched wisdom in Nancy Pelosi, but there you go.
US Tariffs: Scotch Whisky

Mr Speaker: We come now to the next urgent question. At the risk of embarrassing him, the right hon. Member for Dumfriesshire, Clydesdale and Tweeddale (David Mundell) tells me that this is the first time he has asked a question from the Back Benches in 14 years, but I am sure it will not show.

5.19 pm

David Mundell (Dumfriesshire, Clydesdale and Tweeddale) (Con) (Urgent Question): I know that you always indulge a novice in these proceedings, Mr Speaker.

To ask the Secretary of State for International Trade to make a statement on what discussions Her Majesty’s Government have had with the US and EU, following the announcement by the United States trade representative of their intention to impose tariffs of 25% on single malt Scotch whisky and other UK products on 18 October.

The Minister of State, Department for International Trade (Conor Burns) rose—

Mr Speaker: Oh, the Minister is making a second performance at the Dispatch Box. Excellent.

Conor Burns: Thank you, Mr Speaker. I am grateful to my right hon. Friend for his question.

The United Kingdom continues to be a champion of the international rules-based order of which the World Trade Organisation is the cornerstone. However, the United Kingdom is clear that resorting to tariffs is in no one’s interests. Low tariffs and free trade underpin prosperity and jobs in the UK and globally, which is why we are pursuing an ambitious free trade agenda, lowering tariffs and quotas where possible and working on an ambitious package of bilateral free trade agreements.

The Government are disappointed by the United States Administration’s announcement that they intend to impose tariffs on the UK and our European partners following the most recent ruling. My right hon. Friend asks what communications there have been between the Government and the United States. We have continued to raise this issue at the highest levels; my right hon. Friend the Secretary of State has spoken to US Trade Representative Lighthizer, Commerce Secretary Ross and Vice-President Pence; my right hon. Friend the Chancellor has raised the issue of Airbus tariffs with the US Secretary of the Treasury; and the issue was raised by my right hon. Friend the Member for Maidenhead (Mrs May) with President Trump during his state visit to the United Kingdom in June this year.

The dispute has a long history; indeed, it goes back to 2004. I will not detain the House by setting out that history, but it is long and complex and has led to the WTO judgment. Although the UK, France, Germany and Spain took steps to bring their support into compliance with the WTO, the WTO ruled last year that further steps were required to bring that support fully into line. The Airbus nations are seeking confirmation from the WTO in the ongoing proceedings that those steps are sufficient to achieve compliance. A ruling is expected in the coming months.

However, WTO procedure allows for the US to seek authorisation to retaliate against the EU in parallel to the ongoing proceedings and before the WTO has confirmed whether the Airbus nations have now complied with their WTO obligations. On 2 October, the WTO announced that the US can be authorised to impose up to approximately $7.5 billion in tariffs annually. Following that, the US published a list of tariffs on the EU, targeting products produced by the Airbus nations and the wider EU. These measures are not in the interests of the UK, the European Union or the United States. Tariffs will only inflict damage on businesses and citizens on both sides of the Atlantic and harm global trade and the broader aviation industry at a sensitive time.

We are working closely with the US, the EU and our European partners to support a negotiated settlement to the Airbus dispute, along with the separate Boeing disputes. I reassure the House that we will continue to press the issue at the highest levels and urge the United States to withhold tariffs until the WTO has confirmed that we have complied in the compliance proceedings—something that we expect to happen within the next couple of months.

Single malt Scotch whisky has been tariff free with the United States for more than 25 years now, and whisky exports to the US are worth more than £1 billion annually. Single malt producers are often small and medium-sized companies, and the tariffs will hit those who can afford them least. We will continue to talk to the US at the highest levels to press for a settlement and for the US to hold off applying the tariffs until we have had time for a ruling.

David Mundell: I welcome the Minister to the Dispatch Box and thank him for his answer. I welcome the fact that this urgent question was chosen to be discussed, because the matter is urgent. There are 10 days left until the US proposes to introduce tariffs of 25% on Scotch malt whisky, which represents 60% of the UK-origin goods included on the list and 10% of the non-aviation goods from across Europe that are on the list. Curiously, products such as brandy and cognac from France are not included on the list.

As the Minister said, the US market is vital for the Scotch whisky industry, with a turnover of more than £1 billion. The distilleries involved in exporting malt to the United States are often small. They are often craft distilleries, whose establishment in recent years we particularly welcomed in Scotland. If tariffs are imposed, those industries will have to scale back their efforts in the United States. The industry estimates that there could be a loss of £228 million in revenue, and that 3,000 jobs, mainly in rural Scotland, could be affected by the proposals.

I want the Government to show even more urgency than they have done to date. There are two things that can be done immediately. First, the industry has made it clear that if the Government announce that when the UK leaves the EU on 31 October this year that they will not impose tariffs on bourbon or American whiskies, that would greatly help the dialogue with the United States.

Secondly, I know that the Minister has the close ear of the Prime Minister, and it is important that he urge him to intervene directly with President Trump. It was my duty to welcome President Trump to Scotland last year.
During that event, he told me that he loved Scotland. If the Prime Minister could convey directly to President Trump the damage that the proposals would do to Scotland, particularly rural Scotland, that could have an impact. I would be pleased if the Minister confirmed that he would indeed urge the Prime Minister to make those representations.

Conor Burns: I am grateful to my right hon. Friend for those questions. He represents a powerful voice on behalf of the industry and the people of Scotland, along with my hon. Friends around him. It is not just whisky—but I will return to whisky in a second—it is pork, cheese and cashmere. There are a number of areas that will be harmed by the tariffs. Earlier this afternoon, I spoke to Karen Betts, chief executive of the Scottish Whisky Association, who is in South Africa. It is a measure of her concern that she took time out of her schedule to talk to me. The Government are enormously sympathetic, and as I said in my answer, we would urge the United States—tariffs are not in place, and there are 10 days before they are introduced, as my right hon. Friend says—to think again. These tariffs are in no one’s interest. The President of the United States prides himself on being the champion of the little guy, the little business. Well, it is the little business and the little guy who will be harmed most directly if the tariffs come into play.

I can entirely understand my right hon. Friend urging the Government to adjust section 232 countermeasures by removing the tariff on bourbon. We believe in the international rules-based order. It would be the easiest thing in the world simply to say to him, “Yes, we are going to do that.” However, while we remain a member of the European Union, we have to comply with the rules of the European Union. What I would say to him is that when we leave the European Union, nothing is off the table.

Barry Gardiner (Brent North) (Lab): I welcome the urgent question asked by the right hon. Member for Dumfriesshire, Clydesdale and Tweeddale (David Mundell). I welcome, too, the measured tone of the Minister’s response, the factual information that he provided at the Dispatch Box and his support for the international rules-based order.

It is no secret that the American President has sought to define his Administration as one of trade warfare, seeking to put the interests of America first and to repatriate jobs and industry to the USA. He believes that a trade war is one that the US can win. Does the Minister agree that no one wins in a trade war? That much is clear from the spurious Boeing case against the importation of C Series aircraft and the use of section 232 national security measures to prevent steel and aluminium exports to the US, and now again in respect of automotive imports.

The concern for British exporters is that the recent findings of the WTO in relation to aircraft subsidies will be used to secure an advantage for American producers and for American interests in any future trade agreement between our nations. The US trade representative has been clear that the US will impose countermeasures in the first instance and will seek to discuss how to resolve this dispute with the EU thereafter “in a way that will benefit American workers”.

Other European leaders have been clear in their condemnation of the measures, but our Government have been decidedly more reserved, perhaps for fear of jeopardising any future trade talks. I note in the Government’s response published last week that the UK was seeking clarification from the WTO that the UK was compliant with measures regarding subsidies to Airbus, so I ask the Minister when he expects that such confirmation will be given and whether this indicates a divergence from the EU response.

Many products that these tariffs are being imposed on are subject to geographical indications, which are awarded under trade agreements to protect products of cultural heritage. It is no surprise that these products have been targeted first, as American producers of rival products have made no secret of their desire to destroy such protections. Does the Minister agree that this is not just about responding to the subsidies ruling, but about undermining and eliminating competition in favour of US producers who have long sought to do away with product labelling requirements, restrictive geographical indicators, and even sanitary and phytosanitary standards? Does he agree that going after some of our most iconic products is part of that strategy?

The Scotch whisky exports from this country amount to £6 billion a year—21% of all our food and drink exports, and 41 bottles a second. That is faster than I can drink it! Scotch whisky is so important to our exports. In fact, I think it is our third largest export, so the Government need to do all they can to protect it. These measures come at a time when the UK Prime Minister still insists that we could have a no-deal Brexit in a matter of days—a scenario under which substantial tariffs could be imposed on our exports to the EU. That would be a double whammy for British producers.

The impact of these tariffs on our biggest markets would be enormous, particularly for products such as Scotch whisky. No amount of new trade agreements overseas could mitigate that imminent threat. The EU is understood to be exploring what position to take in respect of these new tariffs. What role will the Minister’s officials be taking in those discussions, given our pending withdrawal?

Conor Burns: I am grateful to the shadow Secretary of State for his support; I think this is a relatively rare but very welcome moment where there will be an outbreak of consensus across the House.

The hon. Gentleman is absolutely right to highlight the importance of the Scotch whisky industry to the UK. Whisky is the UK’s biggest single agrifood export, accounting for more than 21% of all UK food and drink exports. In 2018, exports of all whisky from the UK totalled £4.8 billion, of which the Scotch Whisky Association claims £4.7 billion. Scotch whisky: Scotch whisky is the biggest single contributor to the UK balance of trade in goods, and the largest single market for UK exports of all whisky—not just Scotch whisky—by value is the United States, which imported more than £1 billion-worth in 2018 or a volume of 84,791 tonnes.

Beyond that, a further £268 million is injected into the economy through the supply chain, leading to a UK-wide impact of just under £5 billion. Some 40,000 jobs are directly supported by the Scotch whisky industry, which is an
absolutely vital sector to the United Kingdom and one that we are determined to do everything we can to protect.

The shadow Secretary of State will have heard me say to Mr Speaker earlier that the dispute that has led to these retaliatory measures in 10 days’ time is a very long and complex one and is being governed by the investigations at the WTO. It is regrettable, although we accept it, that we were found not to be in compliance and the WTO has given the United States permission to go down this route.

The hon. Gentleman asked me about our belief that we are now completely compliant and have taken the remedial measures necessary to bring ourselves into compliance in this dispute. We hope that that will happen within the next couple of months. We are pressing the WTO for an early decision on that, because the evidence base on this stuff is incredibly important, particularly in our conversations with the United States.

I am anxious this afternoon to dial down the atmosphere and not engage in deep personal attacks on people in other countries. The hon. Gentleman was very restrained, and rightly so, in what he said. We want to keep it on the issues. We think that the proposed tariff is unfair, wrong and unjust, and if we can demonstrate that we are now in compliance in this very long-running dispute and have taken the necessary measures, I hope that we can engage calmly with the United States.

I hope the hon. Gentleman will agree that one of the reasons why the United Kingdom is so internationally necessary, and why our taking up our position again in the WTO when we leave the EU is a good thing and is widely welcomed internationally, is that we believe in the international rules-based order. We believe that any fair, reasoned, rational observer who looks at this will conclude that these tariffs are unjust, unfair and wrong and are targeting people who have done absolutely nothing in terms of the dispute that has given birth to these retaliatory measures. I hope that, with constructive engagement and calm dialogue, we may persuade the United States to think again.

**Douglas Ross** (Moray) (Con): Mr Speaker, as you know from my application for an urgent question on this subject today, my constituency is severely affected by the announcements from the US last week. Moray is home to 40% of all Scotch whisky distilleries, as well as a sector that has not been mentioned so far: the biscuit industry. Some 50% of biscuits exported to the US are Scottish shortbread. Moray is home to Walkers of Aberlour, and when I spoke to Jim Walker earlier this afternoon, he wanted me to stress that figure. I met Lewis Maclean of Maclean’s Highland bakery in Forres on Friday, who expressed his concerns for his sector as well.

Can the Minister update the House on what steps the Government will take over the next 10 days to try to stop these tariffs taking effect from 18 October, which feeds into the important Christmas market? I also reiterate the point that a zero tariff on bourbon and American whiskey when we leave the European Union would send the strongest possible message to the US that the UK is on its side, and it should take away these tariffs?

**Conor Burns**: I am grateful to my hon. Friend, who is a doughty champion for his constituents and the commercial interests in his constituency. I was aware of the presence of Walkers Shortbread in his constituency and the fact that it exports more than £29 million a year and is a significant local employer. Before coming to the House, I asked for a list of all Members who represent Scottish constituencies and how many distilleries they have in their constituency. I was more than surprised to find that my hon. Friend has a significant number—I think more than 40—in his constituency, which makes the following offer very easy to make: I would be delighted to visit him in his constituency and see some of those distilleries, and perhaps also Walkers Shortbread.

As for what we can do to get this message across, the United States ambassador to the UK, Ambassador Johnson, is known to many of us, and he is known to be very close to President Trump. I encourage all Members across the House to contact the American ambassador and make him aware of the strength of feeling on this subject in this House and across the country.

**Brendan O’Hara** (Argyll and Bute) (SNP): As the Minister will find out, it is quality rather than quantity that counts when it comes to Scotch whisky. As the chair of the all-party parliamentary group on Scotch whisky, I have no doubt that these tariffs will have a hugely negative impact on one of our most important, successful and growing industries. The Scotch whisky industry employs 11,000 people directly. I encourage UK Ministers to do everything they can to resolve this as quickly as possible, because it is in no one’s interests to have a trade war like this, where everybody will almost inevitably end up on the losing side and jobs, confidence and future investment will be affected. I fear that these tariffs will disproportionately impact on the small independent distilleries, of which there are many in my Argyll and Bute constituency and, indeed, across the economically fragile, rural parts of Scotland.

The Minister listed a number of conversations that have been had, but I would like him to clarify what conversations have taken place since Thursday with both the EU and the United States? Is it not the case that a post-Brexit, isolated UK would have much less negotiating power than it currently has as part of one of the world’s largest trade blocs when it comes to fending off someone like Donald Trump?

**Conor Burns**: I am going to resist the temptation to launch on the last point. Tempting as it is, I would rather try to keep a degree of consensus on the issue, but I would say this to the hon. Gentleman. He opened by saying that it is quality, not quantity, that counts. I think that has been the cry of many down the generations. A trade war would be in no one’s interests: there will be no winners in a trade war. The thing that I think agitates and upsets us most about this, as I said earlier, is that those who have done absolutely nothing in the Airbus-Boeing dispute, with the rights and wrongs on both sides, and people who have had absolutely nothing to do with that, going back so many years, will now be hurt and harmed if these tariffs come into play. We will continue to use every opportunity to convey to our friends in the United States that this is—

**Brendan O’Hara**: Since Thursday?
Conor Burns: I am not sure that it is helpful to have a running commentary on everything that is being said. I think those who are employed in distilleries in the hon. Gentleman’s constituency would be much more interested in what the Government are trying to do to get a successful outcome. I have told the hon. Gentleman and the House the exchanges and the conversations there have been, and those will continue. We are determined to use the next 10 days to try to persuade our friends in the United States that this is the wrong way to go.

John Lamont (Berwickshire, Roxburgh and Selkirk) (Con): The decision by the US affects other iconic Scottish industries, such as cashmere and textiles. We have a long tradition in my constituency in the borders, and both Hawico and Johnstons in Hawick have been in touch with me in recent days, expressing severe concerns about the impact that these tariffs are going to have on their American business. Can the Minister assure me that textiles and cashmere are on his radar, and that he will be trying to find a solution for those sectors too? If no solution can be found by 18 October, will the Government consider compensating those businesses for the duties and tariffs they are going to have to pay out?

Conor Burns: I am very grateful to my hon. Friend. Friend, and I am happy to reassure him by reiterating the comments I made to our right hon. Friend the Member for Dumfriesshire, Clydesdale and Tweeddale (David Mundell) about cashmere and other product lines. This is not confined to Scotch whisky, although Scotch whisky will obviously dominate the coverage of this because it is such an iconic Scottish, and indeed British, brand. It is known everywhere, and only two days ago in Vietnam we were having conversations about the labelling of imports of Scotch whisky through third countries and how that was leading to an increase in illicit sales of Scotch whisky products. Diageo has been very vigorous in lobbying the Government on that and other related issues. We are absolutely determined to support this sector, and indeed the other sectors that my hon. Friend quite rightly highlighted.

Mr Alistair Carmichael (Orkney and Shetland) (LD): Knitwear is something that defines Shetland in the eyes of many across the world. Just in the last week, we have seen visitors coming to the isles from right around the globe as part of an enormously successful Shetland Wool Week—especially coming from the United States of America. Does the Minister understand that the damage that will be caused by tariffs of this sort is not just about manufacturing and exports, but about tourism? The communities that rely on our defining products, such as Scotch whisky and knitwear, are some of the smallest and most economically fragile to be found anywhere, and jobs that are lost there will not be easily replaced.

Conor Burns: I could not agree more with the right hon. Gentleman. Knitwear from his part of Scotland is a small but very well-known British-Scottish-UK brand. He is absolutely correct to suggest that if the tariffs did come in and those sole traders, partnerships or companies with two or three people working together folded, it would be unlikely that they would come back. They are a very precious part of our heritage and this microeconomy would be lost, which is why we will do everything we can to persuade the US to think again.

Kevin Hollinrake (Thirsk and Malton) (Con): As you know, Mr Speaker, not all whisky is Scotch. I happen to have with me a bottle of Filey Bay, Yorkshire’s first whisky. It was released on Saturday after the requisite three years and a day. It is from the Spirit of Yorkshire distillery in Hunmanby in my constituency. Will the Minister confirm that he will provide support for whisky producers wherever they are, whether from the great nation of Scotland or God’s own county of Yorkshire?

Mr Speaker: The hon. Gentleman loses no opportunity. Why will it not be a surprise to right hon. and hon. Members to be reminded that his successful business career was as an estate agent? [Laughter.]

Conor Burns: I am very grateful to my hon. Friend. Friend. Sparking a debate on what constitutes whisky is something I would not wish to do on my first outing at the Dispatch Box, Mr Speaker. I see some friends from Northern Ireland, although I am sure it has never touched the lips of the hon. Member for North Antrim (Ian Paisley). Coming from Northern Ireland as I do, I know that some very fine whiskey is made there. I make this undertaking to my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake): the Government will protect and promote whisky that is produced in all parts of the United Kingdom.

Ian Paisley (North Antrim) (DUP): Bushmills is, of course, the only Irish whiskey made in the United Kingdom, and therefore the only British whiskey with an “e” in it, making it the most excellent whiskey in the whole of the United Kingdom. No doubt when the Minister was in his boyhood in Ballycastle he would have sampled the angel’s share of that product. Can he confirm the proportion of product sold by the Bushmills distillery that are blends with other whiskey products from the Republic of Ireland? Can he confirm that they will therefore be zero-rated for all future sales? Given that will then create an unlevel playing field, will he ensure that the same advantage rests with single malt whiskey made in Bushmills?

Conor Burns: As the hon. Gentleman knows, these tariffs relate to single malt whisky products. I can say to him that I have visited Bushmills many times and that I am a fan of Bushmills whiskey. The old inn at Bushmills is among the finest places to stay anywhere in the United Kingdom. His father and my grandfather shared something in common; they never drank at all. I did not follow my grandfather’s example. I am sure he followed his father’s.

John Redwood (Wokingham) (Con): As the UK Government are rightly considering lowering some tariffs on food and drink products once we leave the EU, what opportunity will there be to get some benefit or leverage out of that spontaneous reduction?

Conor Burns: As my right hon. Friend knows, we are determined to take full advantage of the opportunities of leaving the European Union. We believe, as a Government and as a party, that low tariffs, preferably no tariffs, are mutually beneficial to us and to countries with whom we do business. Free trade creates joint prosperity and wealth. We have to continue to articulate that case, particularly to our friends in the United States who are normally free market in outlook and...
light touch in regulation, and who mirror our basic political philosophy. A trade war benefits nobody, not least those we are elected to serve.

Ann Clwyd (Cynon Valley) (Lab): Many years ago, Mr Speaker, when Mr Speaker Weatherill sat in your Chair, I was taking part in a filibuster and I mentioned Penderyn whisky at length. As a result, Mr Speaker Weatherill said that he would very much like to sample it, and I believe that he was sent several bottles. Earlier, the Minister asked me to return to the question of what will happen to Penderyn whisky—obviously, he wants to give me more information than he was able to during the previous urgent question. I repeat: Penderyn whisky is from a small distillery in my constituency on the edge of the Brecon Beacons. It is an important employer in an area of still high unemployment and it is very important that it is protected.

Conor Burns: The right hon. Lady makes a very powerful case. As I have said a number of times at this Dispatch Box in answer to several hon. and right hon. Members, we believe that it is terribly unfair that the small producer will be caught in the crossfire of a dispute in which they had no part and no part in making. I am very happy to meet her to talk particularly about her which they had no part and no part in making. I am afraid that the Chancellor’s next Budget falls into a similar but not distinct category, but beyond my remit. I am sure that she will make that point very powerfully and I believe that she was sent several bottles. Earlier, the Minister asked me to return to the question of what will happen to Penderyn whisky—obviously, he wants to give me more information than he was able to during the previous urgent question. I repeat: Penderyn whisky is from a small distillery in my constituency on the edge of the Brecon Beacons. It is an important employer in an area of still high unemployment and it is very important that it is protected.

Kirstene Hair (Angus) (Con): I welcome the Minister’s commitment to trying to protect the industries that could be affected if these tariffs come into place. I also welcome the UK Government’s commitment—specifically, when there are an additional 12 Scottish Conservative MPs—on support for the spirits industry across Scotland and in Angus. I ask him for reassurances that in an upcoming Budget, he will look carefully at the spirits industry as a whole and other industries that would be affected were these tariffs to come into play on 18 October.

Conor Burns: I congratulate my hon. Friend on yet another demonstration of what a powerful advocate she is for those who put their trust in her to serve as their Member of Parliament. I said earlier that the tweets of the President of the United States were slightly beyond my remit. I am afraid that the Chancellor’s next Budget falls into a similar but not distinct category, but I am sure that she will make that point very powerfully to our right hon. Friend, and that it will receive a warm welcome.

David Hanson (Delyn) (Lab): Airbus Industries will be heavily impacted by the decision last week. Has the Minister raised this issue with Airbus since Thursday, and has he raised with the United States ambassador the 275,000 jobs that are provided by Airbus in 40 states in America, as well as the thousands in my constituency?

Conor Burns: I have not yet had the opportunity to raise this issue directly with Airbus, but I have put out a call to the American ambassador. As I hope the right hon. Gentleman will understand, the reason that I have not yet had the opportunity to talk directly to Airbus is that I returned to the UK only late last night after a visit last week to Vietnam. When I came into the office, I spoke to the chief executive of the Scotch Whisky Association and I reached out to our counterparts in Scotland and Wales. Such conversations will be happening urgently in the course of this week.

Margot James (Stourbridge) (Ind): I welcome my hon. Friend’s respect for the rules-based international order, but does he share my concern that the US, under this President, has by contrast ridden roughshod over multilateral institutions and agreements? This President has made it abundantly clear that he views trade negotiations simply as a means of reducing US trade deficits, subverting the rules of the WTO whenever they get in his way.

Conor Burns: I am very keen that we do not try to personalise this as a dispute between the United Kingdom and the person of the President of the United States. The relationship between the UK and the US is one between two great nations and two historical allies. It is the case that the United Kingdom continues to take strongly the view that we should uphold the international rules-based order. We see the WTO as a very important part of regulating and acting as a fair and impartial arbiter in international trade disputes. We have already said publicly that we do not think that the WTO is perfect and that we would welcome some reform—in particular, to increase the speed at which dispute resolution takes place. We will continue to engage with our counterparts in the United States, and we hope that we can persuade them that these are damaging measures that should not happen. There was chuntering when I said that I would continue to reach out during the course of this week—I mean by tomorrow, but I cannot guarantee that people will answer the phone.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): The hon. Gentleman made an excellent point that I had not thought of before. I welcome what he said and I would be very interested in talking to him more about that because that could be a very fruitful line of discussion between us and the United States. Perhaps we could have a conversation about that this week.

Bill Grant (Ayr, Carrick and Cumnock) (Con): Will my hon. Friend advise me what steps the UK Government are taking to help to broker a negotiated settlement between the EU and the United States on what is
essentially a long-standing issue regarding airplane manufacture between Boeing and Airbus, thus avoiding damaging tariffs for companies such as William Grant & Sons in Girvan, in close proximity to Trump Turnberry, and on cashmere produced by Begg & Co. of Ayr?

Conor Burns: My hon. Friend asks an excellent question. I have articulated what we are trying to do: first, to persuade the United States not to act in the timeframe that they have set out; and secondly, to work with our friends and colleagues in the European Union to press the WTO to come to judgment on the Airbus/Boeing case and our compliance with the judgment as quickly as possible, so that we can move on from this and get back to proper free trade. In terms of the textile and whisky companies that my hon. Friend mentioned, we are acutely aware of that and they have our support.

Emma Little Pengelly (Belfast South) (DUP): As my hon. Friend the Member for North Antrim (Ian Paisley) outlined, Bushmill’s whiskey is defined internationally as Irish whiskey. Is the Minister aware that the Republic of Ireland seems to have negotiated an opt-out for its single malt Irish whiskey? Did he or the Department engage in renegotiations to try to get an opt-out for whiskies from the UK, and how does he intend to catch up with the Republic of Ireland on this issue?

Conor Burns: We want to deal with the macro on this issue. These are very bad tariffs that we believe have no foundation. We believe that they are wrong and profoundly unhelpful, and we believe that they undermine the whole concept of free trade and will damage people who are producing and employing. I would rather go down the route of trying to persuade our American friends to abandon this entire series of tariff attacks and look at the issue calmly and reasonably based on the current facts, not ancient dispute, than seeking to try to get an opt-out in some way, which in a sense would legitimise the underpinning of something that we consider to be wrong.

Luke Graham (Ochil and South Perthshire) (Con): Whisky is an enormous employer in Ochil and South Perthshire, from Glenturret to Tullibardine to Diageo. They employ thousands of people across the constituency. What is my hon. Friend doing to limit the impact on the broader supply chain that will affect not only my constituency, but Scottish and northern English farmers? Will he join me and the rest of the Scottish Conservatives’ campaign for the Treasury to continue to freeze spirit duty in the next Budget to ensure that there is not a double hit for our producers in Scotland?

Conor Burns: I congratulate and salute my colleagues representing Scottish constituencies. To weave into this, my debut performance at the Dispatch Box, the writing of the Chancellor’s Budget shows a degree of ingenuity. I welcome. I will certainly make representations on behalf of my hon. Friends, who serve the people of Scotland so well, about what the Chancellor can do in his Budget to help protect this sector.

Justin Madders (Ellesmere Port and Neston) (Lab): As my right hon. Friend the Member for Delyn (David Hanson) said, Airbus is a huge employer on both sides of the north Wales border, so when the Minister has his conversations will he emphasise that point and the point that the United States employs a significant number of people in the same industry?

Conor Burns: The hon. Gentleman makes a powerful point, and he makes it well, and he is correct.

Ross Thomson (Aberdeen South) (Con): I warmly welcome my good friend to the Dispatch Box—he is doing a great job—and if he wants to visit Aberdeen on his way up to Moray, he will be more than welcome. Can he give a commitment that in future trade talks with the US his Department will prioritise the export market for the great iconic Scottish whisky industry, and does he agree that as we leave the EU we have the opportunity to open up new and growing markets, such as India and Taiwan?

Conor Burns: I entirely agree with my hon. Friend, who serves his constituents in Aberdeen so effectively. Absolutely, that will be the case when we start our discussions and negotiations with the United States. I chaired a trade discussion with the Taiwanese last week, before I went to Vietnam, and I was struck by how incredibly interested they were in growing the sector. Asia is a massive growth market for Scottish whisky. We are also determined to seek to remove some of the tariffs and non-tariff barriers to other markets in the Asian region.

David Linden (Glasgow East) (SNP): The Minister said he did not want to personalise this, but even with a small urban constituency I have a maturation warehouse, a bottling plant and three cooperages. If the UK has such a special relationship with the US, why does the Prime Minister not just pick up the phone to Donald Trump and tell him to drop these ridiculous tariffs?

Conor Burns: I have no doubt that the Prime Minister, the next time he speaks to the President of the United States, will want to express his disappointment and concern at these measures and will urge the President to invite his Administration to think again. I say to all right hon. and hon. Members, however, that if our shared goal is not seeing these tariffs implemented in 10 days’ time, I am far from convinced that the best way of achieving that outcome is to personally attack the President of the United States.

Andrew Bowie (West Aberdeenshire and Kincardine) (Con): It is not often I say this, but I completely agree with the hon. Member for Argyll and Bute (Brendan O’Hara); it is about quality, not quantity. I represent Scotland’s two finest distilleries, Royal Lochnagar and Fettercairn, and I think the Minister hit the nail on the head. My Scottish Conservative colleagues have mentioned the possible quid pro quo of removing the bourbon tariff in exchange for removing the 25% Scotch malt whisky tariff being imposed by President Trump. Can he confirm whether that suggestion has been made to the United States, and if it has, how did it go down?

Conor Burns: I can confirm to yet another powerful advocate for the Scottish interest on the Conservative Benches that I am not aware that that has been put to the United States. As I said to my right hon. Friend the Member for Dumfriesshire, Clydesdale and Tweeddale (David Mundell), we are either a believer in the rules-based international order or we are not. We are still currently a member of the EU, and we have to comply with the rules of that institution as long as we are in it. I do not
think that to do something unilaterally on bourbon at this time would be right. However, as I made clear to my right hon. Friend, when we have left the EU, if we have not resolved this, the Government do not take any option off the table.

**Martin Whitfield** (East Lothian) (Lab): The Glenkinchie distillery, in my constituency, has been around since 1837 and is the finest lowland distillery in Scotland. Can the Minister confirm that, if we were to leave the EU, the US tariffs would not automatically fall but would indeed continue? To quote the advice of a former President to a former Prime Minister during the banana trade wars, politicians in America do not seem to have a lot of control over this. Who is the Minister reaching out to in the US beyond the immediate politicians to secure a revocation of the tariffs, hopefully before they are imposed?

**Conor Burns**: Ultimately, these are decisions for the United States Administration, which is why my right hon. Friend the Secretary of State has reached out to her counterpart, why the Chancellor has reached out to his, and why my right hon. Friend the Member for Maidenhead (Mrs May) raised these points when President Trump was here over the summer. As I said in answer to a previous question, I am sure my right hon. Friend the Secretary of State has reached out to their views known to the United States ambassador in the United Kingdom, who will then be able to convey them back to his Administration at home.

**David Duguid** (Banff and Buchan) (Con): As well as the many distillers across Scotland, including the two wonderful distilleries in my constituency, Macduff and Glenglassaugh, the news of these tariff proposals will concern the many thousands of people involved in the Scotch whisky supply chain, including the farmers in my constituency who produce the finest malting barley for the Scotch whisky sector. Can my hon. Friend assure me that the UK Government will safeguard the interests of barley growers and all those who may be indirectly affected by these tariffs, in addition to the distillers?

**Conor Burns**: I pointed out in a previous answer—to the shadow Minister, I think—the degree of reliance on the Scotch whisky sector within the supply chain. That supply chain adds enormous value to the UK economy, and hundreds if not thousands of jobs depend on it, so I am very happy to give my hon. Friend that undertaking.

**Christine Jardine** (Edinburgh West) (LD): I cannot boast any of the fine distilleries that other hon. Members have mentioned, but I do have a bottling plant with American connections and the global headquarters of Diageo, one of the world’s largest producers of spirits—indeed, the producer of the single biggest selling spirit in the world—and they will not be immune to this tariff. Does the Minister share our concern that this latest dispute with the United States simply illustrates the position we might be in if we leave the EU and depend entirely on the WTO—the very organisation that okayed these tariffs today?

**Conor Burns**: We should be under no illusion: in this respect, the WTO was doing its job. We were found not to have abided by the rules. In a sense, the WTO is obliged to allow the sanctions. As I have said repeatedly, the great sadness—the great sense of unfairness and foul play—is that the people who will be targeted, some of whom could be destroyed commercially, if the tariffs are implemented in 10 days’ time had nothing to do with the dispute where we were found not to have done the right thing. The best way to guarantee free trade is proper bilateral free trade agreements between us and other countries, and that is why we want a comprehensive free trade agreement with the EU and a deal that allows us to leave in an orderly way on 31 October.

**Sir Hugo Swire** (East Devon) (Con): I congratulate my hon. Friend on his debut at the Dispatch Box. If he goes on like this, it will not be long before he is presenting the Budget, and he will have a chance to sip the devil’s buttermilk as he does so.

My hon. Friend is absolutely right to say that America is the largest market for Scotch whisky. What other levers can he pull to promote whisky in the emerging markets of Asia and further afield—for instance by using the efforts of the GREAT campaign? This is a real opportunity to push our whiskies into other markets.

Perhaps you should lead by example, Mr Speaker. Mr Speaker’s 10-year-old single malt sells for £29 a bottle, which is a remarkable increase on what it retailed for 10 years ago. Perhaps as your parting shot, Sir, you should immediately commission, as a gesture of confidence in the Scotch whisky business, a new bottle of Speaker Bercow’s brew.

**Conor Burns**: I am incredibly grateful to my right hon. Friend. Indeed, having served as his Parliamentary Private Secretary from August 2010 for, I think, a couple of years, I now model myself on him, having watched his deft performances at the Dispatch Box from a position behind him.

My right hon. Friend is absolutely right about the growing interest in Scotch whisky around the world. As I have said, the Taiwanese market has been discussed several times in Vietnam in the last few days. I wonder whether my right hon. Friend might be on to something. Perhaps we should tie it to the GREAT campaign, and perhaps we should invite our new prime ministerial trade envoys in the beefed-up programme to make this a priority.

Scotch whisky is genuinely one of those international iconic brands. It is up there with Rolls-Royce, and all the other brands that are instinctively recognised as British. It is as well known as Buckingham Palace or, indeed, this very building, and it is integral to our promotion of ourselves as global Britain.

**Mr Speaker**: The right hon. Member for East Devon (Sir Hugo Swire) justifiably feels great pride in his protégé—the person whom, in fact, I might describe as his mentee. The mentoring skills have clearly had their impact.
Sir Hugo Swire: A new generation, Mr Speaker.

Mr Speaker: Indeed.

Gareth Snell (Stoke-on-Trent Central) (Lab/Co-op): Although Stoke-on-Trent does not make Scotch whisky, Wade Ceramics makes the ceramic bottles in which whisky is sold all over the world. In a similar vein to the hon. Member for Ochil and South Perthshire (Luke Graham), may I impress on the Minister that the supply chain for this product may be deeply impacted, and I ask what conversations he or the Government are having with the representatives of that supply chain to pass on in the negotiations, which I know they will welcome protecting their interests?

Conor Burns: As this session evolves, I am becoming ever more impressed by the ingenuity of colleagues who want us to write Budgets and also to raise the position of other sectors. I mentioned the supply chain a couple of times earlier, and we talked about the ceramics sector during the urgent question on the day one tariffs policy. We absolutely recognise the importance of that, and I am always willing to meet the hon. Gentleman and other representatives of the sector to discuss what more the Government can do to support it.

James Cartlidge (South Suffolk) (Con): My hon. Friend is absolutely right—we should not engage in personal attacks on the President, but is it nevertheless a strategic concern for us that we are seeing an Administration who appear to have a remarkable proclivity for protectionism? Does that not underline the fact that we as a nation need to be a champion of free trade, and that as we negotiate our exit from the EU we will have—having with the representatives of that supply chain to pass on in the negotiations, which I know they will welcome protecting their interests?

Conor Burns: The answer to the second part of my hon. Friend’s question is yes, absolutely, we must remain a champion of free trade, and that we will do. The answer to the first part of his question is that we have to deal with the world as it is. The greatest strategic interest that we have—that the House has, that the Government have—is to try to persuade the United States not to put the hard reality of trade disputes into sharp relief, and thereby to protect the Scotch whisky industry.

Joanna Cherry (Edinburgh South West) (SNP): I must say that it is wonderful to hear a UK Government Minister recognise the enormous value that Scotch whisky adds to the UK economy. I hope he will remember that next time his colleagues try to suggest that the Scottish economy is some kind of basket case.

The North British Distillery, which is in my constituency, is one of Scotland’s oldest and largest grain whisky producers, and is a very important employer in Edinburgh South West. While this tariff is of course aimed at single malts, it is a worrying indication of how the US Government may treat iconic Scottish food and drink products in any trade negotiation. As my hon. Friend the Member for Glasgow East (David Linden) suggested, if the Prime Minister’s alleged good offices with President Trump cannot resolve this problem, what hope is there for future trade negotiations outside the EU?

Conor Burns: After—how long has it been?—quite a long time during which we have enjoyed such wonderful consensus, I fear that we have now entered the press release-writing section of this urgent question.

No Conservative Member would ever speak of the Scottish economy in such denigrating terms. It is, in fact, because of our respect for the people of Scotland and the Scottish economy that Government Members passionately believe in Scotland’s integral place as a part of the United Kingdom. It is we who passionately believe that we are better together, and it is we who passionately believe that the best interests of the Scottish people are served by membership of this United Kingdom. It is this Government, serving every part of the United Kingdom, who will do all that we can to protect that sector, and to protect whisky producers in every part of this country. But if the hon. and learned Lady, who has taken some time off from her court cases to come here today, genuinely believes that the best way of resolving this dispute is to attack and denigrate personally the President of the United States, I think that shows how naive she is.

Stephen Kerr (Stirling) (Con): Let me confirm to the Minister that no Scottish Conservative considers Scotland’s economy to be a basket case. What an insult that was from the hon. and learned Member for Edinburgh South West (Joanna Cherry). However, I am concerned about the single malt distillers in Stirling, namely Deanston and Glengoyne: I am anxious that they should be able to continue to prosper. Is one of the options that the Government might pursue in their representations to the United States that this date of 18 October might be postponed a little, to allow us some time in which to continue negotiations?

Conor Burns: As I have indicated on a couple of occasions, the Government think that the way to move forward is to ask our friends and allies in the United States not to implement these tariffs within the timeline that they are proposing, to work with the EU and the other countries within it which are affected by the Airbus-Boeing dispute and are therefore subject to these tariffs, to secure a judgment from the WTO that confirms that we are now compliant, and to talk to the United States about how we can withdraw the tariffs and allow a sector that is vital to us and to the United States to proceed unimpeded.

Ben Lake (Ceredigion) (PC): This announcement has put the hard reality of trade disputes into sharp relief, but may I ask the Minister whether the tariff also applies to Welsh single malt whisky, such as that produced by Da Mhìle Distillery in my constituency? In the harmonised tariff schedule published by the United States Government, the relevant subheading and description refer only to Irish and Scotch whisky.

Conor Burns: My understanding is that that applies to the whole United Kingdom, but I shall be happy to check and to write to the hon. Gentleman tomorrow.

Paul Masterton (East Renfrewshire) (Con): There is a huge sense of frustration in the Scotch whisky industry and, indeed, among other spirits manufacturers about the fact that several European spirits were not included in the list, and that they are being treated as collateral
damage in a trade dispute that has nothing to do with them. As we move forward, what steps will the Government take to try to de-escalate trade disputes more generally, so that situations such as this do not continue to arise?

Conor Burns: As I have said several times, one of the great frustrations about this particular case is the fact that the Boeing-Airbus dispute goes back a long way. It was found that we had not behaved appropriately, hence the judgment. We would like to see reform of the World Trade Organisation to accelerate the dispute resolution process through the WTO so that the situation does not arise again, but we would also like to try to decouple that dispute and those judgments from this sector and other sectors that will be affected. We do not think that these tariffs are just; we think that they are wrong, and we want to work with our friends in the United States to try to persuade them not to implement them.

Pete Wishart: I am surprised at the Minister’s tetchy and defensive response to the gentle questioning from my hon. Friend the Member for Argyll and Bute (Brendan O’Hara). All he was asking was how many meetings the Minister had in the past five days since this was announced. His ill-mannered friend the Under-Secretary of State for International Trade, the hon. Member for Beverley and Holderness (Graham Stuart), suggested that there would be meetings tomorrow. The Minister himself has hinted that his phone calls will not be received or secured. He is a Minister of the Crown, for goodness’ sake! Get on with it! Make sure you are speaking to them! Get this sorted!

Conor Burns: I am incredibly grateful for that question. The hon. Gentleman says that I should have had these meetings last week, but I was in Vietnam last week. I arrived back in the UK today, and my officials and I have been working today and reaching out. I am actually quite fond of the hon. Gentleman, but I think that he is deliberately teasing me and misrepresenting what I said. I hope to have those conversations tomorrow, but what I said was that I could not guarantee that people would pick up the phone.

Pete Wishart: You’re the Minister!

Conor Burns: The funny thing about being a Minister is that it does not necessarily mean that everyone talks to you, and it certainly does not mean that they talk to you—[Interruption.] I did say to all colleagues in the House that we all have a role to play in this. It is not a matter of, as the hon. Gentleman says, “Give it to us”. We are all in this together, and the people who work in the sector will not care whether it is the SNP, the Tories or Labour. What they will want to see is this entire House of Commons coming together to support the industry.

Alan Mak (Havant) (Con): Chambers of commerce and transatlantic trade bodies play a key role in shaping trade policy, including on the other side of the Atlantic. What engagement has my hon. Friend had with those bodies to open up trade and markets for our exports?

Conor Burns: I am grateful to my hon. Friend, particularly as he is the last in the thin blue line between me and a barrage of questions from SNP colleagues for the remainder of these questions. He makes a very powerful point indeed.

Patricia Gibson (North Ayrshire and Arran) (SNP): We’re over here! Hello!

Conor Burns: My hon. Friend the Member for Havant (Alan Mak) asked the question, and we speak through the Speaker, so I am looking directly at the Speaker. I say to the hon. Lady that I observe the conventions of the House.

My hon. Friend makes a powerful point. If we are going to advance our international trade objectives, that is done not just Government to Government, bilaterally; it is done trade organisation to trade organisation. To coin a phrase, we are all in it together.

Patricia Gibson: Clearly these punitive tariffs on Scotch whisky will be extremely damaging for distilleries such as those in my constituency in Lochranza and Lagg on the beautiful island of Arran. Despite the Minister’s words, it is clear that this damaging trade war we face does not sit well with our so-called special relationship with the US. A number of people have asked this, and I too want to press him on whether he shares the concern that this trade war is happening just as we are at the point of preparing to lose our collective trading strength as part of the EU.

Conor Burns: I share the concern of the hon. Lady, and of Members from every part of the House who have spoken this afternoon, that this is happening at all. It is the objective of the Government to try to persuade the United States to think again and not impose these damaging tariffs in 10 days’ time.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): Mr Speaker, when you think about it, the most remote UK mainland jobs associated with Scotch whisky distilling are in my constituency by definition. I think of Old Pulteney in Wick and Glenmorangie in Tain, which are two examples providing vital jobs in places where jobs do not grow on trees. In all fairness, I wish the Government well in trying to get the United States to see sense, but the European Union is the biggest market for Scottish whisky—30% by value and 36% by volume—so surely the present trade deal we have in the EU is best for Scottish whisky.

Conor Burns: We want to try to persuade our friends in the US—I can go on repeating that; I will doubtless get into trouble with the Chair if I do so. He is no longer in his place, but as I said to the current hon. Member for Streatham (Chuka Umunna)—and, to judge from a leaflet that came through the door of my flat in London last week, the aspirant Member for Westminster—he has consistently taken the view that the membership of the EU on current terms was the best deal for the UK. That is a consistent, logical and admirable view to take. It is his view and I respect it. It was not the view of the British people in 2016 when they voted to leave the European Union. They knew what they were voting for because we sent a leaflet telling them what it meant, and we have to deal with that reality. Many of us on the
Government Benches, and indeed in other parts of the House, think there are great opportunities for the United Kingdom outside the European Union. The hon. Member for Caithness, Sutherland and Easter Ross (Jamie Stone) is right that we should absolutely have an ongoing trade agreement with the EU, which is why I would urge him and others from across the House to get behind the Prime Minister in his moderate, sensible, flexible offer to the EU. Let us get a deal across the line. That would be much more constructive than his party’s position of resisting the EU. Let us get a deal across the line. That would be much more constructive than his party’s position of resisting the EU. Let us get a deal across the line. That would be much more constructive than his party’s position of resisting the EU. Let us get a deal across the line. That would be much more constructive than his party’s position of resisting the EU.

Alison Thewliss (Glasgow Central) (SNP): As well as having Edrington headquartered in my constituency, I have the Glasgow Clydeside distillery, which opened in 2017, and Douglas Laing & Co, whose plans for the Clutha distillery at Pacific Quay are moving on apace. However, all that is now plagued by uncertainty because of this trade dispute. What assurance and support can the Minister give to businesses in the Scotch whisky industry, particularly fledging businesses, to ensure that that investment is sound?

Conor Burns: The best support we can give them is to strain every sinew to persuade the United States not to implement these tariffs in 10 days’ time.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): These tariffs will cause concern not just in my constituency but across Scotland. Can the Minister confirm that since last Thursday there has been no direct contact between him or any other UK Minister and the US Administration over this issue?

Conor Burns: On this I can only speak for myself, having returned to the United Kingdom from Vietnam last night. I have not had a direct conversation—

Drew Hendry: Why not?

Conor Burns: Because I was in Vietnam. I went to the office today, and we have been reaching out and having those conversations. I say to Opposition Members that the absolute determination that we must all share is to try to protect the Scotch whisky sector and persuade the United States not to implement these tariffs in 10 days’ time. That will be my focus for the rest of this week.

Carol Monaghan (Glasgow North West) (SNP): Like many Members, I have a constituency interest. One of the largest employers in my constituency is the Edrington bottling plant, which bottles brands such as Macallan single malt. I am amazed to hear the Minister say that we should be straining every sinew to get this sorted, when he cannot pick up a phone from Vietnam. That is incredible. This was a decision backed by the World Trade Organisation. Can he confirm that, post Brexit, we will simply be swapping one set of EU trade rules for WTO rules and that, as such, things such as Scotch whisky will continue to be bound by decisions made elsewhere?

Conor Burns: The hon. Lady talks about the WTO and decisions being taken elsewhere. The WTO is the international body that does dispute resolution between countries and endeavours to work for an international level playing field in trade. I am not particularly fond of the word, but I thought there was great consensus across the House on wanting to follow an international rules-based order.

By the way, on this point of who has spoken to whom, I outlined the representations made by this Government to our counterparts in the United States, which have been made at the level of the Chancellor and of the Secretary of State to Vice-President Pence and to her counterpart US trade negotiator. We have made incredibly high-level representations on this subject and will continue to do so, because we have a determination to try not to point-score, but to come to a successful resolution on behalf of the Scotch whisky sector.

Martin Docherty-Hughes (West Dunbartonshire) (SNP): May I first congratulate—I think I might be the first Member to do so—the right hon. Member for Dumfriesshire, Clydesdale and Tweeddale (David Mundell) on securing this urgent question? It is an important question for the entire House, not just for those of us whose constituencies are home to Auchentoshan, which—I will chide some Members—actually finds its heart and its spirit in the Kilpatrick hills. I should know: I illegally played in its distillery as a child and first represented it in 1992 as a councillor in Clydebank. Indeed, this very House’s house whisky—or hose whisky—is Loch Lomond, found in the beautiful vale of Leven, and our largest export to Europe is Ballantine’s from Chivas, found of course in Dumbarton. The Minister will now know that this White House is the most transactional in history and will have seen from developments in, for example, Ukraine that it has thought nothing of ratchetting up leverage in as many ways as possible, as a precursor to securing concessions at a later date. Can he therefore say what the Government are doing to limit those 25% tariffs, or whether we are going to become another Ukraine?

Conor Burns: We are doing everything we can to try to persuade the United States not to do this. That has to be the overriding ambition of us all, across the House. I have said this a couple of times already, and will do it again very briefly: we all have the ability to contact people in the United States on behalf of the UK Government. The party the hon. Gentleman represents—

Martin Docherty-Hughes: You are the Government of the United Kingdom.

Conor Burns: I was going to say to the hon. Gentleman—[Interruption.] If he wants to chunter, I can sit down—[Interruption.] Asking questions and then listening to the answer is how it sort of works, but if the hon. Gentleman wants to carry on chuntering rather than listening I can sit down and he can explain to his constituents why he did not get an answer.

Mr Speaker: That was rather unseemly. It has to be said that the Minister is being utterly courteous in his responses and it would behove Members to dignify the occasion with attentiveness to his answers.

Gavin Newlands (Paisley and Renfrewshire North) (SNP): There are currently more Scottish whisky industry jobs based in my constituency than in any other, and the very nature of these jobs leaves my constituency and those workers extremely vulnerable to a whisky downturn. Will the Minister reassure them that no stone will be left
Conor Burns: Until the hon. Gentleman reached the very end of his question, I was going to say that I found myself in the very unusual position of agreeing with absolutely everything he had said. He is absolutely right that we need to decouple these tariffs and this dispute from the sector. We need to persuade the US that this is the wrong thing to do and that it is deeply harmful to people who had no role to play in the old dispute that has now finally reached judgment.

I am genuinely touched by the belief that my picking up the phone from Vietnam or anywhere else would have resolved this when people much higher up in the Government—at Cabinet level and at a very senior Cabinet level—have quite rightly been making these representations. I will now join in and support them in making these representations.

How many times do we say these things? The Secretary of State for Business, Energy and Industrial Strategy spoke to the Vice-President of the United States when he was here very recently. She spoke to her counterpart, and the Chancellor made representations to the US Treasury Secretary. I will endeavour to make sure that the Prime Minister, when he understands the strength of feeling here, raises these matters with President Trump. I will say it again: those who are watching this, those who have returned home and been foolish enough to put the Parliament channel on, will not want us to score points against each other. They will want us to deliver for the Scotch whisky sector.

Peter Grant (Glenrothes) (SNP): In the interests of brevity, I do not intend to reel off all the world-leading brands produced in my wonderful constituency, although I should make an exception out of deference to and respect for my hon. Friend the Member for Kilmarnock and Loudoun (Alan Brown). Killie will always be the home of Johnnie Walker, even though it is now produced and bottled in my constituency.

The world-leading brands that are produced and bottled by Diageo in Fife are almost exclusively blended whiskies, so on the face of it we are okay, but I am uncomfortable, partly because so many others are not okay and partly because something that damages part of our whisky industry damages all of it. Does it worry the Minister at all that without the UK Government being able to do anything about it we have been put into a position where it will be seen as a massive success just to get back to where we were before? Is that a precursor of what trade deals will be like in the brave new world of the WTO?

Conor Burns: In the interests of brevity, no, I do not agree with the hon. Gentleman.

Mr Speaker: I think that the House is grateful to the Minister both for dealing with this urgent question and the exchanges on it the last 77 minutes, and for his efforts on the previous such question. He mentioned to the House that he was making his debut at the Dispatch Box. I cannot readily call to mind an example of a Minister who on making a debut at the Box has had to answer successive urgent questions, and the hon. Gentleman has done so with considerable commitment and élan. We are grateful to him.
Operation Midland Independent Report

Mr Speaker: Before I call the right hon. Member for Haltemprice and Howden (Mr Davis) to ask his urgent question, I must inform the House that I have been advised that Carl Beech has appealed his conviction and sentence. Colleagues, those appeal proceedings are therefore sub judice under the terms of this House’s resolution and no reference should be made to the merits or otherwise either of that appeal or of the sentence imposed by the court.

6.38 pm

Mr David Davis (Haltemprice and Howden) (Con)(Urgent Question): May I add my commendation to the Trade Minister who responded to the previous urgent question, who did so as to the manner born?

To ask the Minister for Crime, Policing and the Fire Service if he will make a statement on the Home Office’s response to Sir Richard Henriques’s independent report on the Metropolitan police’s Operation Midland.

The Minister for Crime, Policing and the Fire Service (Kit Malthouse): This is a deeply concerning case. Operation Midland was the Metropolitan Police Service’s investigation into allegations of child sexual abuse made by Carl Beech against a range of public figures. Beech is now serving an 18-year prison sentence for perverting the course of justice. He has appealed his conviction and sentence, as you mentioned, Mr Speaker, and they are a matter for the courts to consider. This case has had a devastating impact on those he accused and their families. Sir Richard Henriques’s report on how the Met handled the investigation raises many concerns. The Met has already apologised for failings in the investigation and acted on many of Sir Richard’s recommendations, and we very much welcome the publication by the Met on Friday of the fuller detail of what Sir Richard found. I note that the commissioner of the metropolis has issued a further statement and apology today.

It is now vital that the public receive independent assurance that the Met has learned from the lessons identified in Sir Richard’s report and has made the necessary improvements. That is crucial to restoring public confidence that police handling of an investigation of such sensitive matters is both fair and impartial. That is why my right hon. Friend the Home Secretary wrote last week to Her Majesty’s chief inspector of constabulary and fire and rescue services to ask him to undertake an inspection at the earliest opportunity to follow up on Sir Richard’s review. It must be right that a body independent of Government take this work forward. She also asked that the inspection take account of the findings of the report of the Independent Office for Police Conduct, which was published this morning, and which we will be considering carefully.

The public must have faith in the impartiality of their police service, and no one should have to suffer the ignominy of public false accusations of the most heinous kind. The Government are determined to ensure that the lessons are learned by the police and that the failings of this investigation are never repeated.

Mr Davis: The fundamental principle of our justice system is innocent until proven guilty—a principle undermined over the past decade when the rules of police forces were amended, particularly after the Jimmy Savile scandal. The entirely understandable aim of those changes was to increase the conviction rate for sexual offences, but that has been a complete failure, with conviction rates for sex crimes having dropped dramatically in the last five years.

The price that has been paid in terms of reputational damage and ruined lives has been enormous. High-profile figures investigated under Operation Midland have had their reputations disgracefully and unjustly tarnished. The IOPC, whose report was published this morning, has failed miserably to identify the Met’s failures, identify the culpable people or resolve the issues.

However, it is not just the Met. Other police forces across the country follow policy guidelines, automatically believing all allegations brought by complainants, and therefore disbelieving the defendants. This has damaged the reputations of Cliff Richard, Paul Gambaccini, Jim Davidson, my hon. Friend the Member for Ribble Valley (Mr Evans) and many other, less well-known defendants. Will HMIC therefore review not just Operation Midland, but the judicial and policing rules and procedures covering all such cases, so that we get justice for victims and protection for the innocent?

Kit Malthouse: My right hon. Friend raises issues that are, of course, important. He rightly points out the devastating impact, as I mentioned earlier, that this episode has had on many significant public figures, one of whom was a much decorated war hero. I hope he will recognise that, in many circumstances, the police face a difficult task in trying to balance the need to give victims of crime the confidence to come forward, engage with them and report crimes, against the requirement to have justice or impartiality in an investigation at the same time.

The College of Policing, which looked at the guidelines, considered, for example, the tendency or policy that are, of course, important. He rightly points out the devastating impact, as I mentioned earlier, that this episode has had on many significant public figures, one of whom was a much decorated war hero. I hope he will recognise that, in many circumstances, the police face a difficult task in trying to balance the need to give victims of crime the confidence to come forward, engage with them and report crimes, against the requirement to have justice or impartiality in an investigation at the same time.

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Louise Haigh (Sheffield, Heeley) (Lab): I congratulate the right hon. Member for Haltemprice and Howden (Mr Davis) on securing this important urgent question.

Sir Richard Henriques’s report makes for extremely sobering reading. At the heart of this case are the victims and their families, who have faced years of questions and unthinkable damage on the basis of false and malicious allegations. It is clear that this case has exposed a serious failure of the police’s investigative functions and decision making, which has had profound consequences. Officers failed to present the whole picture when seeking search warrants, and the investigation into Lord Brittan went on far too long. Of that there is no question.

The question for the IOPC is whether the five officers involved acted deliberately or criminally. Its conclusion is that they made mistakes and that the processes failed, but that they were not guilty of gross misconduct.
Indeed, Sir Richard himself acknowledged that, notwithstanding the many mistakes made, the officers conducted the investigation “in a conscientious manner with propriety and with honesty.”

The question, therefore, for the police, for the Home Office and for us, as Parliament, is what needs to change organisationally and culturally to ensure that investigations are properly, objectively and successfully pursued. That institutional change must be our objective, but it is so often lost in the heat of the tabloids’ gaze.

It is right that our police are subject to the most intense scrutiny. The accountability of the police is a fundamental cornerstone of our democracy, and many of Sir Richard’s recommendations must be implemented in the interests of accountability. Will the Minister therefore confirm exactly how many of his 25 recommendations have already been delivered and what the timeline is for further recommendations from both Sir Richard and the IOPC to be implemented and for HMIC’s review?

Does the Minister believe that there is a systemic issue on disclosure and search warrants that must be nationally addressed? What steps will the Home Office take to lead on this work? Will he specifically look into the recommendation around the audio recording of warrant applications? Furthermore, it was disappointing that the report was selectively leaked over the last week. Is any investigation intended into those leaks?

Finally, as has been touched on, this case has reignited the debate around belief of victims by the police. That debate cannot be had outside the context of record lows for rape prosecutions, with only 3% of cases reaching the courts. Our criminal justice system does not currently deliver justice to victims of sexual abuse, and it has not done historically. From Rotherham to Oxford, and from Torbay to Rochdale, victims have been failed time and again by all institutions of the state. We must therefore think carefully before imposing sweeping changes regarding the belief of complainants by the police that would have the effect of undermining genuine victims in coming forward.

As the Victims’ Commissioner has said, complainants’ rights do not exist in competition with suspects’ rights. That is why it is right that officers believe, take seriously and treat with respect every complainant of crime in the first instance and then investigate thoroughly, without fear or favour. Does the Minister therefore agree that the right approach is currently contained in the College of Policing guidance and that this approach must always be carefully balanced against the impartiality of the subsequent investigation?

Kit Malthouse: I thank the hon. Lady for a sensible intervention and for her questions. She is quite right that, as she concluded, we face the challenge of striking the difficult balance of ensuring that victims have confidence that they can come forward, that they will be taken seriously and that their allegations will be considered, but also of ensuring that those who are alleged to have carried out crimes know that the investigation will be conducted with impartiality and balance and that, in the end, justice will be served. That is absolutely the balance that we are seeking to achieve through the guidance, which was updated recently with the College of Policing to make that clearer. Part of the inspection that we have commissioned from HMIC into the Met police will be to make sure that some of these lessons have been learned.

The hon. Lady asked specifically about the number of recommendations in the Henries report that have already been enacted, and part of our commission with the inspector is to find out exactly that—where we have got to in terms of progress. I will certainly look at the point she raises on audio recording and consider what more action we can take on that.

The hon. Lady will understand that both the report itself, which we have seen recently in full, and the IOPC report, which was issued this morning, are large documents and contain significant implications for policing into the future. That is something that we want to consider and that the Home Secretary wants to consider as well. As to the investigation into leaks, that would obviously be a matter for the Metropolitan police, should they wish to pursue it.

Mr Iain Duncan Smith (Chingford and Woodford Green) (Con): I agree completely with my right hon. Friend the Member for Haltemprice and Howden (Mr Davis): the shining jewel of our criminal justice system is that somebody is innocent until proven guilty. That is their protection against the might of Government and, of course, the might of the media when they reach a speedy judgment. It has always been a concern that the processes we are discussing have casually turned that aside and that, as far as the public have been concerned, people have been guilty until proven innocent. I hope my hon. Friend will address that. Sir Richard makes that very clear.

The other vital point, which no one has raised yet, relates to interventions by public figures trying to get the police to pursue matters further. I refer in this particular case to the hon. Member for West Bromwich East (Tom Watson)—

Madam Deputy Speaker (Dame Rosie Winterton): Order. I presume that the right hon. Member for West Bromwich East (Tom Watson) that he intends to raise this matter in the House.

Mr Duncan Smith: I am not making any further reference to him other than that he was raised in the report.

Madam Deputy Speaker: I advise the right hon. Gentleman that it is important that a Member is given notice if they are going to be referred to, so I am sure he will bear that in mind in his closing comments.

Mr Duncan Smith: I will. I was simply referencing Sir Richard’s report. My point is a general one. Will the Minister address the reality of the police finding themselves unnecessarily influenced by public figures as to the direction of their investigations? There needs to be some method by which they can resist that.

Kit Malthouse: My right hon. Friend raises some important issues, not least the much-debated challenge of pre-charge anonymity. The guidance is clear that those against whom allegations have been made pre-charge should generally be kept anonymous until they are charged.
However, I am sure that he will accept that it is appropriate in certain circumstances for the police to release the name of somebody who is suspected of a crime, not least, for example, if they are conducting a manhunt looking for a suspect in a murder.

My right hon. Friend also raises the influence or otherwise of us and other public figures on police investigations. In his long years as a constituency MP, he will no doubt have had cause to write to the police on numerous occasions with regard to investigations into his constituents or on the behalf of his constituents, which is a perfectly legitimate thing for him to do. However, we all have a duty to bear in mind the protections and privileges that are afforded to us in this place and to use them as wisely and judiciously as possible.

Joanna Cherry (Edinburgh South West) (SNP): False allegations of sexual assault and abuse may be rare, but they do happen. They harm not only the wrongfully accused, but those who have been the victims of sexual assault and abuse by making it less likely that they will be believed, and I say that based on my experience of three years as a sex crimes prosecutor in Scotland’s national sex crimes unit. Does the Minister agree that the police owe it both to the victims of sexual crime and to the principle of innocent until proven guilty to carry out their investigations professionally and thoroughly without fear or favour? What steps will he be taking to reassure the victims of sexual crime that the mess that the Met has made of this case will not jeopardise future cases? Finally, there can be few things more serious than mislead a court, which is particularly serious when it is done by a police officer, so what repercussions will there be for the officers who unlawfully obtained warrants by misleading the court?

Kit Malthouse: The hon. and learned Lady raises an important point about the continuing confidence of victims to come forward. As she quite rightly says, false allegations not only betray those against whom the allegations are made, but those who come afterwards with similar allegations, who will naturally feel, in the wake of a large and difficult situation like this, that they are less likely to be believed. That is absolutely not the case, and we will do our best as a Government to continue the increase in public confidence, which has seen a significant rise in the number of historical allegations of child sexual abuse, into which an inquiry is under way already. People should have no fear that they will not be taken seriously.

The Home Secretary has commissioned an inspection of the Met police to ensure that it is learning lessons and embedding exactly the measures to which the hon. and learned Lady aspires. Once that concludes, the inspector will no doubt make a report available to the House, and I would be more than happy to come and update the House in the future.

Mr Mark Harper (Forest of Dean) (Con): It is a pleasure to follow the hon. and learned Member for Edinburgh South West (Joanna Cherry). I cannot say that on many occasions, but I agreed with every point that she made on this occasion. Following on from one of her points, the Sir Richard Henriques report is very critical of the then Deputy Assistant Commissioner Steve Rodhouse. The public will be surprised to learn that he is now the director general of operations in the National Crime Agency—an organisation for which the Minister has direct ministerial accountability. Does he have full confidence in Mr Rodhouse in that position? If so, will he tell the House why?

Kit Malthouse: I am sure that my right hon. Friend will understand that it is extremely important for credibility and trust in policing in this country not only that the police service is operationally independent, but that the organisations charged with its discipline and governance and for investigating complaints exactly such as this are also deemed to be independent. He will know that the IOPC, which is charged with that duty, has found no reason to conduct any action against that particular police officer. It would be inappropriate for me, as a Minister of the Crown, to intervene to countermand or to criticise that investigation in any way. However, both the Home Secretary and I will be carefully considering both the Henriques report and the IOPC report that came out this morning and what our next steps should be.

Sarah Champion (Rotherham) (Lab): If I went to the police to report that my car had been stolen, I would expect to be believed until the investigation or the evidence proved otherwise, but the situation is not the same if I were to report child abuse. I am concerned that commentators on the Beech case are using it as a way to discredit victims and survivors of child abuse and sexual assault. Will the Minister please confirm that if people do have the courage to come forward and report such crimes, they will be taken seriously, they will be supported, and the cases will be properly investigated?

Kit Malthouse: All allegations of crime, particularly such sensitive allegations, should be taken seriously, properly recorded, assessed sensitively, but then investigated with due impartiality. Those are the guidelines by which the police should be operating, and we will take steps to ensure that that is the case.

Sir Peter Bottomley (Worthing West) (Con): As a neighbour of Ted Heath, an admirer of Field Marshal Bramall, a colleague of Harvey Proctor, a friend of Leon Brittan, and—this is a matter of public record—as someone twice accused of this sort of thing by people who were bad, mad or sad, I think the House can agree that we can support the police and let them account for their failings when they come.

Will the Minister also get the inspector to look at the GOLD Group on Operation GIANNA? A written parliamentary question on the matter was answered by his predecessor on 25 July about the case of Gurpal Virdi. A vertical slice through the Metropolitan police managed to accuse a good officer of things he had not done at places he had not been and when none of the evidence linked him to it. All the evidence showed that the complainant was untruthful, and the weapon that was supposedly used on the complainant was introduced done at places he had not been and when none of the evidence linked him to it. All the evidence showed that the complainant was untruthful, and the weapon that was supposedly used on the complainant was introduced.

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Sir Peter Bottomley: As a neighbour of Ted Heath, an admirer of Field Marshal Bramall, a colleague of Harvey Proctor, a friend of Leon Brittan, and—this is a matter of public record—as someone twice accused of this sort of thing by people who were bad, mad or sad, I think the House can agree that we can support the police and let them account for their failings when they come.
his case, so it is not unfamiliar to me. I would be more than happy to meet with my hon. Friend to discuss what further steps may need to be taken, if any.

John Mann (Bassetlaw) (Lab): Having sent in a copy of the Geoffrey Dickens file, I was asked to meet Operation Midland, to which I explained in some detail why I thought its lines of inquiry were fundamentally flawed, providing some documentation to back that up. I also represented 30 of my constituents for four weeks in the Nottinghamshire strand of the child abuse inquiry when, it is a fair summary to say, those who had suffered abuse were unanimous in their condemnation of the police for not believing them when they came forward. When one case was reopened, one of my constituent’s assailants ended up getting a 19-year sentence, and there are other cases that I cannot comment on because they are currently sub judice. Will the Minister ensure that nothing is done that in any way impinges on the ability of the independent inquiry to report freely and openly next year, both to Parliament and Government, when it has had the chance to conclude its full investigation, including, of course, the Westminster strand?

Kit Malthouse: I can give the hon. Gentleman those assurances, and I hope that he will have adduced from my answers today that I am studiously attempting to respect the operational independence of these organisations and inquiries.

Sir Mike Penning (Hemel Hempstead) (Con): I was not only the policing Minister but the victims Minister, and I have real concerns following the two reports that victims need to be believed. We must make sure that the police work hard to ensure that victims have the confidence to come forward. I am deeply concerned that Her Majesty’s inspectorate of constabulary and fire and rescue services, which was created when I was the Minister, is perhaps not the right vehicle for such an inquiry, as it does not have the powers to sanction—not necessarily prosecute—police officers. This report clearly shows that not only did police officers make mistakes but that there was malpractice, which is probably the best word.

Kit Malthouse: My right hon. Friend is right about the limits on the powers of the chief inspector of constabulary. The organisation that has the required powers is the IOPC. The IOPC has produced this report, which we will consider carefully.

Once again, my right hon. Friend is correct that we all need to do our best to reassure victims that they will be taken seriously when they come forward. We are trying to make sure with inspection that the various steps, lessons and recommendations in these reports, not least the Henriques report, are being embedded in Met police practice so that we can promulgate them across the country.

Chris Bryant (Rhondda) (Lab): One of the worst things about deliberately false, vexatious or overexaggerated allegations is not only that the person against whom the allegations are made is put through hell but that, as my hon. Friend the Member for Rotherham (Sarah Champion) said, future victims may find it more difficult to get justice. But do we not also need to look carefully at another aspect? When the press and the police have too close a relationship and, by some miracle, the whole of the regional press turn up after, frankly, being tipped off by the local police that somebody is about to be arrested, it does no justice to anybody whatsoever.

Kit Malthouse: The hon. Gentleman is right, and he will know there was a significant inquiry into the relationship between the press and the police that came to certain conclusions, and the practices, certainly the formal practices, within the police service have since changed. Having said that, although primary responsibility lies with the police, the media also have a responsibility to report such things responsibly and to recognise that they have a wider responsibility towards society beyond just selling headlines.

Tim Loughton (East Worthing and Shoreham) (Con): Madam Deputy Speaker, you may recall that, six years ago, the then chief constable of Sussex was found to have breached privilege after an investigation by the Standards and Privileges Committee into a vexatious investigation against me. It then took the IPCC over three and a half years to uphold four of my five complaints, by which time all the officers investigated had retired, and therefore no penalties could be imposed.

It looks as though the same has now happened with the IOPC. The investigation took far too long, and only one of the officers was actually interviewed face to face. How is it that the damning Henriques report talked about Operation Midland in terms of “incompetently, negligently and almost with institutional stupidity”, yet today’s IOPC report refers to “shortcomings” in the handling of the whole investigation. What will the Minister now do to ascertain whether the shortcomings in the IOPC, almost two years after it took over from the IPCC, is actually fit for purpose?

Kit Malthouse: My hon. Friend raises an important point about the timeliness of IOPC investigations. Some of the timelines in some of these investigations are unacceptably long. We have plans to introduce measures next year to urge, compel or incentivise the IOPC to complete its investigations in under 12 months. If an investigation goes beyond 12 months, the IOPC will have to issue an explanation.

My hon. Friend knows that significant reforms were introduced during the transition from the IPCC to the IOPC to try to strengthen the organisation’s governance, not least by creating a board with non-executive directors in the majority, as opposed to the previous structure in which the investigators or inspectors themselves sat as an internal board. There is now some internal scrutiny, but there will be an opportunity to continue the path of reform. If he has ideas about how we should proceed, he should please let me know.

Stephanie Peacock (Barnsley East) (Lab): In the past year, there has been a 27% decrease in convictions for rape. Only 2% of reported rapes end in a conviction, so does the Minister share my concern that the recommendations pursued by Sir Richard could have a chilling effect on the already unacceptably low prosecution rate for rape and domestic abuse?
Kit Malthouse: As I have said, I am genuinely concerned, notwithstanding the Henriques report, about the confidence of victims to come forward, not least in relation to crimes of a sexual nature. Although there has been some difficulty and disappointment with the number of convictions and prosecutions for rape, the level of recorded rapes and the number of victims coming forward has increased significantly. Although, from a headline point of view, the stats do not look good, it is actually good news because it means more and more people are confident about coming forward. The hon. Lady will have seen that the Government recently promised significant financial support for the kind of counselling services and independent sexual violence advisers across the country that will enable victims to come forward more confidently and be supported through the judicial process.

James Gray (North Wiltshire) (Con): The good name of Sir Edward Heath was further dragged through the mud by the Wiltshire constabulary, led by the now thankfully suspended Chief Constable Mike Veale, when they appeared at his front gate in Salisbury to call for more victims. Some 32 officers spent two years investigating, at a cost of £2.3 million, despite the fact that the alleged perpetrator had been dead for many years. Does the Minister agree that, in addition to examining the report on Operation Midland, now is the time for the investigation into Operation Conifer—the Wiltshire police operation—to be reopened?

Kit Malthouse: As I am sure my hon. Friend is aware, the decision to investigate or otherwise is not for me, but the Henriques report has a section on Operation Conifer, which I will be considering carefully.

Sir Hugo Swire (East Devon) (Con): I regret to say that I have not heard much this evening that will reassure the widow and family of Lord Brittan and the families of all those involved, including General Bramall. This House also needs to look at itself and at the role played by Members. The police admit they were encouraged to pursue these matters by various Members. If we cannot control the outcome of some of these investigations into the police, as seemingly we cannot, we can do something to make sure that no one in this House has fallen short of the high standards expected of Members of Parliament by exerting undue pressure on the police, hastening the death of Lord Brittan and causing misery to many people who have served this country rather better than some Members.

Kit Malthouse: I am sorry that the exigencies of operational independence, plus the fact that Mr Beech has lodged an appeal against his conviction, naturally limit what I am able to say, which may come as a disappointment to some of those against whom false allegations were made. However, on my right hon. Friend’s second point, as I said earlier, it is absolutely right that the House looks at how the protections, privileges and, indeed, power exercised by hon. Members on an almost daily basis are used responsibly by finding some mechanism to ensure that those who would seek to use them irresponsibly cannot do so.

Greg Hands (Chelsea and Fulham) (Con): Of course, the immediate day-to-day responsibility for the Metropolitan police lies with the Mayor of London, as my hon. Friend perhaps knows better than anybody. The Mayor of London, as we know, is normally very vocal about pretty much anything that is not in his portfolio, but this is very much within his portfolio of interests. Does my hon. Friend share my surprise that the Mayor of London has neither accepted nor even responded to the important recommendations in this report?

Kit Malthouse: Given my previous position at city hall, with responsibility for the Metropolitan police, I have been surprised at the lack of reaction from the primary accountability body for the Metropolitan police. I would certainly urge the Mayor and his deputy mayor for policing and crime to take a much more proactive and vigorous approach to making sure that this sort of thing never happens again.

David Morris (Morecambe and Lunesdale) (Con): About five years ago, I raised some concerns about the case that has come before us here, and I got a letter from Patricia Gallan, assistant commissioner, specialist crime and operations. I will not name the Member concerned, as I am being very careful about this, but the letter completely contradicted what Sir Richard has said. It stated:

“I would like to take this opportunity to reassure you that” the hon. Member concerned “played no part in influencing the subsequent investigation and as a consequence the MPS has no basis to investigate the allegation contained within your letter at this time.”

I was bang on the nail with what I put in my letter on that day five years ago, and I would like the Minister to tell me whom I should take my file to for further consideration.

Kit Malthouse: Obviously, my hon. Friend is perfectly at liberty to submit his views and evidence to the IOPC for further consideration should he wish to do so. However, I have absolutely no doubt that given the scale, nature and prominence of this episode, the Home Affairs Committee will wish, once it has digested both the IOPC report and the full Henriques report, to look further into this, call those people who have been involved, including Members, and ask them to account for their actions.
7.11 pm

Tulip Siddiq (Hampstead and Kilburn) (Lab) (Urgent Question): To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the case of Nazanin Zaghari-Ratcliffe, following the release of one Australian-British national who was also imprisoned at Evin prison.

The Minister for the Middle East and North Africa (Dr Andrew Murrison): May I start by congratulating the hon. Member for Hampstead and Kilburn (Tulip Siddiq) on her urgent question and thanking her for the passion and persistence she has brought to Nazanin Zaghari-Ratcliffe’s case? Her constituent can be sure that she and her family have been well served by the hon. Lady as a constituency MP.

In recent weeks, we have seen further cases of unwarranted detention of foreign nationals in Iran. These cases are completely devastating for the individuals concerned and deeply and profoundly upsetting for their families. We are of course delighted to hear that Jolie King, a British-Australian national, has been released from detention in Iran. That is good news, but it invites us to think about others who are detained in Tehran.

Equating the cases of foreign nationals in detention in Iran and cases of British-Iranian dual nationals is unlikely to be helpful, as Iran perceives the two to be quite distinct, and it is Iran with which we have to deal. We want to do everything we can to resolve Nazanin’s case. We also want to see the resolution of the cases of other British-Iranians detained in Iran. The trouble is that the Iranian authorities do not recognise dual nationality; they consider Nazanin simply to be an Iranian national. Consequently, they do not grant us consular access; nor do they give us sight of legal process or changes, despite all of our efforts.

The House will be fully aware of the lengthy chronology of representations made at ministerial level on this issue. On 11 September, the Foreign Secretary again raised his serious concerns with the Iranian ambassador to London about Iran’s practice of detaining foreign and dual nationals. The Prime Minister raised his concerns with President Rouhani on 24 September, and my right hon. Friend the Foreign Secretary did the same with Foreign Minister Zarif on 17 September. My colleague Lord Ahmad of Wimbledon hosted an event at the United Nations General Assembly on 25 September to bring attention to these incredibly important issues, as I did in Tehran earlier this year. I can assure the House that our efforts to raise the plight of those detained with the Iranian authorities at ministerial and ambassadorial level will continue.

It is a matter of deep regret that a country such as Iran, with such a rich and proud history, is failing to uphold its basic international obligations. That this sophisticated and cultured country is arresting individuals on unclear charges, failing to afford them due process and, in some cases, committing acts of torture and mistreatment on not only dual nationals but its own citizens is deeply disappointing, to put it mildly. Dealing specifically with dual nationals, we are absolutely clear that Iran’s behaviour is beyond unacceptable. The treatment of our dual nationals, including Nazanin, is unlawful and unacceptable, and it must end. Be in no doubt: this matter remains a top priority for the UK Government. We will continue to lobby at all levels for Nazanin’s unconditional release, so that she can return to her patient, long-suffering family in the UK.

Tulip Siddiq: My constituent Nazanin Zaghari-Ratcliffe has been imprisoned in Iran for three and a half years, during which time she has been in solitary confinement, she has been chained to her bed and shackled, she has been through depression, she has been suicidal, she has been on hunger strike and they have found lumps on her breast. Among all that, one of her biggest traumas is the changing fortunes of her fellow prisoners; prisoners will come in and she will become close to them, and then they will leave and go home, but she remains in prison. One such case is that of Jolie King, an Australian-British-passenger who was travelling in Iran and while she was flying a drone she was accused of spying, even though she was actually using that drone to take selfies with her fellow traveller. Nazanin was sharing a cell with Jolie and slept in the bunk above her. On Saturday 5 October, Jolie was released from prison, three months after she was caught. Australian Ministers said that their Government held very confidential and sensitive negotiations with Iran to ensure that Jolie was released and that she was treated appropriately while in detention.

Nazanin has said to her husband Richard, who is watching from the Gallery today, that of course she celebrates Jolie’s freedom but that she wants to know why her Government, the British Government, are not doing the same to get her out of prison. During this time, while the trauma is going on, the family are having to make a decision that no family should have to make, which is on whose five-year-old daughter, Gabriella, will go. Will she remain in Iran to be near her mother, or will she come back to London to be with her father, with whom she can no longer communicate because she has lost the ability to speak English, having spent most of her life in Iran?

Bearing that in mind, I have a few questions for the Minister. I am aware that no two consular cases are identical, but can the Minister explain to me, first, how the Australian Government have been able to achieve such rapid progress for another British national, whereas Nazanin remains in jail, three and a half years on? Secondly, in recent weeks, as the Minister and the House will know, there have been notable developments in British-Iranian relations. The first was the release of seized oil tankers. The second was a £1.2 billion payment from the Treasury to a private Iranian bank. Have the Government, at any point, threatened to withhold such enormous sums unless Iran releases imprisoned British nationals?

Thirdly, if Gabriella does return to the UK, can the Foreign Secretary assure me that the Foreign Office will provide security for her while she is travelling from Iran and when she comes to the UK? Finally, with the prospect of Gabriella returning home to begin school, I have enormous concerns about Nazanin’s wellbeing. Will the Foreign Secretary update me on how the Foreign Office will step up its efforts to provide full consular support for Nazanin in this case?

I ask you to indulge me for one moment, Madam Deputy Speaker. I am here for the fourth time before this House asking about Nazanin Zaghari-Ratcliffe,
because I am genuinely concerned about my constituent's wellbeing. I want the Prime Minister and Ministers of this Government to be able to look themselves in the mirror in years to come and say that they did everything possible to ensure that my constituent did not die in prison in Iran and that they brought her back home.

Dr Murrison: I said in my opening remarks that the hon. Lady's constituents can be proud of her, and they truly can be. Her passion shines through. I really do share her frustration, but I must resist the suggestion that the Government are in some way dragging their heels in this matter. That is absolutely not the case, and I think she probably knows that to be so. I have read out a series of diary dates on which we have made contact with the Iranian regime at the highest level, and we will continue to do so.

The hon. Lady has to understand that the tools we have in our toolbox are limited. She draws comparison with the Australians; I said in my earlier remarks that we have to accept that although Nazanin has Iranian-British dual nationality, Iran does not accept that she also has British nationality. That lies at the heart of this issue. Jolie King is a British-Australian national. That is the difference. It is invidious to compare consular cases and I am certainly not going to be drawn into doing so, not least because many of those who find themselves discommoded by the Iranian regime want us to keep their plight under the radar. That is their choice and that of their family.

In respect of any assistance that the UK Government can give in consular terms, of course we will provide that when the opportunity arises. We will do everything we possibly can to assist Gabriella if it is the family's wish that she returns to the UK. As things stand, we do not have access to Nazanin, as we believe we should. We will continue to lobby hard; we should be able to access her and to have proper oversight of the legal machinations in Tehran so that we can assist her where we can, but we are up against a regime that has, up to this point, been impervious to our pleas on her behalf. We will continue to do that. I absolutely give the hon. Lady the assurance, which she requests, that we will continue to do all in our power to ensure that this poor woman returns to her family at the earliest opportunity.

Mr Jeremy Hunt (South West Surrey) (Con): I understand the issue relating to how the Iranian Government treat dual nationals, but is it not imperative that we send out a signal from the House that every British citizen is equal and all British citizens will receive the highest standards of support from the British Government? My biggest sadness as Foreign Secretary was not being able to bring Nazanin home. Will my right hon. Friend confirm to the House that the highest duty of the state is the protection of its citizens, and that nothing—no other priorities—will stand in the way of reuniting this innocent woman with her loving husband and daughter?

Dr Murrison: I absolutely agree with my right hon. Friend and pay tribute to him for the hard work that he put into this case and the cases of other dual nationals in relation to Iran. I have to say that, as a newly arrived Minister in the Department he used to lead, I was genuinely impressed by the attention that he gave to so-called consular cases. He was absolutely rigorous in the application of his time and energy to these cases, and the case of Nazanin was certainly top of his list. I pay tribute to him for that.

Emily Thornberry (Islington South and Finsbury) (Lab): I thank you, Madam Deputy Speaker, for granting this urgent question, and I thank my hon. Friend the Member for Hampstead and Kilburn (Tulip Siddiq) for so assiduously pursuing this issue and so eloquently explaining why warm words from the Government are no longer enough—if, indeed, they ever were. Like her, I welcome the release of Jolie King and her partner, and I applaud Australia's Minister for Foreign Affairs, Marise Payne, whom I met recently in Canberra, on her work to secure their freedom. Her success shows what can be achieved, even with Iranian hardliners, when working with tact, diplomacy and dedication to the task—let us be frank: not what we got from the current Prime Minister when he was in charge of this brief.

I will not repeat the many excellent points that my hon. Friend made regarding Nazanin's health. In the time I have, I wish to focus on one specific issue: the linking by Tehran of Nazanin's case to the restoration of the money Iran is owed in relation to the tanks purchased prior to the Iranian revolution. I am absolutely clear, and I think we would all agree, that we cannot accept that a dual British national should be held hostage by a state power as a bargaining chip in diplomatic and financial negotiations. Those tactics will never succeed; otherwise, they will be repeated, not just in Iran but by other authoritarian countries around the globe.

However, regardless of the situation with Nazanin, the legal facts are clear. Iran is owed the money and the Treasury has set the money aside. All that remains is to determine the exact amount and to establish a means by which it can be paid over without breaching sanctions regulations. As has been demonstrated today, those questions are unlikely to be resolved by the courts. Does the Minister agree that it is incumbent on the Government to find a way to break this impasse without breaking our principles, so that we can take the issue of the tanks compensation off the table and then have a discussion with Tehran about Nazanin, based not on quid pro quo or diplomatic bargaining but on the simple justice, freedom and humanitarian care that are owed to this innocent woman?

Dr Murrison: I thank the right hon. Lady for her remarks. She dismisses warm words; I have to say that these are more than words. Words are important and it is correct that we get our language right in these matters. She refers to tact, dedication and diplomacy; we just had a question from my right hon. Friend the Member for South West Surrey (Mr Hunt), and I have to say that the tact, dedication and diplomacy that he applied to this issue were exemplary. I very much hope that we all approach this matter in the same spirit.

The right hon. Lady is right to say that we appeal to Iran's decency in this matter. That is where this issue rests and it is absolutely right that we should appeal to Iran in that way. I still hope that Nazanin will be released, because Iran is, as I said in my earlier remarks, fundamentally a decent, civilised nation. I want the Iranians to find that within themselves in order to do the right thing in this particular case.
[Dr Murrison]

In respect of the International Military Services debt, the right hon. Lady will know that the matter is before the courts. However, the Ministry of Foreign Affairs in Tehran has itself specifically decoupled the repayment of debt from Iran’s detention of dual nationals. It is not the UK Government who have done that; it is the Ministry of Foreign Affairs in Tehran itself. The right hon. Lady seeks to join the two; Tehran says no, and that the two are separate. Given that Iran has said no, even if we were minded to do so it would be very difficult for us to proceed on the basis of, as she puts it, quid pro quo.

Alistair Burt (North East Bedfordshire) (Ind): I commend my right hon. Friend on the way in which he is handling this distressing issue, and I again commend the hon. Member for Hampstead and Kilburn (Tulip Siddiq) on the way in which she raises it. The House is united in expressing concern and distress about the circumstances concerning Nazanin Zaghari-Ratcliffe, as it has done before.

I have two questions for my right hon. Friend. First, is it not the case that even if Ms Zaghari-Ratcliffe is treated as an Iranian citizen, she has now served enough time to be eligible for parole, and it is therefore open to the Iranian authorities, without making any concession in relation to the charges against her, to release her? Secondly, although there are no formal linkages related to her case, Iran covers a wide front in terms of its concerns about issues around it and the negotiations it takes part in, so will he simply confirm that the United Kingdom keeps an open mind in engaging in all those discussions, which will help to reduce tensions in the region? A reduction in tension may make it easier for other matters to be considered.

Dr Murrison: My right hon. Friend is absolutely right. Of course, he had this file, as it were, as my predecessor, and I pay tribute to him for the time that he spent on this issue. Again, when I arrived in the Department in May, I was struck by how much the ministerial team had put into this matter. I pay tribute to my right hon. Friend. The family need to know that the Government are behind them in doing everything that they possibly can to secure Nazanin’s release. I say that with my hand on my heart.

My right hon. Friend is of course right. Tehran will always say that this is a matter for its judiciary, but the longer this goes on, the more scope it has to be merciful, to do the right thing and to release Nazanin.

My right hon. Friend is right to comment on the general atmospherics. Although I have made it clear that the MFA in Tehran has decoupled the payment of any debt from the release of Nazanin and dual nationals in general, nevertheless we want to reach a position where the atmospherics are greatly improved. Clearly, those atmospherics are broad and wide right now, with recent events in the Gulf and further afield. I hope that we can move this on, and that we can, for example, re-engage Iran with the joint comprehensive plan of action, and give it something of what it needs and, bluntly, the respect that it feels—rightly in my view—is its due. In those circumstances, I think that things become easier—I let me put it in those terms. To link things directly with events and actions and with the release of dual nationals will continue to be resisted by the regime in Tehran for the reasons that I have outlined.

Stephen Gethins (North East Fife) (SNP): May I again thank the hon. Member for Hampstead and Kilburn (Tulip Siddiq) for securing this urgent question and for her ongoing efforts on behalf of her constituents? I hope that she does not mind, but I should like to pay particular tribute to Mr Ratcliffe for his tireless and brave efforts on behalf of his family and the wee girl, Gabriella. I am glad that the dual nationals were released, but we can understand Mr Ratcliffe’s frustrations, which we all share. There is no reason why this innocent woman should have been imprisoned in Iran for so long—she should not have been imprisoned at all.

The Prime Minister’s comments when he was Foreign Secretary that Nazanin was teaching journalism were wrong. He was right subsequently to correct those comments, but they were used incorrectly by the Iranian authorities. To be doubly clear, will Ministers make available all documents showing that they were wrong, including any documentation that was sent to the Select Committee on Foreign Affairs, so that this can never, ever be used by the Iranian authorities again? Will the Minister—I know that he has touched on this—reflect on the fact that Nazanin is still imprisoned wrongly. She is innocent. He made remarks about consular access. It is fair to say—and we heard the remarks of the former Foreign Secretary, the right hon. Member for South West Surrey (Mr Hunt), of the shadow Foreign Secretary, and of others—that there is unity in the House that Iran’s actions are totally unacceptable. That is felt across all levels of the House. At all levels of the House, there must be representations to ensure that she receives assistance. If possible, can the Minister give us an update on the healthcare that Nazanin is receiving?

Dr Murrison: I am grateful to the hon. Gentleman. I am not interested in political point scoring. I am interested in getting Nazanin back home. I pay tribute to Richard Ratcliffe, whom I have had the pleasure of meeting. I was struck by his sincerity. He has done an extraordinary job on behalf of Nazanin, and I salute him for that. The hon. Gentleman is right—Iran is acting unlawfully under international humanitarian law, which it has clearly breached. It needs to be brought back into line. My advice to my interlocutors in Tehran, if it were sought, would be, “Do so, and your reputation will increase. You will be one step closer to being shoulder to shoulder in the international panoply of nations, which is where you desire to be.”

This does Iran no good. I appeal on humanitarian grounds in relation to Nazanin Zaghari-Ratcliffe. I would also appeal on the basis of Iran’s reputation. While these harrowing, dreadful cases continue, it cannot possibly expect to be able to deal with the wider world in the way that, I think, it wishes.

The hon. Gentleman asked about access. He must know that our access to Nazanin is non-existent. We are forbidden by Tehran to access Nazanin in the way that we would expect to have access to British nationals. I do not expect that. It would be extraordinary if we were allowed to have access to Nazanin Zaghari-Ratcliffe. I would strongly urge my ministerial interlocutors to consider that as a reasonable thing for us to have.
That is what we require as a minimum in the near future so that we can determine for ourselves many things on which the hon. Gentleman touched.

Dr Julian Lewis (New Forest East) (Con): In the middle of last month, it emerged that yet another person, Kylie Moore-Gilbert, a Cambridge-educated British-Australian academic, has been banged up in Iran, probably as a hostage for something as yet officially unspoken, for anything up to a year of a 10-year sentence for spying, so-called. Are there any other cases, without going into specifics, of which the Government are aware of being held hostage in this way? Given the track record from the earliest days of the Islamic revolution in Iran of taking hostages and using them for nefarious purposes, what advice does the Foreign Office give to British dual nationals and others about the wisdom or otherwise of visiting that country?

Dr Murrison: I am grateful to my right hon. Friend. Foreign Office advice is available on the Foreign Office website, and is updated periodically. On other cases, yes, there are number of cases with which we are dealing. I am afraid I cannot be drawn, for reasons that he will understand, either on the precise number of those cases or their identity, except insofar as they or their families wish the matter to be made public. We have to be led very much by individuals’ wishes, which is why I am being a little cautious about giving a full answer to the question that my right hon. Friend asked.

Ann Clwyd (Cynon Valley) (Lab): I know from working with the Minister in the past that he is a compassionate and determined man. Does he have any information at all about the medical assessment that Nazanin underwent today in prison, to judge whether she is fit enough to continue in prison? If he has that information, will he update the House on the Government’s assessment of her mental and physical health?

Dr Murrison: I am grateful to my right hon. Lady. The information that I have is the information that she has, as we do not have consular access to Nazanin. I read the newspaper reports, which I suspect that she has read, and I am deeply troubled by them.

Sir John Hayes (South Holland and The Deepings) (Con): The plain truth is that Nazanin Zaghari-Ratcliffe was abducted and imprisoned illegally. The latest information that we have is that at the health hearing in Iran at which she appeared she complained that she had been deprived of her medication, was sometimes held in solitary confinement, and was suffering from deep anxiety. She fears separation from her five-year-old daughter, who is to return to England for schooling.

I say to my right hon. Friend—a personal friend, whose integrity is beyond question and whose determination is well known—that there are lessons to be learned from the recent Australian experience. Two Australians have been released. Will he enter into discussions with the Australian Government to discover what steps they took to ensure that release? No stone must be left unturned in the defence of British citizens at home or abroad.

Dr Murrison: I am grateful to my right hon. Friend for his kind remarks. The truth of the matter is that Iran does not recognise dual nationals—that is the difference.

The case to which he referred concerns an Australian-British national. Nazanin is a British-Iranian national. As far as Tehran is concerned—we can argue the point, but it will not do us much good—Nazanin is an Iranian national, which is why it will not allow us to have access. I regret that very much, and we push back on that all the time, but, very sadly, that is the position adopted by the Iranians.

Nic Dakin (Scunthorpe) (Lab): What more can the UK Government do to support Nazanin, Richard and their family, and to right this wrong?

Dr Murrison: I share the hon. Gentleman’s frustration in this regard; I really, really do. But it is a sad fact that the tools in our toolbox are limited. What we can do is continue to make it clear to our interlocutors that this is not acceptable, right or proper, and that if Iran wants to restore its reputation, the early release of Nazanin and other dual nationals will go a very long way. It is the right thing to do, and I urge Iran to get on and do it.

Jeremy Lefroy (Stafford) (Con): I thank the hon. Member for Hampstead and Kilburn (Tulip Siddiq) for constantly raising this case, and pay tribute to Nazanin, Richard and the whole family for their enormous courage in this terrible ordeal. May I also thank my right hon. Friend the Minister for what he, his colleagues and his predecessors have been doing? I think he is right that there is a limit to what can be done. Nevertheless, persistence in raising this case day in, day out and week in, week out is so important to show that this House and the Foreign and Commonwealth Office will never forget it.

Dr Murrison: I absolutely agree. Look, we want to make progress with Iran on a whole range of fronts, but it is difficult to do that when high-profile things of this nature remain to be dealt with. My constant message is: let us deal with this; let us get this done; let us do the right thing; and let us bring Nazanin and other dual nationals home.

Dr Rosena Allin-Khan (Tooting) (Lab): As a doctor, I have extremely grave concern for the mental and physical wellbeing of Nazanin Zaghari-Ratcliffe. While the Prime Minister suffers from a textbook case of moral bankruptcy, I believe the Minister to be a good man who works with integrity. We are sitting on a ticking time bomb. The poor lady has depression and is suffering so greatly, and now we are looking at her being without her daughter—potentially the only lifeline she has left. I therefore ask the Minister today whether he is sure, with all his conscience, that he is doing absolutely everything he can.

Dr Murrison: I very much appreciate the hon. Lady’s remarks. Her passion does her great credit. As a doctor also—and having read what I have read in the press about Nazanin’s case—I too feel real sadness that somebody should have been brought to this pass mentally and physically. I can genuinely say to the hon. Lady that I and the Department that I have the privilege of working in have done everything we can to move this on, and we will continue to do everything we possibly can, but I do share her frustration.
Chris Bryant (Rhondda) (Lab): The Minister has used words such as “mercy” and “clemency”, which are fundamentally, in the end, religious words. I would have thought that, to many of the people who hear those words, they would be intrinsically interesting. I just wonder—if I can put this question to him again—whether it would not be a good idea to ask the Archbishop of Canterbury, the Archbishop of York or maybe the former Archbishop of Canterbury, Rowan Williams, to lead a religious delegation to Iran to see whether there might be a way of asking that the quality of mercy be not strained.

Dr Murrison: I am grateful to the hon. Gentleman for that suggestion. We discussed this on 17 July when I was here talking about Nazanin. I have to say that it would be a bit of a challenge if any group of people were to act in the way that the hon. Gentleman has described with the Government’s fingerprints all over them. I do not think that would be very helpful. Such a thing has to be truly independent. I would need to stand here at the Dispatch Box with my hand on my heart and say, “Genuinely, this is not something that is Government-inspired or Government-delivered.” But I do know that there are people and organisations that are doing what they can to improve the relationship between this country, and the international community in general, and Iran. I continue to encourage them to do that.

Alison Thewliss (Glasgow Central) (SNP): I thank the hon. Member for Hampstead and Kilburn (Tulip Siddiq) for continuing to pursue this case on behalf of her constituent. I also want to say to Richard and Nazanin that the people of Glasgow Central are asking after them and hoping that they will be reunited soon.

I have had a number of constituents who have experienced significant delays in their asylum cases and in getting leave to remain in this country who are originally Iranian nationals. I also have constituents who live here with leave to remain in the UK who wish for a family member to visit them from Iran. In both cases, delays do not help those individuals. Given the particular risks of people from this country going to visit Iran, would it not make sense for the Minister’s colleagues in the Home Office to allow people to come here to visit their family, and to do so quickly and easily?

Dr Murrison: I share the sort of constituency issues to which the hon. Lady has alluded. I am sure that my conversations with my interlocutors, I make it very plain that unless they address these issues and the general environment in which these issues arise, they are simply not going to make progress.

Mrs Emma Lewell-Buck (South Shields) (Lab): I would like to raise the serious plight of my constituent Robert Urwin, who is being held by our consular services. He is being held in Ukraine after an Interpol red notice request from the United Arab Emirates for his extradition was dismissed and denied by the Ukrainian authorities—

Madam Deputy Speaker (Dame Rosie Winterton): Order. I must ask the hon. Lady to be very brief because this matter is really outside the scope of the urgent question. She needs to be able to relate her point to the urgent question.

Mrs Lewell-Buck: Thank you, Madam Deputy Speaker. I am aware that my question is a little out of scope. Despite my constituent’s innocence, the Interpol red notice has not been removed. As a result, Ukrainian authorities are refusing to allow him to leave the country. As the Minister will know, an Interpol red notice can remain active indefinitely. My constituent has been held against his will because of what appears to be a bureaucratic error. Although no longer incarcerated in Ukraine, he has been stuck there for over a year—

Madam Deputy Speaker: Order. I think the hon. Lady has made her point. I am sure that the Minister will say that he will look into the case, but it is not within the scope of this urgent question.
Dr Murrison: Thank you, Madam Deputy Speaker—that is precisely what I was going to say. The hon. Lady has been extremely ingenious in pushing the case of her constituent. Of course I will look into it. If she writes to me with some details, I will ensure that I deal with it.

Mike Gapes (Ilford South) (IGC): The right hon. Member for New Forest East (Dr Lewis) drew attention to the 40-year-long pattern of behaviour by the Iranian revolutionary regime of taking hostages. It is clear from what the Minister said that Nazanin’s case is different from that of the Australian dual national, but there are other people detained in Iran—Canadian-Iranians, Austrian-Iranians and American-Iranians, as well as our own citizens. What discussions have the Government had with other countries whose nationals are detained in Iran, and has there been any co-ordination on how we might approach these questions collectively to pressurise this vile regime?

Dr Murrison: The hon. Gentleman is correct: there are other dual nationals who are discommoded in a similar way. Of course we talk to our interlocutors in other countries where people are dealt with in this way, to ensure that we see what common ground we have and what we might do together to address these issues. But the fact remains that Nazanin is an Iranian-British dual national. That makes her case different from the other case that we have been discussing today.

Louise Haigh (Sheffield, Heeley) (Lab): I do not doubt that the Minister is doing everything within his power, despite the constraints he has laid out. Given the previous Foreign Secretary’s involvement in this case, has he committed personally to raise the case of Nazanin Zaghari-Ratcliffe with the Iranian authorities, now that he has been elevated to Prime Minister?

Dr Murrison: Gabriella is a British national. We will provide her with every assistance we can to return to the UK if that is the wish of the family.

Dr Murrison: Yes. He raised this with President Rouhani on 24 September in New York.

Jim Shannon (Strangford) (DUP): I thank the Minister for his excellent responses. We know that he is a Minister with compassion and understanding, and he is the right person for this job. As other Members have mentioned, Nazanin Zaghari-Ratcliffe has been arbitrarily and unjustly detained by the Iranian authorities. Unfortunately, that is not an uncommon occurrence in a country where, over the past 10 years, it is estimated that more than 1,000 members of the Baha’i faith community have been arbitrarily arrested by Iranian authorities simply for holding their beliefs. Does the Minister agree that the Iranian Government must respect the rule of law and the right to freedom of religion or belief and release all those who have been imprisoned unfairly?

Dr Murrison: I absolutely agree with the hon. Gentleman. He has been a real champion of the Baha’i people, and I pay tribute to him for that. He is right; these people should not be disadvantaged in any way by any regime, and I urge a change of heart by the Government in Tehran.

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): My hon. Friend the Member for Hampstead and Kilburn (Tulip Siddiq) raised the safety of Gabriella’s passage from Iran to Britain in her opening question. I understand that Iran has yet to grant a visa for Mr Ratcliffe to travel to Iran to collect his daughter. What encouragement can the Foreign Office provide to ensure that a father has the right to collect his daughter?

Dr Murrison: Gabriella is a British national. We will provide her with every assistance we can to return to the UK if that is the wish of the family.
Point of Order

7.53 pm

The Minister for Crime, Policing and the Fire Service (Kit Malthouse): On a point of order, Madam Deputy Speaker. I wish to make a small correction to the record. In my answer to one of the questions in the previous urgent question, I said that the Henries report contained a chapter on Operation Conifer. It does not. That was an inadvertent slip, for which I apologise. I have made that correction personally to my hon. Friend the Member for North Wiltshire (James Gray), who raised the question, and I apologise to those on the Opposition Front Bench and others for my slip.

Madam Deputy Speaker (Dame Rosie Winterton): I thank the Minister for his point of order and for giving me notice of it. He has come speedily to the House to correct the record, and I am sure the House will appreciate that.

Speaker’s Committee for the Independent Parliamentary Standards Authority

7.54 pm

The Comptroller of Her Majesty’s Household (Jeremy Quin): I beg to move,

That, in pursuance of paragraph 2A of Schedule 3 of the Parliamentary Standards Act 2009, Mr Peter Blausten be appointed as a lay member of the Speaker’s Committee for the Independent Parliamentary Standards Authority for a period of five years from 27 January 2020 to 26 January 2025.

The Speaker’s Committee for the Independent Parliamentary Standards Authority is not a conventional Committee of this House. It is a statutory Committee, and its establishment, role and membership are determined by the Parliamentary Standards Act 2009, as amended. The Committee has two responsibilities: first, to consider the candidates proposed by the Speaker, following a fair and open competition, for the posts of Chair and members of IPSA; and secondly, to approve IPSA’s annual estimate of resources.

The motion before the House seeks to appoint Mr Peter Blausten as a lay member to succeed Bronwen Curtis CBE, whose term will end in January 2020. Ms Curtis has served the Committee and the House diligently, and I know that Mr Speaker and the other members of SCIPSA would wish to place on record their gratitude for her advice and service.

The motion seeks approval for the appointment of Mr Blausten to take effect from 27 January 2020 for a period of five years. At the Speaker’s request, the recruitment panel was chaired by Dr John Benger, then Clerk Assistant. The other panel members were: Sir Hugh Bayley, formerly the Member for York Central; Michelle Barnes, an independent HR consultant; and Mike Page, HR business partner in the House of Commons Service. The board was assisted by a specialist recruitment agency, and the recruitment process involved stages of advertisement, longlisting, shortlisting and interview.

The candidate named in the motion, Mr Peter Blausten, is a former FTSE 30 and 250 group HR director and civil service commissioner. He is currently a partner in Alvarez & Marsal, an international management consultancy. The interviewing panel concluded that Mr Blausten’s analytical approach and experience as a human resources director would support and greatly assist the Speaker’s Committee in its dual role of scrutinising IPSA’s estimate and overseeing the recruitment of new IPSA board members.

The statute requires that the motion is tabled with the agreement of the Speaker, and I can confirm that the Speaker has signified his consent. I have been assured...
that this process met the requirements of statute, and I hope that the House will support Mr Blausten’s appointment.

7.58 pm

Valerie Vaz (Walsall South) (Lab): I welcome the Minister to the Dispatch Box for what I think is his first outing. It was remarkable, and he has had some friends here in support of him.

I thank the Minister for moving the motion. I too want to thank the board, which was chaired by the then Clerk Assistant, now Clerk of the House, Dr John Benger, and its other members: Sir Hugh Bayley, Michelle Barnes as the independent HR consultant and Mike Page from the House of Commons Service. I also thank the outgoing lay member, Bronwen Curtis, whose appointment will end on 26 January 2020. She has been assiduous in the way she has carried out her independent functions and incisive in her contributions on the Committee.

The Speaker’s Committee for the Independent Parliamentary Standards Authority has published a helpful explanatory memorandum for Members, which is available in the Vote Office. Peter Blausten was selected following a fair and transparent competition. The board was assisted by specialist recruitment agency Veredus, and the recruitment process included an advertisement, shortlisting and interview. The interviewing panel concluded that Mr Blausten’s analytical approach and experience as a human resources director would support the role of scrutinising IPSA’s estimate and overseeing the recruitment of IPSA board members. Her Majesty’s Opposition support this motion.

7.59 pm

Dame Cheryl Gillan (Chesham and Amersham) (Con): I welcome my hon. Friend the Member for Horsham (Jeremy Quin) to the Dispatch Box, and I know he will serve with distinction from our Front Bench. I agree with those on both the Opposition and our own Front Benches about the motion that stands before the House.

I must welcome, provided this motion goes through, Peter Blausten to the Speaker’s Committee for IPSA. I have to declare an interest because I sit on SCIPSA, as it was normal practice. I do think that, when salaries are adjusted without the boss knowing, that needs putting right.

I agree that the job we do here—I think everybody would agree—is not a normal job? It takes a great deal of understanding. Although Peter Blausten comes to us with a fantastic pedigree, I would like to issue an invitation, which may come from anybody else in the Chamber: I hope he will come and work shadow, perhaps me or somebody else, so that he can gain an understanding of what happens in a Member of Parliament’s office and how we need to be so careful in an area that has caused so much agony in the past for many Members of Parliament. We need to get it right, and we need the public to have confidence in the process. We need our staff and also every Member in this House to have confidence in the process, and I very much hope that Peter Blausten will arrive on the Speaker’s Committee able to make a valuable contribution.

8.5 pm

Kirsty Blackman (Aberdeen North) (SNP): I do not intend to say much in this debate, but I would like to express an incredible amount of thanks to Bronwen Curtis. I have been on the Speaker’s Committee for just over two years now and, like the right hon. Member for Chesham and Amersham (Dame Cheryl Gillan), I found everything she said in those meetings to be incredibly useful and insightful. It was from a position of great knowledge, and also from a position of not being a
Member of Parliament, which I think is incredibly useful because she could perhaps see things from outside and take a step back from those of us involved in the minutiae of problems and discussions with IPSA.

I would not like Members in this House to think that SCIPSA is a Committee where we sit quietly. At every meeting that I have had, particularly when IPSA has been represented, we have taken it to task over various issues and problems that have arisen. I would agree entirely about the issues that there have been with the online system. I would also raise the issue that the online system has cost an awful lot more than we expected it would, and SCIPSA has not been backwards in coming forwards on that. We have said to IPSA on many occasions that this is a real problem.

I think Mr Blausten, if the motion is approved, will find the Committee incredibly interesting. I hope that he will go in trying to learn as much as possible about it and, as the right hon. Lady said, perhaps shadow a Member of Parliament, so that he understands exactly how things work in Parliament and how the Member of Parliament's job works. As I say, the main thing I wanted to do was to thank Bronwen Curtis for all her incredible hard work and the way in which she treated me, as a new member, when I joined the Committee. I found she was very kind, and she looked out for me a bit when I first joined the Committee, so I am pleased that she was on that Committee.

8.7 pm

Chris Bryant (Rhondda) (Lab): I, too, commend the Minister for his latest outing at the Dispatch Box. Many Members of the House think of him as a very nice man, and it is nice to see him here with us today.

I wholly concur with the points that have been made by my right hon. Friend the Member for Chesham and Amersham (Dame Cheryl Gillan)—I return the favour—and my hon. Friend the Member for Aberdeen North (Kirsty Blackman) in relation to Bronwen Curtis. In fact, one of the keenest points that she made repeatedly in SCIPSA was that if IPSA wants a significant increase in capital expenditure to pay for a new IT system, it had better prove it is worth it. If I am honest, I think an awful lot of Members this year would have said, “Well, actually, the way it was introduced, with too few people to answer the telephone—the answers and the conversations you had to have were sometimes so complicated that they went on for 45 or 50 minutes—there are some serious questions about whether public money is being spent properly”.

This goes to the heart of something I think was wrong with the original legislation that was introduced. The Minister said that SCIPSA—the Committee—has two roles, and that is absolutely right, but IPSA itself has two roles as well, and I think they are mutually exclusive. One is to support Members in doing their job of trying to ensure that all those letters from our constituents are responded to quickly and all the rest of it, and that we are able to do our job of representing our constituents well. However, the second part is regulating Members. I think that all too often IPSA relies too much on the regulating element, rather than the supporting element. That, for instance, is why decisions that should have been taken swiftly about providing finance for security measures in Members' constituency offices and in their homes—where it is not primarily about ourselves, but actually about our families and our staff members, to whom we have a duty of care—have been delayed far, far too long. All too often, it is left to the House authorities to take up the slack. That is a shame and a mistake, and we need to rectify that in the future.

Dame Cheryl Gillan rose—

Chris Bryant: I will give way, but I was hoping to come to an end very soon.

Dame Cheryl Gillan: I was just going to ask the hon. Gentleman whether he was supportive of seeing those two functions split into different bodies at some stage in the future.

Chris Bryant: I think I argued at the beginning, when the whole thing was set up, that the two should be in separate organisations. I understand that there is a model of regulation, which we have adopted in many areas now, where the regulator is intimately involved in the industry. I think that that is a mistake. It would be better to separate the two, but that requires primary legislation. It would be a brave Government at the moment who introduced legislation in this particular area—well, introduced any legislation at all. We in SCIPSA need to make sure that we enable IPSA to do a better job to recognise the two halves of its role, supporting and regulating.

I am very confident that Mr Blausten will be a very significant addition to the Committee. We take our job very seriously. I say to hon. Members that, if they have issues that they feel need to be raised with IPSA, all the members of SCIPSA are available. I am sure that Mr Blausten will do a good job. The independent people sometimes say to us, “You know what, MPs? You should be arguing for better support, not the opposite, because you need to be able to do your job properly. If you were in any other industry you would quite simply expect to be able to do your job properly.”

8.11 pm

Jeremy Quin: I thank the shadow Leader for her kind words directed at the panel, Bronwyn Curtis and also me, for that matter. I am most grateful. It is very kind of her. I am also grateful for her support for the motion.

I was delighted that the House was able to hear from three other members of SCIPSA. We are indebted to the work they do on our behalf in serving on the Committee: my right hon. Friend the Member for Chesham and Amersham (Dame Cheryl Gillan), and the hon. Members for Rhondda (Chris Bryant) and for Aberdeen North (Kirsty Blackman). It was great to hear them, with their personal experience, thanking Ms Curtis for her work and her service. I think that they all mentioned the importance of lay members of SCIPSA understanding all aspects of MPs' role and the importance of SCIPSA getting it right. I know that is invaluable for their work of studying the IPSA estimates. I trust that Mr Blausten will do just that, if this House is pleased to agree to his appointment. It was a great pleasure to move the motion.

Question put and agreed to
Northern Ireland

8.12 pm

The Parliamentary Under-Secretary of State for Northern Ireland (Mr Robin Walker): I beg to move,

That the draft Northern Ireland (Ministerial Appointment Functions) (No. 2) Regulations 2019, which were laid before this House on 11 July 2019, be approved.

Mr Walker: I am grateful to the hon. Lady for making that point. She raised it on a number of occasions and we have been very keen to bring this statutory instrument forward at the first opportunity.

Gavin Robinson (Belfast East) (DUP): The Minister knows we are well known for looking forward rather than backwards, but the hon. Member for North Down (Lady Hermon) is right that the statutory instrument had been scheduled for 21 October. I thank the Minister for all that he did to ensure the provisions were brought forward to this evening. As a former member of the Bar Library of Northern Ireland—I have raised this point with him—we will be able to proceed with Queen’s College appointments and a superb Whip, and he is already showing that he is a natural at the Dispatch Box.

This statutory instrument will allow for certain critical appointments to be made under the terms of the Northern Ireland (Executive Formation and Exercise of Functions) Act 2018. I am very glad that we have been able to bring it forward today. I know that Northern Ireland Members have been calling for it to be brought forward for some time.

Lady Hermon (North Down) (Ind): I should just like to put on the record my enormous gratitude to the Minister, a very fine Minister and a great addition to the Northern Ireland Office, for making sure that this very important statutory instrument has been brought before the House today. As he will know, because I have scolded about it, the unlawful prorogation of Parliament by the Prime Minister on Monday 9 September meant that this statutory instrument, which was due to be debated in this Chamber on 10 September, did not get addressed. I am therefore enormously grateful to the Minister for ensuring it is here today, earlier than anticipated. It had been thought that it might have been delayed even more to 21 October. Thank you to the Minister.

Mr Walker: I am grateful to the hon. Lady for making that point. She raised it on a number of occasions and we have been very keen to bring this statutory instrument forward at the first opportunity.

Gavin Robinson: The Minister knows we are well known for looking forward rather than backwards, but the hon. Member for North Down (Lady Hermon) is right that the statutory instrument had been scheduled for 21 October. I thank the Minister for all that he did to ensure the provisions were brought forward to this evening. As a former member of the Bar Library of Northern Ireland—I have raised this point with him—we will be able to proceed with Queen’s Counsel appointments in Northern Ireland, something the profession has been looking forward to for some time. Individuals have had a tap on the shoulder. This is an important step to progress their professional development and appoint them to the positions they rightly deserve.

Mr Walker: The hon. Gentleman is absolutely right. He has been forthright in pressing for this to be brought forward. I am glad we are able to do so today. He says that he is looking forward rather than backward. I want to set out some context in my opening remarks, so he will have to excuse me if I look briefly backward before focusing on what the statutory instrument achieves.

The Government are committed to the Belfast agreement. At its heart is a devolved power-sharing Executive Government, and restoring that Executive remains our priority. Northern Ireland needs the fully functioning political institutions of the Belfast agreement and its successors. That being said, in the absence of devolved Government, the UK Government continue to have a responsibility to ensure good governance and that public confidence is maintained in Northern Ireland.

In November of last year, primary legislation was brought forward, which among other measures addressed the need for urgent appointments to be made to a number of bodies. The initial phase of appointments under the Act enabled: the reconstitution of the Northern Ireland Policing Board, which continues to fulfil its important functions, including the recent recruitment of a new chief constable; the replacement of the outgoing chair and board members of the Probation Board for Northern Ireland; and the appointment of a new police ombudsman for Northern Ireland.

Under the 2018 Act, the Secretary of State also gave a commitment to make further appointments that may arise in the absence of an Executive. A statutory instrument was subsequently approved by the House in February 2019, which added six additional offices to the 2018 Act. As a result of that piece of legislation, critical public appointments were made in Northern Ireland, including that of the Commissioner for Children and Young People, the Attorney General for Northern Ireland and appointments to the Northern Ireland Housing Executive. The Government maintain that it is important, while prioritising the restoration of the Executive, to ensure the maintenance of good governance and public confidence in Northern Ireland. The appointments made to date under the provisions of the 2018 Act have contributed to that.

This new statutory instrument specifies further critical offices to be added to the Act, allowing for appointments to be made that will continue to safeguard the quality and delivery of public services in Northern Ireland. In preparing this instrument, my officials have worked closely with the Northern Ireland civil service to identify those critical appointments that will arise between now and the end of the year. The instrument would add to the list in section 5 of the Act, thereby enabling the Secretary of State, as the relevant UK Minister, to exercise Northern Ireland Ministers’ appointment functions in relation to the following offices: the board of the Northern Ireland Council for the Curriculum, Examinations and Assessment; the board of the Consumer Council for Northern Ireland; the board of the Northern Ireland Transport Holding Company, or Translink as it is formally known; the Drainage Council for Northern Ireland; the Agricultural Wages Board for Northern Ireland; the board of National Museums Northern Ireland; the Northern Ireland Historic Buildings Council; and the Arts Council of Northern Ireland. Those are the bodies that the Northern Ireland civil service has put forward as the most critical at this time.

As has been raised, the instrument would enable the Lord Chancellor to make Queen’s Counsel appointments, a matter whose urgency has been raised a number of times in this House by the hon. Member for Belfast East (Gavin Robinson), the hon. Member for North Down (Lady Hermon) and the hon. Member for Belfast South (Emma Little Pengelly). These are important offices for...
which the exercise of appointment functions in the coming months is vital for the continued good governance of Northern Ireland. I commend the regulations to the House.

8.18 pm

Sir Jeffrey M. Donaldson (Lagan Valley) (DUP): I thank the Minister for his opening remarks. We welcome this statutory instrument, but not the basis on which it has had to be brought forward. Like the Government, we want to see our devolved institutions restored in Northern Ireland—and restored immediately. That is important for us because, as we know, a date is looming on the horizon—21 October—whereby certain laws will be enacted flowing from the Northern Ireland (Executive Formation etc) Act 2019, which was approved by Parliament. Those measures will fundamentally change the law in Northern Ireland on abortion and marriage in a way that lacks public scrutiny, that has not allowed for consultation with the people of Northern Ireland, and that crucially, has not allowed the elected representatives of the people of Northern Ireland to have their say on what kind of law we need in both those very important areas.

This is a real challenge. On our part, we want to be clear to the Government—and I want the Minister, if he will, to pass a message to the Secretary of State—that we believe that the Secretary of State should convene a meeting of the Assembly before 21 October, invite the political parties from Northern Ireland to come and nominate their Ministers to form an Executive, and allow the proper functioning of devolved Government once again in Northern Ireland. On our part, we in the Democratic Unionist party will respond positively to such an invitation. We will be at the Assembly. We will appoint Ministers to an Executive and get on with the job that the people of Northern Ireland elected us to do: to govern and deal with legislation that is relevant to Northern Ireland.

As important as this measure is this evening, I say to the Government that it can only be of a temporary nature. It is not a substitute for local Ministers in Northern Ireland taking decisions and making appointments, and crucially, for the Northern Ireland Assembly, as the legislature in these matters, to be attending to the business of making law in Northern Ireland that is relevant to Northern Ireland's specific needs. That is the whole purpose of devolution.

We want to see a devolved Government restored before 21 October so that, through the Assembly, we can deal with legislation relating to the sensitive matters of abortion and marriage, rather than having a situation prevail whereby we have a vacuum in which the law on abortion is decriminalised, we have no statutory basis for abortion in Northern Ireland beyond that of legislation going back to the 1940s, and we have a regime that would allow for abortion for any reason up to 28 weeks. I do not believe that that would be acceptable in any part of the United Kingdom. We believe, therefore, that the Northern Ireland Assembly should be restored to examine this issue and same-sex marriage. We should have a debate among the elected representatives of the people of Northern Ireland about what is relevant and appropriate for Northern Ireland, having regard to what the people of Northern Ireland want. We want to see that happen. While this statutory instrument is a necessary step by the Government to fulfil certain responsibilities that currently cannot be fulfilled by the Northern Ireland Assembly and Executive, it is no substitute for devolution.

I want to make a final point: if we cannot get the Assembly restored and if we get a deal on Brexit, as I hope we will, and the United Kingdom leaves the European Union, a multitude of decisions will need to be taken as a consequence, not least in Northern Ireland. In those circumstances and in the absence of a devolved Government, I say to the Government that they need to start planning for the reintroduction of direct rule for a period of time until we get those decisions made. We cannot continue with the current vacuum whereby some decisions are taken and others are not. That will not wash when it comes to the crucial ministerial decisions that flow from Brexit, from the United Kingdom leaving the European Union, and that are particularly relevant to the needs of Northern Ireland. If the other political parties—in particular, Sinn Féin—are not prepared to take responsibility, form a Government and take these decisions, it will fall to this Parliament and the Government at Westminster to start taking more of them. That will be essential. It will not be optional, and when Brexit happens, we—this Parliament—will have to take on that responsibility if the political parties in Northern Ireland are not prepared to.

I say to Sinn Féin, who say that they will not accept direct rule, that they have an opportunity. The Secretary of State should take the opportunity, convene the Assembly, call the parties and see who is prepared to form a Government. If Sinn Féin does not want direct rule, there is one step it must and can take, and that is to join with the other parties in forming an Executive. Then we can deal with the issues and outstanding matters that need to be addressed in Northern Ireland. Whatever they may be, let's deal with them. The people of Northern Ireland want a Government, and sooner they get it the better.

8.24 pm

Jim Shannon (Strangford) (DUP): I also thank the Minister for introducing the regulations today and for the appointments that clearly have to be made. My right hon. Friend the Member for Lagan Valley (Sir Jeffrey M. Donaldson) is right that it would be much better if it was the Northern Ireland Assembly making these decisions—no one in the House would say anything different—but that has not been possible, so the Government in Westminster need to make the decisions and put the regulations in place.

I am ever mindful that probably all my colleagues have at some time served in local government and that many government appointments are done through councils. In my case, it was Ards Borough Council, now Ards and North Down Borough Council. These are government appointments and their importance is clear. They enable departments to function and to turn the wheels. They do not take away the legislative power, which still lies with the Northern Ireland Assembly, or the importance of having locally elected representatives in Northern Ireland doing the real work, as my right hon. Friend said. That is everyone’s ultimate goal: to see the Assembly back in place and functioning as it should.
The importance of some of the things the Minister referred to is very clear. The hon. Member for North Down (Lady Hermon), through the Northern Ireland Affairs Committee and other Northern Ireland Members, often raise the importance of the Northern Ireland Policing Board and its appointees. To see that in place therefore is something we welcome right away. The Minister mentioned the police ombudsman and the probation board as well. There is a probation board next to my office in Newtownards, so I understand the work it does. We need someone in place to keep the wheels turning.

My constituency office is always getting issues with the Commissioner for Children and Young People. It is so important to have someone in place who can respond, in departmental ways, to the needs of victims and survivors. On there being a chair or vice-chair of the Northern Ireland Housing Executive, I read in the press Friday past that the executive had £110 million in reserves. My goodness! I find that quite incredible. Yet it is unable to deliver its maintenance. If having a chair or vice-chair enables the system to work better, let us get it together. As one who spent 26 years in local government, I am pleased to see that the Local Government Officers Superannuation Committee is also to have someone in place.

Just last Thursday, my hon. Friend the Member for Belfast East (Gavin Robinson) had the opportunity to meet the General Consumer Council and the retail Minister in Belfast. He and I and others understand the importance of having the consumer council in place—we write to it all the time—and we need to have a chair or vice-chair to make sure those things happen. On the Northern Ireland Council for the Curriculum, Examinations and Assessment, education—again, how important. We are talking here about major issues—benefits, education, health—that are departmental responsibilities. We need someone in place to make things happen.

My right hon. Friend the Member for Ards and North Down (Ian Paisley) mentioned a friend of ours who sat on Ards Council with me many years ago. The council always appointed someone to the Drainage Council. Many people ask what it does. Well, Simpson Gibson, former councillor, a friend of ours, a member of our party, served on the council and used to tell me how important it was for the farmers and the rural community to have someone on it who understood their business and could get a response. Some people might not be able to say what the Drainage Council does, but I can tell the House that it plays an important role in the agrifood sector across Northern Ireland.

What we have here, at long last, are appointments to the positions of chair, vice-chair and members, to enable this skeletal business to move forward. It is not ideal—it would be better if the Northern Ireland Assembly did this by means of legislation—but let us get it done. Let us put the first stages of the mechanics of responsibility for Departments in place, and then bring accountability, and help those Departments to work.

8.30 pm

Stephen Pound (Ealing North) (Lab): I welcome the Minister, to whom I believe is one of his first sittings on the Front Bench. I understand that he has other territorial responsibilities. We are not unfamiliar with double-jobbing in Northern Ireland, but I think that if anyone can do it, he can, and he is very welcome.

It is not usually the convention for the Opposition to speak last, but on this occasion I felt it was appropriate. I thought that we should hear the Northern Irish voices first, and I thank the hon. Member for North Down (Lady Hermon), the hon. Member for Strangford (Jim Shannon), the right hon. Member for Lagan Valley (Sir Jeffrey M. Donaldson) and the hon. Member for Belfast East (Gavin Robinson)—but how much better would it be if those Northern Irish voices were resonating in the halls of Stormont rather than in this building. This is a bittersweet occasion. On the one hand, thank heavens, we have finally got round to making these appointments, particularly the Queen’s Counsel appointments, which were mentioned by the hon. Member for Belfast East. On the other hand, I feel shame for our politics in this United Kingdom that we in this House are having to consider matters that are so utterly and totally the business of Northern Ireland.

We heard about many of the positions that have finally been filled, but others were not mentioned, including the “Member of the Drainage Council for Northern Ireland”.

Why are we here, in this Chamber, discussing an appointment to the Drainage Council of Northern Ireland? No doubt it is an important position—unbelievably important—and I am sure that they have been flooded with applications for the post—[Interruption.] I am sorry. I understand that there was a leak earlier on; I do apologise. In all honesty, why on earth are we discussing these matters in the House? I think that it is so inappropriate and so wrong, in so many ways, but it has to be done.

I want to ask a couple of small questions. We were provided with a rather interesting explanatory note, and the impact assessment contains something rather unusual: “There is no, or no significant, impact on the public sector.” I am not sure what that means. Is there an impact on the public sector, or is there not an impact on the public sector? If there is no impact, there is no need to mention it. If there is an impact, why say that there is no impact?

I do not want to become involved in dancing on the head of a pin, but I think that we should look at the issue of consultation. The explanatory memorandum tells us that the Northern Ireland Office and the Minister have consulted with political parties in Northern Ireland, but there is no mention of civil society. I think that civil society should have been involved in the consultation, because that would have addressed the impact on the public sector. I should be very interested to know whether it was the case.

However, the main point—the most significant point—of all this is quite simple. While the Opposition support the statutory instrument, as we have supported all previous ministerial appointments legislation, we need to know from the Government what they are doing about the pace and intensity of talks to restore devolution. We would like to hear from the Minister what is happening. Will he outline the ongoing talks process, and will the Secretary of State, at some stage, make a statement?

We should not be undertaking this business here. It is Northern Irish business, which should be settled in Northern Ireland. I do not want to get into the blame game. “The Blame Game” is, as I am sure the House will agree, an excellent television programme on BBC One Northern Ireland, featuring Tim McGarry, Neil Delamere, Colin Murphy and Jake O’Kane; but in this context,
the issue is not whose fault it is. The fact remains that we in this House are having to deal with this business tonight, which we should not be doing. It is not fair on the House, but, above all, it is to the shame of our politics, and it is not fair on the people of Northern Ireland. However, let me repeat that we support the statutory instrument.

8.34 pm

Mr Robin Walker: I thank the House for what has been a sensible and consensual debate on this statutory instrument. It is a pleasure to follow the hon. Member for Ealing North (Stephen Pound), who described the debate as bittersweet. I think that we all recognise that concern. It is somewhat bittersweet to be welcomed by him to the Dispatch Box after three years, although perhaps people were fed up with hearing from me as a Minister at the Department for Exiting the European Union and are pleased to hear from me in a new capacity.

The right hon. Member for Lagan Valley (Sir Jeffrey M. Donaldson) said that he welcomed the instrument but not the basis of it. I absolutely recognise that. I think that we would all rather that these appointments were made by a properly constituted Executive and supported by a properly constituted Assembly. These are important offices, as we have heard from Northern Irish Members. As the hon. Member for Strangford (Jim Shannon) neatly illustrated when he talked about people turning the wheels, these are offices that are necessary for the functioning of government. The other place has already approved this statutory instrument. So long as this House approves the motion today, we can get on with making these important appointments.

The hon. Member for Ealing North (Stephen Pound) asked about the process of consultation. All these appointments are ones that have been recommended by the Northern Ireland civil service, which will of course engage in appropriate consultation. I can also reassure him that the Commissioner for Public Appointments will continue to regulate these appointments, which will ensure an important check.

The people of Northern Ireland deserve strong political leadership from locally elected, accountable devolved Government. Achieving that and delivering a positive outcome from the talks remains our absolute priority. Northern Ireland has made huge progress in recent years. While the UK Government will do all that is necessary to ensure that good governance and public confidence is maintained in Northern Ireland, we can achieve even more with a devolved Government and legislature that unlocks all the potential that Northern Ireland has to offer. We remain focused on achieving that outcome. As we have heard again today, it is an outcome that we all want to see. I commend the order to the House.

Question put and agreed to.

Census (Return Particulars and Removal Of Penalties) Bill [Lords]

Considered in Committee

[DAME ELEANOR LAING in the Chair]

Clause 1

AMENDMENT OF THE CENSUS ACT 1920

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

The First Deputy Chairman of Ways and Means (Dame Eleanor Laing): With this it will be convenient to discuss clauses 2 and 3.

8.37 pm

The Parliamentary Secretary, Cabinet Office (Kevin Foster): I will not prolong this part of our debate. The purpose of the clause is simple. It amends the Census Act 1920 in respect of England and Wales to remove the penalty for not responding to census questions on sexual orientation and gender identity. This means that those questions will be voluntary. As I am sure hon. Members will recall, this reflects the approach taken by the Census (Amendment) Act 2000, which removed the penalty attaching to a failure to answer a question on religion in the census.

Clause 2 amends the Census Act (Northern Ireland) 1969 to remove the penalty for not responding to census questions on sexual orientation and gender identity, in order to replicate the changes that we are making in law for England and Wales. The power to include questions on sexual orientation and gender identity already exists under the Northern Ireland legislation. Clause 2 does not create new powers to ask those questions; it simply ensures that if they were asked in a future census in Northern Ireland, they would be voluntary.

Finally, clause 3 sets out the territorial extent, commencement and short title of the Bill. The territorial extent of the Bill is England, Wales and Northern Ireland. The Bill does not extend to Scotland, where the matter is devolved and where the Scottish Parliament is dealing with the relevant legislation.

Question put and agreed to.

Clause 1 accordingly ordered to stand part of the Bill.

Clauses 2 and 3 ordered to stand part of the Bill.

New Clause 2

QUESTIONS ON GENDER IDENTITY

“(1) Any question or questions asked about gender identity on the Census Act 1920 or the Census Act (Northern Ireland) 1969 must be framed in such a way as to provide information about gender identity in different ethnic groups.

(2) The ethnic groups in subsection (1) must include Sikhs.”

—[Preet Kaur Gill.]

This new clause would mean that if the census included a question on gender identity, it would have to be written in such a way as to provide information about gender identity in different ethnic groups.

Brought up, and read the First time.
Preet Kaur Gill (Birmingham, Edgbaston) (Lab/Co-op): I beg to move, That the clause be read a Second time.

The First Deputy Chairman of Ways and Means (Dame Eleanor Laing): With this it will be convenient to discuss the following:

Amendment (a) to new clause 2, at end insert “, Jains and Zoroastrians”.

Amendment (b) to new clause 2, at end insert “and Kashmiris”.

New clause 3—Homeless people and questions on gender identity and sexual orientation—

“(1) The Secretary of State must make a statement to both Houses of Parliament on what steps the Office for National Statistics will take to ensure that people who are homeless have an opportunity to answer any questions about gender identity or sexual orientation under the Census Act 1920 or the Census Act (Northern Ireland) 1969.

(2) The statement in subsection (1) must be made within two months of the passing of this Act.

(3) In this section, “homeless” is defined as set out in section 175 of the Housing Act 1996.

This new clause is intended to ensure that the Office for National Statistics takes steps to increase the participation of homeless people in the Census so that data on sexual orientation and gender identity includes information from people who are currently homeless.

Preet Kaur Gill: Sikhs are being discriminated against. This new clause tabled in my name and those of other right hon. and hon. Members would mean that if the census included a question on gender identity, it would have to be written in such a way as to provide information about gender identity in different ethnic groups.

Discrimination exists in different ways within different communities and the only way to successfully understand the outcomes and the reasons behind discrepancies as well as to provide services is to look at intersectional areas, including the breakdown of gender within different ethnic groups. At the national and local level, public bodies including schools, hospitals, police forces, local authorities and central Government Departments only use ethnic group categories specified in the census to collect data for public service planning and decision making. I want to make it clear that contrary to what the Government have stated, public bodies do not use the religion category to provide public services. That is an important point. In total, there are 40,000 public bodies across the country. This amendment will allow the underestimation of Sikh numbers and inadequate allocation of resources to Sikhs based on current census statistics to be overturned.

According to the Women and Equalities Committee, the quality and depth of data on ethnicity collected by Departments varies widely, which is hindering efforts to tackle racial discrimination in public services. As a result of not being monitored as an ethnic group, Sikhs of all genders are left out of the equation in policy decisions. The Government have stated that the option to tick “other” and write in Sikh as an ethnicity in the census is adequate, knowing full well that public bodies ignore the “other” option and that this will do nothing to counter discrimination against Sikhs in their own right.

The relevant of the new clause and the importance of gender equality in the Sikh community date back to Guru Nanak Dev Ji, whose 550th birthday we are celebrating this year. He promoted fairness and gender equality and denounced discrimination of the sexes. My new clause would allow us, as parliamentarians, to do what we are elected to do and to challenge inequalities and unfairness. It would enable us to understand the obstacles facing the Sikh community in greater detail and to ensure that every public body knows what it is supposed to be doing and what impact it is having.

8.45 pm

For example, data obtained by Housing Justice showed that more than 5% of those experiencing homelessness in London who died outdoors in the last 12 months were male Sikhs. That is disproportionate compared with the Sikh population, which is only 1.5% of the population in London. In April, when I asked the Secretary of State for Housing, Communities and Local Government what steps the Ministry was taking to determine how many homeless people are Sikh, I simply got a response explaining that it had no current plans to collect that information.

The former Prime Minister’s race disparity audit used 100 datasets across Government, but none included data on Sikhs. In discussions with Government representatives, it has become clear that the reason is that there was no such data. In the current situation, with the lack of data, we do not know the prevalence of
injustice, but what we do know does not make for positive reading. In 2016, the UK Sikh survey reported that almost one in five British Sikhs had encountered discrimination in a public place over the previous year, and one in seven had directly experienced workplace discrimination.

The all-party parliamentary group for British Sikhs has campaigned since before I was elected to make sure that comprehensive data on Sikhs is gathered to ensure positive outcomes for members of the community, and I am pleased to have submitted this new clause to continue that work. Accepting it would mean that policy making was better informed in situations where Sikhs have all too often been omitted or misrepresented in the past. For example, hate crime has been categorised as Islamophobia in the statistics, although, even with this misreporting, Sikhs still accounted for 2% of religious hate crimes recorded by the police in 2017-18, despite making up less than 1% of the population.

As the first Sikh woman to become a British MP and as the chair of the all-party parliamentary group for British Sikhs, I am fiercely proud of our community and believe that supporting a Sikh ethnic tick box would be a step by all Members in this House to show and believe that supporting a Sikh ethnic tick box for British Sikhs, I am fiercely proud of our community making up less than 1% of the population. For example, hate crime has been categorised as Islamophobia in the statistics, although, even with this misreporting, Sikhs still accounted for 2% of religious hate crimes recorded by the police in 2017-18, despite making up less than 1% of the population.

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The campaign for an ethnic tick box turns on the recognition of Sikhs as an ethnic community by law, and many in the Sikh community feel that individuals should be able to identify as ethnically Sikh in the next census to ensure a more accurate picture of the community. The primary concern, as my hon. Friend stated, is that public bodies do not currently have enough information about Sikhs. I found the homelessness figures to be shocking and was unaware of the situation. More data would help inform the approach of the education, health, local government and business sectors towards the Sikh community. It is important to target services effectively, so data about such minority groups is vital because underreporting could allow discrimination to go unnoticed.

Labour fully supports the campaign by my hon. Friend and the all-party parliamentary group, which has been tireless and persuasive in pressing for a change so that the census includes a section on ethnic identity, with an option to choose being a Sikh. Indeed, to respond to my hon. Friend the Member for Wolverhampton South West (Eleanor Smith), I believe that there is not only legal precedent in this matter, but a pending court case that will seek a judicial review of the ONS’s decision.

However, in conversations with the Minister outside the Chamber, he convinced me that this particular Bill might not be the appropriate vehicle for that matter to be addressed, so I ask him to address that concern in his contribution. I understand that today’s Bill is concerned only with the section of the census relating to sexuality and gender identity. Will the Minister explain how the way in which new clause 2 is worded may cause difficulty for that section? Will he also address the view presented by the ONS that questions on gender, identity and sexual orientation may not be included if new clause 2 is passed at this stage?

I hope that the ONS listens carefully to the campaign of my hon. Friend. Friend the Member for Birmingham, Edgbaston, because the discussions around having a Sikh tick box within the overall question on ethnicity may have been going on for 20 years and will not go away anytime soon. The sooner we can resolve the matter to the satisfaction of the Sikh community, the sooner we can get things right.

Kevin Foster: I thank the Members who have contributed to the debate. The hon. Member for Birmingham (Christian Matheson) said that he would not press Labour’s new clause 3. I am glad that the Labour Front-Bench team found the letter of interest and that it answered their concerns. From conversations with the ONS, I know that it is keen to ensure that everyone is counted in terms of the homeless community, that outreach work is done and that special measures are put in place to try to ensure as many people as possible fill in the census form. The Labour Front Bench raised the
particular issue of those in the LGBT community who may be affected by homelessness in a different way and have a fear of it that differs from the rest of the community. A very worthwhile issue was brought up, I was therefore only too happy to send the letter, rather than wait until tonight. A copy of that letter has been placed in the Libraries of both Houses if Members want to consult the Government’s comments.

Turning to the substance of the debate, new clause 2 was passionately moved by the hon. Member for Birmingham, Edgbaston (Preet Kaur Gill) and it confirms the importance of ensuring that the 2021 census provides detailed information on our society, and especially the Sikh community. The Government will be guided by the advice and recommendations of the Office for National Statistics, which has advised that the new clause’s effect can be achieved through analysis of information collected under its existing proposals for the 2021 census.

Most importantly, the new clause is potentially damaging to the integrity of the census and threatens the inclusion of a question on gender identity, which would be counter to the whole aim of this Bill. For clarity, the new clause would not make any changes to the proposals for a question on sexual orientation; it would make changes only to the question on gender identity. Under the ONS’s existing proposals for the 2021 census, it will already be possible to produce statistical information about gender identity within different ethnic and religious groups.

As in previous censuses, there will continue to be separate questions on ethnicity and religion, and the data from the ethnicity, religion and gender identity questions can be analysed to provide detailed information on gender identity across different cross-sections of the population.

Mike Gapes: From what the Minister says, I am unclear on whether it will be possible for Sikhs to tick a specific box on the 2021 census. Can the Minister please clarify?

Kevin Foster: I am happy to clarify that there will be a tick box for Sikhs under the religion section but not under ethnicity. There have been 55 requests for particular tick boxes on the census that the ONS is not recommending, and having a Sikh tick box under ethnicity is one of those that the ONS is not recommending.1

As I said, the Government will be guided by the ONS’s recommendations on what the census should include. Of course, Members can discuss the issue more fully when Parliament considers the main census orders that set the questions, but the Government will be guided by the ONS’s recommendations in this area.

Anyone who wishes to identify in the 2021 census as having Sikh or Kashmiri ethnicity, or Jain or Zoroastrian religion, will be able to do so under the existing proposals using the write-in option or the new “search as you type” facility.

Preet Kaur Gill: Will the Minister meet me to discuss this? I have had numerous meetings with the ONS, which has not been able to explain how it will use the tools because they have never been used before. This conversation has been had on many occasions. I know he refers to religion, but we are talking about how we deliver public services in the United Kingdom. We do not use the religion category. I challenged the ONS and asked it to make that category mandatory. It said there was no public acceptability in respect of that.

What I am requesting from the Minister is some challenge back to the ONS. If there is no data on Sikhs, especially when the Cabinet Office has looked at a hundred datasets across Government, surely we should present some challenge back. In the last census 90% of Sikhs—83,000 Sikhs—ticked “other” and wrote in “Sikh” as a protest vote. I would like to feel assured that he will present some challenge back, especially given that, as legislators, we should be upholding the law and Sikhs are classified as an ethnic group.

Kevin Foster: I am more than happy to meet the hon. Lady to have a more in-depth conversation about this issue, and I will make sure that ONS representatives are also present so that she can put her point directly to them.

I make it clear that the census is about data collection, and it is a criminal offence for a person not to respond to the overall census, but it is right that the questions are seen as having been professionally recommended for data collection purposes, rather than a Minister personally choosing the questions and tick boxes that are included.

Today’s debate is about the questions on these two issues being voluntary, rather than coming through schedule 6, which would make them compulsory. For reasons with which many of us will agree, this is a very sensitive area of data.

Given that these analytical possibilities already exist, we believe there are no grounds for this new clause, which is potentially damaging to the integrity of the census. It would require changes to questions that have been extensively researched, tested and consulted on by the ONS in its independent advisory capacity over the three years of evidence gathering to inform the proposals for the 2021 census. It would also serve to introduce the risk of confusion and concern for individuals completing the gender identity question. My early discussions with the ONS indicated that, as was referred to by the shadow Minister, it would be likely to recommend that the question was not included in census 2021 if this new clause were passed, given the changes it would make to that question.

9 pm

Again, to be clear, this Bill simply provides for any questions on sexual orientation and gender identity to be voluntary in the next census. That allows information essential for the effective planning and delivery of services to be collected, while protecting people’s privacy should they not wish to disclose what they may see as very personal information. The ONS consultations have identified a real user need for data on gender identity, and currently no official sources of data are available on this issue. It is therefore paramount that this information is obtained without the addition of confusion or complexity. To miss this once-in-a-decade chance would mean that the next chance to collect this type of information would be in the 2031 census.

Complexity or confusion lowers the quality of the data in any census question, but for a deeply personal aspect of the census the effect is likely to be greater, and that is especially true here as respondents’ reactions to

1 [Official Report, 14 October 2019, Vol. 666, c. 2MC.]
these amendments are untested. I know it is not the hon. Lady’s intention to undermine the integrity and quality of this vital data collection, and that she wishes to stand up strongly for the community she wants to represent in this place. I therefore hope she will agree to withdraw her new clause.

Preet Kaur Gill: I thank the Minister for his comments. It is worrying to hear him say that the ONS would think about pulling this whole section if this proposal went through, because, as the ONS will know, disaggregating data is very important and we know that there are a lot of issues to address on the data on gender and especially on ethnic minority groups. I am grateful to him for offering a meeting to discuss this further. As elected legislators in this House, it is our duty to challenge all public bodies, especially when they are not working to ensure that communities that have not been counted are. There is a real need here, because the ONS has said time and again that it accepts, recognises and understands there is a demand to have a Sikh ethnic tick box. Despite that it is not prepared to do this. All we are asking for is the option of a Sikh ethnic tick box, which is very doable. We all know that when the census order comes to this House it will be very difficult to make any amendments at that time, so any work that needs to be done needs to be done between now and the laying of that order. Once again, I thank the Minister. I would not wish to jeopardise this section on the basis of what I am pursuing, but I will persist and I am grateful to him for offering a meeting. On that basis, I beg to ask leave to withdraw the motion.

Clause, by leave, withdrawn.

Madam Deputy Speaker (Dame Eleanor Laing): As indicated on the Order Paper, Mr Speaker has certified that clause 1 relates exclusively to England and Wales and is within devolved legislative competence. As the clause has not been amended during Committee, there is no change to that certification.

The appropriate consent motion has been tabled. Does the Minister intend to move it?

Kevin Foster indicated assent.

The House forthwith resolved itself into the Legislative Grand Committee (England and Wales) (Standing Order No. 83M).

[DALE ELEANOR LAING IN THE CHAIR]

The First Deputy Chairman of Ways and Means (Dame Eleanor Laing): I beg the Whip’s pardon; this sort of yo-yo-type procedure can be a little confusing. In order to avoid confusion, I remind hon. Members that, if there is a Division, only Members representing constituencies in England and Wales may vote on the consent motion for England and Wales.

Resolved,

That the Committee consents to the following certified Clause of the Census (Return Particulars and Removal of Penalties) Bill [Lords]—

Clauses certified under Standing Order No. 83J as relating exclusively to England and Wales and being within devolved legislative competence

Clause 1 of the Bill (Bill 412).—(Kevin Foster.)

Question agreed to.

Kevin Foster: I beg to move, That the Bill be now read the Third time.

I thank all right hon. and hon. Members who have contributed to the debate. I am grateful for the support for the Bill, especially from the main Opposition parties, with which, as I touched on earlier, we have had some constructive discussions, not only on the Bill but on how the census can be taken forward to be the best it can be.

The 2021 census will provide decision makers and citizens with comprehensive data on our society. Getting the best information is essential to inform policy, planning and funding decisions across national and local public services. The Bill is simple: it provides that two questions—on sexual orientation and gender identity—could be asked in the census in England, Wales and Northern Ireland, on a voluntary basis. It does not mandate that those questions should be asked, but it does give the opportunity for them to be done on a voluntary basis. With that, I commend the Bill to the House.

Christian Matheson: We learn something new about procedure every day in the House—and I say that having been here for four and a half years.

I return the Minister’s compliments. He has worked openly with me and my colleagues on this important piece of legislation, which represents a positive step forward for LGBT+ rights in the UK. The Opposition proudly support the Bill, building on a long Labour party legacy of defending minorities and fighting for equality. As the Minister says, it will provide for voluntary questions on sexual orientation and gender identity to be asked in the England, Wales and Northern Ireland censuses.

Consideration of the Bill has seen Members make welcome points about the recognition of minority and ethnic groups. I pay particular tribute to my hon. Friend the Member for Birmingham, Edgbaston (Preet Kaur Gill) for her continued and tireless promotion of the questions we have discussed about the inclusion of Sikhs in the census.

It is vital that the Bill is passed and that work begins promptly on consulting a wide range of stakeholders across the community. Particularly at a time when the LGBT+ community continues to face widespread abuse, the inclusion of the tick boxes in the census is significant both practically and in principle. I should like to pay tribute to the work of Dr Laurence Cooley, the Economic and Social Research Council research leader, and lecturer in the School of Government and Society at the University of Birmingham. His research, which was published by the London School of Economics, outlines the dangers of an under-count of the LGBT population and the detrimental impact that that could have on the fight for full LGBT equality. On Second Reading, I cited some of Dr Cooley’s work without giving him the necessary credit, simply because that was knocked out for some
reason from one iteration of the speech to the next. I apologise to him, and thank him for the gracious way in which he let me know that I was citing his work. Academics earn their living by informing public policy and by producing research that informs other work, and I am pleased to pay tribute to him.

The Minister has kept my colleagues and me informed about progress ensuring the participation of homeless people in the census. I pay tribute to him again for the letter that he has sent the shadow Chancellor of the Duchy of Lancaster, my hon. Friend the Member for Hensworth (Jon Trickett), tonight, and which he is going to put in the House of Commons Library. Hopefully, we will meet staff and officials from the Office for National Statistics to discuss their work with charities and outreach programmes. We have seen reports that a record number of homeless people died last year—the biggest increase in deaths since reporting began.

LGBT+ homeless people warrant particular attention in this discussion, not least given the shocking statistic that up to 24% of the youth homeless population are from the LGBT+ community. Clearly, we are far from solving the issue of LGBT+ discrimination, but I hope that measures included in the Bill will give us the statistics and therefore the tools to help us solve that.

We still have a long way to go. The abuse suffered by LGBT individuals across society is shocking. Indeed, any abuse is shocking, but I hope that as the Bill becomes law and we prepare for the census we will be able to reflect better the society that we seek to represent, and that the mirror that we hold up gives us an accurate representation. I support Third Reading of the Bill.

Madam Deputy Speaker (Dame Eleanor Laing): I pause in case anyone has an inspirational contribution to make. [Interruption.] No. Question put and agreed to.

Bill accordingly read the Third time and passed without amendment.

Business without Debate

DELEGATED LEGISLATION

Motion made, and Question put forthwith (Standing Order No. 118(6)).

EXITING THE EUROPEAN UNION (CONSUMER PROTECTION)

That the Product Safety, Metrology and Mutual Recognition Agreement (Amendment) (EU Exit) Regulations 2019 (S.I., 2019, No. 1246), dated 9 September 2019, a copy of which was laid before this House on 9 September, be approved.—(David Rutley.)

Question agreed to.

Madam Deputy Speaker (Dame Eleanor Laing): With the leave of the House, I propose to take motions 6 to 13 together.

Motion made, and Question put forthwith (Standing Order No. 118(6)).

EXITING THE EUROPEAN UNION (ANIMALS)

That the Trade in Animals and Animal Products (Legislative Functions) and Veterinary Surgeons (Amendment) (EU Exit) Regulations 2019 (S.I., 2019, No. 1225), dated 5 September 2019, a copy of which was laid before this House on 5 September, be approved.

EXITING THE EUROPEAN UNION (CIVIL AVIATION)

That the Air Services (Competition) (Amendment and Revocation) (EU Exit) Regulations 2019 (S.I., 2019, No. 1224), dated 5 September 2019, a copy of which was laid before this House on 5 September, be approved.

EXITING THE EUROPEAN UNION (FINANCIAL SERVICES AND MARKETS)

That the Capital Requirements (Amendment) (EU Exit) Regulations 2019 (S.I., 2019, No. 1232), dated 5 September 2019, a copy of which was laid before this House on 5 September, be approved.

EXITING THE EUROPEAN UNION (TRANSPORT AND INFRASTRUCTURE)

That the Customs Safety and Security Procedures (EU Exit) (No. 2) Regulations 2019 (S.I., 2019, No. 1219), dated 4 September 2019, a copy of which was laid before this House on 5 September, be approved.

PETITION

Reclassification of Ministers of Religion under Immigration Rules

9.14 pm

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): I rise to present a petition entitled “Call to revoke the decision to reclassify Ministers of Religion under immigration rules” on behalf of the residents of Glasgow North East at St Augustine’s parish church, Milton, Glasgow.

The petition states:

The petition of the residents of Glasgow North East, Declares that visiting clergy offer respite to dedicated Ministers and bring enormous cultural benefit to the communities they serve; and further that the introduction of severe conditions regarding English language proficiency and the sharp rise in fees for visas for Ministers of Religion would cause detriment to the communities they wish to serve.
The petitioners therefore request that the House of Commons urges the Minister for Immigration, the hon. Member for South Ribble, to revoke the decision to reclassify visiting Ministers of Religion as being Tier 2 visitors under immigration rules. And the petitioners remain, etc.

Hypermobility Syndromes: Healthwatch Calderdale’s Report

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

9.15 pm

Craig Whittaker (Calder Valley) (Con): Healthwatch in Calderdale, like Healthwatch organisations across England, is the voice of people in its area on health and social care matters. It tells NHS service providers and commissioners about patients’ experience of care and holds them to account, and has a say in how local services are delivered and designed.

As a very rough rule and guide at Healthwatch Calderdale, a trigger to indicate that there is a particular issue in an area of health or social care is when it receives about three complaints on the same issue at the same time. Hon. Members can therefore imagine the concern when Healthwatch Calderdale began to hear of difficult NHS experiences from a large number of adults with hypermobility syndromes, both at events and via its telephone advice service. The level of concern was so great that, for the first time since its inception, a joint piece of work was undertaken between all local Healthwatch areas across Yorkshire and Humber, with Healthwatch Calderdale taking the lead. Approximately 250 adults with hypermobility syndromes took part in the project—all relating stories of difficult NHS care. I will speak more about the findings of the report shortly, but first I want to give the House an outline of what hypermobility syndromes are.

Hypermobility is the term used to describe the ability to move joints beyond the normal range of movement—something that I have not been able to do for many, many years. Joint hypermobility is common in the general population, especially in childhood and adolescence, in females, and in people of Asian and African-Caribbean descent. In many people, joint hypermobility is not problematic at all. It can even be a bonus, especially for sportsmen or sportswomen. However, this debate is neither about athletics, nor is it about party tricks. It is about problematic hypermobility linked to chronic ill health. It is about people who experience symptomatic hypermobility that not only affects the joints, but also causes very challenging symptoms in many other body systems including the digestive system, the nervous system, the skin, the bladder, the cardiovascular system, the teeth and the immune system. It is these people who are described as having a hypermobility syndrome.

The most common of these syndromes is hypermobility spectrum disorder. Other conditions include heritable disorders of connective tissue such as Ehlers-Danlos syndrome, Marfan syndrome, osteogenesis imperfecta and Stickler syndrome. Although these are all conditions in their own rights, they are all complex, chronic conditions that are frequently associated with co-morbidities that require multi-disciplinary healthcare teams to diagnose, treat and manage.

Jim Shannon (Strangford) (DUP): I thank the hon. Gentleman for giving way and for bringing this matter to the House for consideration. People suffering from hypermobility syndrome feel that they have to fight to be believed, fight to be seen, fight to be diagnosed and fight to receive treatment—they are tired of simply
Craig Whittaker: The hon. Gentleman is right in a lot of what he says, but the thing about hypermobility syndromes is that they are incredibly complex. As I said earlier, things like the digestive system, the immune system and teeth can all be factors. It is not like when someone goes to hospital with a broken leg, and we know what the problem is. There are multiple complexities around this disorder, so it is difficult from a professional point of view, which I will speak about later, but he is right in much of what he says.

From the Healthwatch work on the subject, it is clear that many people—specifically those with hypermobile Ehlers-Danlos syndrome or hypermobility spectrum disorder—are not receiving the appropriate NHS care, as the hon. Member for Strangford (Jim Shannon) indicated. It is not clear how many people in the United Kingdom are affected by hypermobility syndromes. Hypermobility is often misdiagnosed as fibromyalgia, osteoarthritis, seronegative arthropathy, psychogenic rheumatism, depression or chronic fatigue syndrome. I do not know about you, Madam Deputy Speaker, but after that description, I need to lie down in a darkened room. So imagine how patients with hypermobility-related problems feel when they have to battle alone with immense health problems, often for years before obtaining a diagnosis, only then to face immense difficulties in accessing appropriate NHS healthcare to manage their complex and multi-system disorders and conditions. These patients describe feelings of being let down by the system, as well as huge frustration at both the widespread lack of understanding about their condition from medical professionals and the lack of appropriate care for their condition.

Holly Lynch (Halifax) (Lab): Will the hon. Gentleman give way?

Craig Whittaker: It would be an honour to give way to my neighbour.

Holly Lynch: I am grateful to my neighbour for giving way. I thank him for securing the debate and congratulate him on articulating a number of those professional and the lack of appropriate care for their condition.

Craig Whittaker: My hon. Friend and neighbour is right. Because there is a lack of understanding about this syndrome and because, not only at GP level but in some specialist areas, areas that do particularly well on this issue are now having to close the list to outsiders because they are becoming over-subscribed. She is absolutely right; that is one of the issues. When I get to the end of my speech, one of my recommendations, which the Minister can hopefully address, is having a regional centre for this condition.

Healthwatch’s report was published in July this year, and it focuses primarily on patient experiences. It presents the overwhelming negative NHS experiences of adults with hypermobility syndromes, and it makes for challenging reading. It is 70-odd pages, and it is not a pleasant read at all. The report took evidence from 252 people via focus groups and a questionnaire. Approximately 86% of the participants had a diagnosis of hypermobile Ehlers-Danlos syndrome, or what would now be termed hypermobility spectrum disorder. A further 13% had other diagnoses linked to hypermobility syndromes. It is precisely those people who are presently excluded from NHS specialised rheumatology services, and it is those people on whom I would like to focus this evening.

The report identifies problems with NHS care in many different areas. It highlights that people are experiencing difficulties obtaining a diagnosis: 76% of respondents indicated that obtaining a diagnosis had been challenging, 22% described the process as difficult, and a staggering 54% stated that it had been very difficult. Frequently, people described the diagnostic process as leaving them feeling depressed, alone and isolated as a consequence of the lack of understanding that appeared to be the norm among professionals. This and the level of disbelief by professionals, as the hon. Member for Strangford pointed out, have led to people doubting themselves, despite their symptoms and, of course, their experiences.

Common terms used to describe how the diagnostic process made people feel included being angry, belittled, desperate, and feeling like a liar or a fraud, and some even said they were feeling as though they were going a little crazy. By contrast, obtaining a diagnosis generated feelings of hope and reassurance, and the feeling that they had been vindicated or were relieved at having an explanation of their difficulties.

On the road to diagnosis, many tests and procedures were commonly performed—sometimes repeatedly, sometimes in isolation and sometimes in conjunction with others. Many people reported that they had had many blood tests, scans and X-rays. A number of respondents spoke of being tested exhaustively over many years. For some people, this extensive testing was a route to an eventual diagnosis and, in some cases, supported interventions, but for others, this resulted in delaying the diagnosis, misdiagnosis and delayed support. A pathway would not only be beneficial to patients, but would also reduce the costs and associated wastage to the NHS of all the unnecessary tests, which are often carried out on a repetitive basis, as they are not giving the anticipated results at the time.

Participants reported that between one and six health professionals were involved in the diagnosis. One significant theme of the responses generally was the failure of medical professionals to link together the variety of symptoms and health issues being reported and a focus on the presenting symptom only. Perhaps unsurprisingly, many participants said that they had received other diagnoses, rather than a diagnosis of hypermobility syndrome. Altogether, a staggering 62 other conditions were named during the process.
The complex and diverse symptoms resulting from hypermobility syndromes have led to many people being misdiagnosed. They were told, for example, that their symptoms were related to mental health issues or mental illness, such as depression, anxiety or stress, and this resulted in subsequent referrals to mental health services, as health professionals could not find a physical cause of the symptoms. People also reported that health professionals had ascribed the symptoms to excess weight, clumsiness or lack of physical exercise. Misdiagnosis, partial diagnosis or stereotyping left people feeling upset and patronised by health officials and led to feelings of anger, frustration, rejection and defeat.

Inadequate knowledge among health professionals was another key theme of the report, and that also emerged from the data. The majority of the respondents referred to health professionals as not aware of, not knowing about or not believing in the wide-ranging symptoms and the health and life impact of hypermobility syndromes on the patients. GPs were specifically mentioned in this regard, and rheumatologists and physiotherapists also received mixed feedback about their knowledge. Some people who had a diagnosis also talked of medical professionals disbelieving the conditions, with some being told, “It’s all in your head.” or assuming that people were just after drugs, rather than genuinely being in pain, despite the diagnosis.

Another key theme that emerges from the data is poor communication between health professionals, both between departments in the same service and between one medical facility and another. Communication between professionals is by no means consistent. Communication failures occur frequently and conversations are repeated at consultation. Again, this experience is described as exhausting and demoralising. A number of participants also reported difficulties in persuading GPs to refer them to consultants. Most people who responded to the survey said that they had either no NHS care or inadequate NHS care. The life impact of these difficult NHS experiences is significant, with people having to give up work, experiencing difficulties in education, having problems with social relationships, the breakdown of families and financial problems, too.

Jim Shannon: I thank the hon. Gentleman for giving way again. He outlines the case for people physically, emotionally and mentally, but it is also about the follow-on. If people cannot work, they need benefits and help. If doctors do not understand the intricacies of the health condition, how can they back up constituents’ claims for benefits? Does the hon. Gentleman sometimes become bewildered with the system?

Craig Whittaker: It is not I who become bewildered with the system, but the patients who are incredibly frustrated at the whole process. As the hon. Gentleman says, not just with pre-diagnosis but post-diagnosis, there is a lack of professional understanding. Unless someone has a good consultant or GP who understands the system, the things we have talked about—the frustration, pain, stress and anxiety—go on for years. The hon. Gentleman is, again, absolutely right.

Ironically, people feel that they have to manage their own cases entirely without medical support and sometimes without fully understanding it themselves, researching the condition so that they can then ask for what they think they might need. This was often stressful for the respondents, with the stress causing further problems. Some people spoke of having some NHS care, but for some people the only care they received was pain management, often without review. There are several examples of respondents being prescribed opium or strong medications, but they said it was without adequate medical support or review. In the few cases where people reported having good experiences of NHS care—there were some—this appeared to be generally after moving around the country, changing GPs or hospital specialists. This usually occurred over a long period.

It should be noted that not many people commented on social care experiences and this in itself may—there is no evidence—reflect the lack of involvement and awareness of the issues among social care staff. A few people have received some care or support via social care. The most frequently reported were aids and adaptations for the home. Some people have also been given additional support for personal care and social support.

The report details exactly what actions all the local Healthwatch organisations in Yorkshire and the Humber will take to raise the issues with local NHS service providers and commissioners. What is it that those who have experienced this poor level of care are asking for from the Government, NHS England and our strategic health authorities? I have gone through the common asks, but I have come up with five that I and the authors of the report think are probably the most important.

First, we are asking for improved knowledge and awareness of hypermobility syndromes and the related conditions among health professionals across the whole of the NHS. Secondly, we are asking for a dedicated care pathway with faster referrals and a specialist service of some form, such as a specific regional specialist centre. People felt that that would help to address the current fragmented care that many are receiving. Thirdly, we are asking for the ability to access medical support where needed for services such as physiotherapy, without the need for a new referral. Each time a course of physiotherapy is required, people currently have to go back through the process to be referred for it. Fourthly, we would like to see the use of technology, such as video or telephone appointments, to access medical professionals. This would help people to better manage fatigue by removing the requirement to be physically present at the appointment. Finally, we would like improved communication, co-ordination and information sharing between health and social care, either as part of a specialist service, as we have discussed, or simply just as good practice.

Some of those suggestions regarding better care, such as digitalisation and integrated care, fit very well with the NHS long-term plan. It is very clear, however, that other additional actions are required to improve NHS care for this group of patients. It is important to remember that the vast majority of people who responded to the Healthwatch hypermobility syndromes survey are not those who are referred to the specialised rheumatology services, which are commissioned by NHS England. They have hypermobile Ehlers-Danlos syndrome or what is known as hypermobility spectrum disorder. They are specifically excluded from the Ehlers-Danlos
national diagnostic service and, at present, have very poor experiences of that NHS care, which, they report, impacts incredibly negatively on their lives.

Thank you, Madam Deputy Speaker, for your time this evening, and I look forward to hearing my hon. Friend the Minister’s response.

9.36 pm

The Parliamentary Under-Secretary of State for Health and Social Care (Jo Churchill): I congratulate my hon. Friend the Member for Calder Valley (Craig Whittaker) on securing this debate on such an important issue, and for taking the first step to bring the broader element of education and communication to the Chamber tonight by outlining the report from Healthwatch Calderdale on hypermobility syndromes. I join him in commending the work of local Healthwatch in championing the patient voice and in doing all that they do.

My hon. Friend has rightly highlighted how critical it is for those living with hypermobility syndromes to be able to obtain the right diagnosis and sometimes how challenging that is, because of the nature of all the different elements of the syndrome involved. This is also about people having their symptoms taken seriously by healthcare professionals. As he and the hon. Members for Strangford (Jim Shannon) and for Halifax (Holly Lynch) outlined, sometimes just being taken seriously is the first step on the path to accessing the relevant treatment that they need. Those professionals need to be aware of the spectrum of the condition. All those things are incredibly important so that patients can access the right care at the right time. For example, someone may access physiotherapy if they feel particularly unwell, but if they then feel like they have to go back down the snake, it can often seem like more of a fight, as the hon. Member for Strangford alluded to, so making sure that pathways are streamlined is exceedingly important.

As my hon. Friend will be aware, the NHS England specialised commissioning team in Yorkshire and the Humber responded to the report only last month. I gather that the specialised commissioning team and the clinical commissioning group continue to engage with Healthwatch Calderdale on the report’s findings. Ensuring that that engagement is beneficial and delivers what patients want, and that it is as broad as possible, is important. I urge both him and the hon. Member for Halifax to make sure that they are engaged with the process and with holding the CCG and Healthwatch Calderdale to account in understanding whether objectives are being met and a better service is being delivered.

We have heard from my hon. Friend. Friend that hypermobility syndromes can have devastating effects on quality of life but often go undiagnosed or misdiagnosed for many years, which also adds to the stress. This situation must improve. As he pointed out, good communication and information sharing could make a big difference to how an individual feels their journey is progressing, and I assure him that we are committed to improving the diagnosis of rare diseases and to assisting patients so that their diagnosis feels less like a fight, as the hon. Member for Strangford put it.

Craig Whittaker: One of the key problems is that the hypermobility syndromes are treated by NHS England as rare diseases. As we have heard, Healthwatch Calderdale has 11 complaints on the books, but if we times that across Yorkshire and the Humber, it means there are several hundred complaints, and that is only people who have complained, not people who have been diagnosed. My challenge back to the Minister is this: we keep calling it a rare disease, but is it really a rare disease?

Jo Churchill: The challenge with rare diseases is that they are collectively common but rare in and among themselves. As my hon. Friend articulated, there are many different elements to this syndrome that may be diagnosed as Ehlers-Danlos or a plethora of other things. That makes treating them more of a challenge and is why there has to be communication and information sharing to make it a proper pathway for an individual. Although for each life it is really challenging, 11 is not a large patient cohort. That is one of the challenges when dealing with diseases and syndromes such as Ehlers-Danlos and hypermobility syndromes more broadly.

Improving the diagnosis using cutting-edge technology is key. The genomic medicine service, which was announced last October, aims to provide consistent and equitable access to the most up-to-date genomic testing in England, which may help, and I am pleased that hypermobility syndromes are included in the national genomic test directory, which underpins this service. That may provide more of the cohesion that my hon. Friend is looking for.

As my hon. Friend points out, improving awareness of hypermobility syndromes among healthcare professionals particularly general practitioners, is key. It is critical to ensuring better diagnosis and treatment of these conditions and is vital if we are to build trust and confidence in the system and actually help those with rare diseases. As I say, they are collectively common—3.5 million people across the UK are affected—but there is a significant gap in our understanding of their diagnosis because of the number of different ways they can present.

On raising awareness, there is always more that can be done, and we must learn from areas of good practice. For example, Ehlers-Danlos Support UK has developed a toolkit in collaboration with the Royal College of General Practitioners. I am pleased to hear that my hon. Friend’s clinical commissioning group, NHS Calderdale, has issued the links to the EDS toolkit to its GP member practices and encouraged clinicians to consider adding this topic to their learning needs, because building awareness is very much part of the answer.

Recently, a clinical update on Ehlers-Danlos syndromes was published in The BMJ. That is another excellent example of how the clinical community is working to improve knowledge and awareness and help provide positive NHS care for patients by transferring that knowledge into better diagnosis.

NHS England commissions specialised diagnostic services for hypermobility syndromes, including Ehlers-Danlos syndrome, osteogenesis imperfecta and Stickler syndrome. It is currently implementing a new “rare disease insert”, which aims to improve the patient experience through provision of a single person responsible for the co-ordination of care for hypermobility patients; I think that that was one of my hon. Friend’s constituent’s main asks. It also aims to improve the transition pathway from child to adult rare diseases services, including services for those with hypermobility syndromes.
Several centres in England deliver services for hypermobility, although, as we heard from the hon. Member for Halifax, not all of them are always accessible to everyone. They include two centres delivering complex EDS services, four delivering osteogenesis imperfecta and childhood osteogenesis imperfecta services, and a specialist centre for Stickler syndrome. Those centres help to co-ordinate specialist regional care and manage the transition to non-specialist NHS care. I did very much hear my hon. Friend’s request for a more co-ordinated service for his constituents. I encourage him to engage with his clinical commissioning group, as the idea has much merit. It could potentially secure better diagnosis and provide a better pathway for patients through discussion of the single point of contact, giving them much-needed continuity and a timeline for provision in Calder Valley and for patients more broadly.

My hon. Friend said that he thought virtual GP services would help people with hypermobility syndromes, because they would no longer have to travel all the time. He will be pleased to hear that virtual GP services are beginning to be rolled out in general practice. That means that patients will have the right to web and video consultations by April 2021, which I hope will also be of benefit.

As was announced by my colleague Baroness Blackwood this summer, we need a national conversation on rare diseases to help to inform and communicate. We will be engaging with patients, researchers and clinicians, gathering evidence, and identifying the major challenges faced in the field. We welcome the input from the hypermobility syndromes patient cohort and from healthcare professionals, and the work that they have done on the report.

Let me end by thanking my hon. Friend, who has spoken so passionately and so knowledgeably about this issue. I am grateful for the opportunity to discuss such an important report in the Chamber. We are dedicated to trying to improve the lives of all patients living with hypermobility, and, as my hon. Friend said, that is laid down in the NHS long-term plan and our implementation of the UK strategy. I hope that I have given a little reassurance to patients who are struggling for diagnosis that we are here to try to make the pathways stronger and diagnosis easier, and to improve the lives of all those affected by hypermobility syndromes and other rare diseases.

Question put and agreed to.

9.48 pm

House adjourned.
Oral Answers to Questions

JUSTICE

The Secretary of State was asked—

Female Offenders: Rehabilitation

1. Stephen Morgan (Portsmouth South) (Lab): What recent assessment he has made of the adequacy of funding for women’s centres to rehabilitate female offenders.

Lucy Frazer: I pay tribute to the centre’s work, which I am sure is important to the hon. Lady’s local community. There is funding from a variety of sources for women’s centres and, as I mentioned, it is something we will be looking at very carefully as we develop the female strategy. We have funded a number of very valuable women’s centres over the past year, including the Sunflower Centre in Plymouth and a new women’s centre in York.

Richard Burgon (Leeds East) (Lab): Two thirds of women sent to prison get sentences of less than six months. Such sentences are proven to lead to more reoffending, and so create more victims of crime than tried and tested alternatives such as women’s centres. The Justice Secretary and his team know this, but they have chosen to ignore the evidence. Will the Minister tell the House today how many crimes her Department’s own research shows will be prevented by investing in such alternatives to ineffective short prison sentences?

Lucy Frazer: We are very interested in looking at alternatives to prison sentences. Although we want the most serious offenders who commit serious violence and sexual crimes to spend the appropriate time in prison, we want to ensure there are sentences on offer in which the judiciary have confidence and that will turn people’s lives around. We are already working to improve the quality of information that sentencers receive about community sentencing options, including, for example, whether an offender is a primary caregiver and is pregnant or has given birth in the previous six months, so they can take that into account and give the appropriate sentence.

Richard Burgon: To help with that answer: the Government’s own research says that investment in alternatives would see more than 30,000 fewer crimes every year, an answer the Minister omitted, yet the Tories are deliberately choosing to ignore the evidence and are failing to invest properly in women’s centres and other proven alternatives. Instead, they are chasing “hang ‘em and flog ‘em” headlines, thinking that will help them win the coming general election. Luckily, the British people are not the mugs they are trying to take them for.

Does the Minister agree with her own Department’s report from July, which notes a “statistically significant increase in proven reoffending” for those on short sentences rather than effective community alternatives? If so, will she act on it?

Lucy Frazer: I think the hon. Gentleman failed to listen to my previous answer on the importance the Government place on appropriate sentences and on our particular strategy for female offenders. I was at HMP Send a few weeks ago, and I saw how we are turning people’s lives around in prison. I met a woman who was due for a parole hearing—she is a lifer who has served 10 years—and she told me that she is not actually ready to be released because of the amazing support she is getting through the therapeutic community in her prison. For the first time, she is realising the consequences of her actions. We are absolutely committed to ensuring that women get the right sentences and the right provision in the community and in the prisons.
Knife Crime Prosecutions

2. Glyn Davies (Montgomeryshire) (Con): What recent discussions he has had with the Attorney General on the prosecution of people who carry knives.

The Attorney General on the prosecution of people who carry knives.

9. Stephen Metcalfe (South Basildon and East Thurrock) (Con): What recent discussions he has had with the Attorney General on the prosecution of people who carry knives.

The Lord Chancellor and Secretary of State for Justice (Robert Buckland): I work closely with the Attorney General and Home Office Ministers to ensure that the criminal justice system commands public confidence and tackles crime effectively. To address this and other serious crimes, we are recruiting an additional 20,000 police officers, investing £85 million in the Crown Prosecution Service and building an additional 10,000 prison places, and this is together with the work of police and crime commissioners in setting up violence reduction units.

Glyn Davies: The best way to prevent knife crime is to take knives out of circulation and off the streets. What steps is my right hon. and learned Friend taking in conjunction with the Attorney General to ensure that people who carry knives are prosecuted?

Robert Buckland: Of course, the prosecuting authorities take knife crime incredibly seriously. In 2015, minimum custodial sentences of six months for repeat knife crime possession were introduced, and in the year ending March of this year 83% of offenders received a custodial sentence for that type of repeat offence.

Stephen Metcalfe: Does the Justice Secretary agree that the sentence should reflect the serious nature of knife crime and the serious damage it does to our communities? Does he support the work of organisations such as Only Cowards Carry, which help to highlight the devastating damage knife crime does to the individuals involved, on both sides?

Robert Buckland: My hon. Friend is right to highlight the hard work of that local organisation and many others, such as the Ben Kinsella Trust, which do so much to educate young people about the folly of carrying knives. The new knife crime prevention orders, introduced by this Government as part of the Offensive Weapons Act 2019, will be a key tool in preventing knife crime, and we are working with the Home Office to develop operational guidance, because we want to get on with introducing that programme.

Jenny Chapman (Darlington) (Lab): Yesterday, it was reported that knife crime in my relatively safe constituency has risen by 50%, which is extremely worrying, particularly for parents with teenage children in Darlington. Will the Justice Secretary look at the fact that since 2010 funding for youth offending teams has been halved?

Robert Buckland: The hon. Lady, like all of us in this House, whether we are parents or not, shares the worry about young people either carrying knives or coming into contact with people who do. The truth about the trends in knife crime offending are these: there was an alarming rise 10 years ago and there was then a decline, but we are seeing a rise again. We are taking a twin-pronged approach, which is about not just sentencing, but intervention. That is why announcements about youth funding at last week’s Conservative party conference are welcome and indeed this is part of the work our youth offending teams are doing all across the country.

Lucy Powell (Manchester Central) (Lab/Co-op): The Secretary of State may be aware of the recent murder of high-flying teenager Youssef Makki from Manchester. His killers were found not guilty of either manslaughter or murder, coming as they were from affluent Hale. The case stands in stark contrast with many I have raised here recently involving groups of young black men from Moss Side, who are all serving mandatory life sentences under joint enterprise. Given that the Secretary of State’s Government’s own race audit and Lammy review found that there were burning injustices in our criminal justice system when it comes to race, background, class and wealth, what are the Government doing to address these very different outcomes in the same cases?

Robert Buckland: The hon. Lady raises an interesting point. I think she would agree that it is difficult to extrapolate trends from an individual case, however concerning and deeply distressing that case was. I think the lesson is that knife crime respects and knows no class or race boundaries. We should not stigmatise this, particularly outside London, as a crime that is exclusively based upon any racial profile—that is wrong. However, I take the point that she makes and clearly we need to look carefully across the piece as to whether we are sometimes being a bit shy—institutionally shy—about addressing knife crime in some of the less typical places.

Rape Convictions

3. Preet Kaur Gill (Birmingham, Edgbaston) (Lab/Co-op): For what reasons the proportion of rape cases that result in conviction has declined since 2010.

The Parliamentary Under-Secretary of State for Justice (Chris Philp): The latest CPS figures from the “Violence Against Women and Girls Report 2018-19” show that the conviction rate for those cases taken to court has increased from 58% in the previous year to 63% in the year ending March 2019. However, the number of cases reaching court, which peaked in 2015, has declined significantly, which is a substantial cause for concern. A number of steps are being taken to address that, including recruiting 20,000 extra police officers and giving the CPS £85 million a year in additional funding.

Preet Kaur Gill: Many women, including many survivors of rape and sexual violence, have lost confidence in our justice system, due partly to the appallingly low rate of prosecution for rape. Women’s organisations are calling on the Government to launch a fully independent review of how the justice system handles rape cases. Will the Minister take this opportunity to join Labour in committing to deliver on that?

Chris Philp: A review by a sub-committee of the Criminal Justice Board is already under way and is due to report in spring next year—in just a few months’ time. That will be accompanied by an action plan,
which is clearly needed, as the hon. Lady’s question pointed out. Just a few weeks ago, the Government announced additional funding for the victims of sexual violence; that extra £5 million a year is a 50% increase, bringing annual spending to £13 million a year to support victims of these crimes in exactly the same way that the hon. Lady rightly describes.

Mr Speaker: It was remiss of me not to congratulate the hon. Gentleman on his becoming a Member. I hope he enjoys it; I feel sure that he is uncontrollably excited about the prospects that lie ahead.

Anne Milton (Guildford) (Ind): The Rape and Sexual Abuse Support Centre in Guildford, of which I am a patron, is overwhelmed by women and men requesting help. The abuse often happened years ago, and a fear of coming forward means that the perpetrators do not face prosecution. The National Society for the Prevention of Cruelty to Children’s Close the Loophole campaign aims to ensure that young men and women are better protected. I do not know what progress has been made in reviewing the Sexual Offences Act 2003; perhaps the Minister can update us.

Chris Philp: My right hon. Friend rightly draws attention to the importance of giving victims the confidence to come forward and not only report these offences but take them through the system—there is quite a high drop-out rate between the reporting of an offence and the case being prosecuted in court. She mentions a particular centre in her constituency that is doing excellent work; I hope that some of the additional money announced last week may find its way into that centre’s hands to help with its work. The 2003 Act is among the matters being considered as part of the review that will report back in spring next year.

19. [91261] Wera Hobhouse (Bath) (LD): I, too, congratulate the Minister on his new post. Indeed, my question is linked to his being in that post. We simply do not have enough rape crisis centres and we need to support survivors of rape better. Will the Government consider ratifying the Istanbul convention? That should lead directly to their providing the right number of rape crisis centres. Will the Minister meet me to discuss that?

Chris Philp: Via the Domestic Abuse Bill, which was debated last week, a number of steps are being taken in the direction that the hon. Lady points towards. I repeat the point I made a moment ago about the additional funding for the victims of rape: there has been a 50% increase, which I hope will increase provision of the kind that the hon. Lady rightly calls for.

Financial Capability: Prisoners and Prison Leavers

4. Damian Hinds (East Hampshire) (Con): What steps his Department is taking to improve financial capability among (a) prisoners and (b) prison leavers. [912596]

The Minister of State, Ministry of Justice (Lucy Frazer): As my right hon. Friend the former Secretary of State for Education knows, education is often the route out of a challenging background. I pay tribute to all the work that he did in his previous role. We know that we can sustain employment and manage our own budget only if we have financial capability, so we have ensured through the new prison education contracts that personal budgeting skills can be taught. Under the new prison framework, 103 out of 104 prisons currently commission functional mathematics qualifications.

Lucy Frazer: Building up savings can be truly transformational. The Legal Aid, Sentencing and Punishment of Offenders Act 2012 allowed for prisoners’ earnings to be paid into an account. I encourage my hon. and learned Friend to look at that provision again and enact the regulations, as part of her wider work on meaningful paid work.

Lucy Frazer: My right hon. Friend is right to identify the fact that leaving prison with savings can be hugely beneficial to an offender’s rehabilitation. Although he is right to point out that the relevant clauses of LASPO have not been commenced, we do enable prisoners to save money under the terms of the Prisoners’ Earnings Act 1996. In addition, all prisoners have access to a prison savings account during their time in custody. We hope that our recent changes in respect of release on temporary licence will enable an even greater number of prisoners to benefit from saving. Since I have been in post, I have been looking actively at how we can ensure that all prisoners have a bank account.

Kate Green (Stretford and Urmston) (Lab): Leaving prison with just £48 is not a great start for someone to manage their own finances. Can the Minister say, first of all, whether the Government plan to review that amount and, secondly, what steps are being taken to streamline the application process for universal credit so that it can start from inside the prison ahead of release?

Lucy Frazer: As I mentioned, we are increasing the opportunity for people to do work on release on temporary licence, which will increase their ability to earn money while they are in prison, so we are looking at the point that the hon. Lady raises. In relation to universal credit, my predecessor, now the Lord Chancellor, had a number of meetings with his counterpart in the Department for Work and Pensions and offenders are now able to access a DWP work coach prior to release, so they can make an appointment early and then, even on the day of release, complete their claim, because universal credit is critical.

Mr Philip Hollobone (Kettering) (Con): Whatever advice and guidance prisoners get while in prison, it is of little use if they are released at the weekend when support they need is often not available. How many prisoners as a proportion are released at the weekend and what are we doing to reduce that?

Lucy Frazer: My hon. Friend makes an important point about releases on Fridays. It is something that I have been looking at, but whether a prisoner is released on Friday, Thursday, Wednesday, Tuesday or Monday, it is important that they have accommodation and support.

Louise Haigh (Sheffield, Heeley) (Lab): Today’s report by Her Majesty’s inspectorate of probation is one of the most shocking independent inspection reports that I have ever read. Nearly two thirds of children are going
on to reoffend. Accommodation, health services and support on leaving custody are all highlighted as failing. How much longer are Ministers going to throw good money after bad in providing more prison places, rather than the targeted investment on education and support that we know helps turn children’s lives around?

Lucy Frazer: The hon. Lady makes an important point about rehabilitating people in prison. We have reduced the youth estate over the years, so only the most serious offenders are in prison and we do want to ensure that appropriate sentences are handed down. None the less, education in prison, accommodation on release and universal credit are priorities for this Government.

Patrick Grady (Glasgow North) (SNP): I hope the Minister will be interested in learning more about the Street & Arrow initiative run by Scotland’s violence reduction unit, which helps ex-offenders make a livelihood through its street food vans, which in turn are supported by public projects such as the Glasgow Hospital and Dental School and the University of Glasgow’s construction project. This helps them learn new skills and take initiatives to reduce offending and improve their livelihoods. I hope the Minister will be willing to look at projects such as that.

Lucy Frazer: I would be willing to meet the hon. Gentleman and discuss this matter. I must say that, as I have visited a number of prisons since I have been appointed, I have seen some fabulous schemes around the country, and I am very happy to hear about this one.

Prisons: Staffing Levels

5. Mr Adrian Bailey (West Bromwich West) (Lab/Co-op): What recent assessment he has made of the adequacy of staffing levels in prisons.

6. Gordon Henderson (Sittingbourne and Sheppey) (Con): What progress his Department has made on recruiting the 2,500 new prison officers announced in 2016.

The Minister of State, Ministry of Justice (Lucy Frazer): In my first orals in this role, I am very pleased to pay tribute to the hard work of all our prison staff. I have had the opportunity, since I was appointed, to visit a number of prisons and I have seen at first hand the dedication of their staff. It is critical that we recruit and retain staff to keep our prisons secure. We have invested significantly in increasing staff numbers, recruiting a net total of an additional 4,366 prison officers between October 2016 and June 2019, surpassing our original target of 2,500, and we will continue to recruit officers to ensure that our prisons are decent and safe.

Mr Bailey: Since 2010, the number of prison officers has dropped by 80,000. Violence and insecurity in our jails have soared. What estimate has the Minister made of the impact in jails of her party conference’s proposals to increase jail sentences on violent and sexual offenders and the cost of delivering it?

Lucy Frazer: We have recruited more than 4,000 staff since 2016. The hon. Gentleman is right to identify that if the police catch more criminals and we prosecute them, there will be more people going into our prisons. That is why we have committed to investing £2.5 billion in prison places. He is also right to identify that we will need not only prison places but more prison officers. We are actually ahead of our recruitment targets in this regard. The Prison Service has been lauded as a good employer: for example, it is in the top 100 graduate employers.

Gordon Henderson: I congratulate the Government on their efforts to recruit more prison officers. However, does my hon. and learned Friend accept that cuts earlier this decade contributed to a vicious cycle of prison violence because fewer officers on landings led to more assaults, which caused more staff to leave, leading to more violence and so on? With morale and retention of prison officers at rock bottom, does she accept that more must be done to reward these brave public servants—for instance, by improving and reducing their retirement age to 60 because 68 is far too late?

Lucy Frazer: I thank my hon. Friend for raising the profile of the work of prison officers in his Westminster Hall debate last year, as well as this morning in questions, and for participating and promoting the excellent Prison Service parliamentary scheme. He is right to refer to prison officers as “brave public servants”, and the Secretary of State referred to them in his conference speech as “unsung heroes”. We made offers to staff to reduce the pension age in 2013 and 2017, but both offers were rejected by the Prison Officers Association.

Imran Hussain (Bradford East) (Lab): I welcome the Minister back to the Ministry of Justice in her new role. Like her predecessors, she comes to this House triumphant about the Government’s recruitment campaign. However, the reality is that we just have to look at the breakdown in the number of prison officers to see that it is far from the truth. Some 80,000 years of cumulative prison officer experience have been lost, a third of officers have less than two years’ experience and the number of officers is now falling again—still lagging 2,500 behind 2010 levels. Will the Minister in her new role simply commit to bringing prison officer numbers back to 2010 levels?

Lucy Frazer: We have made a significant breakthrough in the number of prison officers. We have introduced the key worker scheme, which allows prison officers to build relationships with the prisoners, and during my visits to prisons I have heard that the scheme is extremely popular among prisoners and prison officers. We are professionalising our workforce in the youth estate, providing all frontline officers with a foundation degree—

Mr Speaker: Order. Resume your seat, Minister. I am sorry, but these exchanges are very protracted. I know lawyers like to expatiate, but the answers are just too long, with people reading out great screeds. That is not what the House wants.
people who have been convicted of very serious offences and are therefore not suitable for open prisons. Will she review this?

Lucy Frazer: I can, very briefly, assure my right hon. Friend that we are looking at the recategorisation of offenders to ensure that they are in the right prisons for them.

Judiciary: Independence

7. Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): What the Government’s policy is on maintaining the independence of the judiciary. [912599]

The Lord Chancellor and Secretary of State for Justice (Robert Buckland): An independent judiciary is the cornerstone of our constitution and our democracy, and we are rightly proud of our world-class judiciary. As Lord Chancellor, I have sworn an oath to defend its independence. I take that extremely seriously and will continue to do that. I will take my right hon. and learned Friend’s advice by engaging in academic constitutional debate. If we ended up with an American-style approval system, we would all be the poorer for it.

Jamie Stone: I am encouraged to hear that answer. That is why—thank God—we are not a totalitarian state. I have a rather scary bit of advice for the Lord Chancellor: could he share his thoughts with No. 10 and perhaps Mr Dominic Cummings?

Robert Buckland: I think that everybody—whichever part of Government or our country they might come from—will probably be aware of my public pronouncements about this matter. I will keep saying it again and again, and as long as it is necessary to do so.

Robert Neill (Bromley and Chislehurst) (Con): Consistent with the Lord Chancellor’s speech at the opening of legal year, will he confirm that there is no place for political involvement in the appointment of judges and no question but that the rulings of the courts must be observed by all?

Robert Buckland: I am more than happy to confirm all those points, made so ably by the Chair of the Justice Committee.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Will the Secretary of State today put it on record not only that he believes in the independence of a robust judiciary, but that his Government will obey the law, and not crash us out of the European Union against the law?

Robert Buckland: I can confirm that this Government, like their predecessors and, I hope, successors, will continue to respect and obey the law, and respect the rule of law.

Sir Desmond Swayne (New Forest West) (Con): Might my right hon. and learned Friend honour his oath by restoring the proper role of his office in the other place?

Robert Buckland: My right hon. Friend tempts me along the path of debate about the constitution, and in particular the Constitutional Reform Act 2005. While I am always keen to engage in academic constitutional debate, we have many other fish to fry at the moment.

Joanna Cherry (Edinburgh South West) (SNP): I thank the Lord Chancellor for speaking out in favour of the independence of the judiciary.

Lord Hope of Craighead, a former Deputy President of the Supreme Court and Lord President of the Court of Session, has pointed out that

“The Supreme Court justices were careful to explain in their judgment on the Prorogation case

“that they were not pronouncing on political questions. The issues with which they were dealing…were issues of law.”

Will the Lord Chancellor explain that to those in his party demanding a politicised appointment process for the judiciary?

Robert Buckland: I am grateful to the hon. and learned Lady. I treat the remarks of the noble Lord Hope with extreme gravity, bearing in mind his experience and knowledge. It always bears repeating that the judiciary do not have political motivations, and that case was no exception. Frankly, I think the matter needs no further debate. If we ended up with an American-style approval system, we would all be the poorer for it.

Joanna Cherry: Yesterday a Scottish court recorded the Prime Minister’s unequivocal promise to comply with his statutory duties under the Benn Act. The judge, Lord Pentland, said:

“it would be destructive of one of the core principles of constitutional propriety and of the mutual trust that is the bedrock of the relationship between the court and the crown for the prime minister or the government to renegade on what they have assured the court that the prime minister intends to do”.

Can the Lord Chancellor assure us that he will be impressing on the Prime Minister the grave consequences of ignoring that warning from a senior member of the Scottish judiciary?

Robert Buckland: I read the transcript of what Lord Pentland said with great interest. Of course, that matter is subject to appeal, and it would be wrong of me to speak about it in detail, but those comments are noted.

Richard Burgon (Leeds East) (Lab): We have seen the Justice Secretary forced to take to Twitter to defend the independence of the judiciary and the rule of law after recent briefings from No. 10 Downing Street. He may well have to do that again later today, after this morning’s headlines. The Attorney General has briefed the press that he will resign if the Government refuse to adhere to the law demanding an extension to rule out no deal. Will the Justice Secretary do the same?

Robert Buckland: I hope that Members in this House and elsewhere feel that I have discharged my duties under my oath, and I will continue to do that. I will take whatever step I deem necessary to make sure that I am true to that oath, and to the rule of law.

Reforming Probation

8. Faisal Rashid (Warrington South) (Lab): What progress he has made on reforming probation. [912600]

The Minister of State, Ministry of Justice (Lucy Frazer): We have already announced that we will strengthen probation by bringing back into the National Probation Service the supervision of offenders. In July, we published a draft operating blueprint.
Faisal Rashid: The former Justice Secretary’s decision in 2013 to privatise probation was set up to fail from the start. Now that a partial U-turn has been announced, can the Minister set out for the House the full cost, from start to finish, of the failed privatisation of probation services?

Lucy Frazer: We recognise that there is more we can do in relation to probation, which is why we are changing the system, but “Transforming Rehabilitation” brought 40,000 people back into supervision, and we are ensuring that the new procedure will work well.

Derek Thomas (St Ives) (Con): Good probation can be the means to transform young people’s lives and help to rehabilitate them in communities. We do not have a prison in Cornwall, but we have many people who are involved in this process. What can the Minister do to help those organisations to get the funds they need to support those young lives, so that they can play a full part in life?

Lucy Frazer: The new system will ensure that, while offender management is brought in-house, private sector innovation will be involved in providing unpaid work, and there will be a dynamic framework to enable new schemes and charities to bid to provide bespoke local services. I am happy to talk to my hon. Friend about what might be provided in Cornwall.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): I rise as the co-chair of the justice unions cross-party group. Following disastrous mismanagement by the former probation provider, Working Links, it is to be welcomed that probation in Wales is due to come back under public control by 2 December. The terms on which staff are employed by HMPPS in Wales will set a benchmark for England. How confident is the Minister that terms will be agreed with the unions over the next seven weeks, and what will be the consequences if that does not happen?

Lucy Frazer: We are working hard to ensure that we succeed in Wales. As the right hon. Lady mentioned, it is the first of our operations. I met representatives of Napo, GMB and Unison at the end of last month to discuss that very issue, and we are working hard to ensure that matters are in place by the end of the year.

PrisonLeavers: Accommodation

10. Kerry McCarthy (Bristol East) (Lab): What support his Department provides to help prison leavers secure appropriate accommodation on release.

Lucy Frazer: I absolutely agree with the hon. Lady that finding accommodation for prisoners at the end of their sentence is vital. That is why we have already started pilots to help offenders released from three prisons—Bristol, Pentonville and Leeds—to secure and maintain accommodation, with £6.4 million from the Government’s rough sleeping strategy.

Kerry McCarthy: My hon. Friend the Member for Sheffield, Heeley (Louise Haigh) mentioned today’s report which says that young offenders are being set up to fail when they are released. One concern raised in the report is about the quality of unregulated supported living, which is a real concern in Bristol. May I urge the Minister to talk to her counterparts in the Ministry of Housing, Communities and Local Government to see how we can regulate supported housing?

Lucy Frazer: The hon. Lady makes an interesting point. I would like to assure her that we do liaise with MHCLG. In fact, on Thursday I am going with my counterpart from MHCLG to visit one of the pilots in Leeds, and I will raise that point with him.

Several hon. Members rose—

Mr Speaker: A Buckinghamshire knight—Sir David Lidington.

Sir David Lidington (Aylesbury) (Con): I welcome what my hon. and learned Friend has said about the pilot projects now under way and wish them success. Since up to 30%, by some estimates, of people sleeping rough on the streets have a prison record, does she agree that one of the best ways to secure a reduction in reoffending is to step up these schemes and ensure that when someone has served their time, they have a roof over their heads on release?

Lucy Frazer: I agree very much with my experienced right hon. Friend, from whom I learned so much as his Parliamentary Private Secretary. He is absolutely right about accommodation. We are looking at the pilots. We are also trying to expand the approved premises estate by an extra 200 beds. Accommodation is a critical matter, and we are looking hard into it.

Access to Justice: Court Digitisation Programme

12. Andy Slaughter (Hammersmith) (Lab): What recent assessment he has made of the effect on access to justice of the court digitisation programme.

The Parliamentary Under-Secretary of State for Justice (Chris Philp): Digitisation is designed to improve access to justice and, of course, efficiency in the court system. Last year, 150,000 people accessed court services online. To date, no fewer than 63,491 people have entered uncontested divorce proceedings online. The take-up rate is now 62% and growing. Some 94,975 people have issued or responded to civil money claims to date, and they report an 88% satisfaction rating. No fewer than 317,206 minor pleas have been entered since 2014, and if the House is wondering, 85% of those pleas were guilty and 15% were not guilty.

Andy Slaughter: From next April, the vast majority of personal injury claims will have to be dealt with online, without the benefit of legal advice. Even the Association of British Insurers—the major advocate and beneficiary of that policy—does not think the Government will be ready. It is urging the Government to drop the proposed increase in the small claims limit for employers and
public liability and concentrate on road traffic claims. As the Government often follow the ABI’s advice, will they on this occasion?

**Chris Philp**: The House has been in the process of legislating in this area for some time. The Prisons and Courts Bill fell at the 2017 election. We finally legislated in the Civil Liability Act 2018, which is due to be implemented along with the £5,000 limit for the small claims track in April next year, and that remains the Government’s intention.

**Peter Aldous**: In Suffolk, nearly half of all victims of domestic abuse or sexual offences are unwilling to proceed with prosecutions. Clause 75 of the Domestic Abuse Bill will help to improve the situation, but will the Minister confirm that the Government are committed to root-and-branch reform to remove the culture of confrontation, fear and intimidation in the courts and tribunals system?

**Chris Philp**: My hon. Friend raises a very important point, which was touched on by Members under Question 3. It is vital that we help victims of these terrible crimes to pursue the case right through the court system, rather than dropping it after reporting the crime, and there is a lot more to do there. The provisions in the Domestic Abuse Bill, introduced for its Second Reading last week, will help that, as will the increased funding to support victims of these terrible crimes, to which I referred earlier.

**Yasmin Qureshi** (Bolton South East) (Lab): The Government have undertaken an unprecedented sale of courts, which has made giving evidence in court far more difficult for the many victims of crime who now have to travel much further to have their day in court. As the hon. Member for Waveney (Peter Aldous) said, the fact is that victims of sexual and other physical abuse are already reluctant to come to court, and this plays into that even more. Will the Minister agree to an independent assessment of the impact of these court closures and commit to no further closures unless it can be proved that they are not having a detrimental impact on access to justice?

**Chris Philp**: Of course, access-to-justice considerations are extremely important. Before any court is earmarked for closure, there is an extremely thorough consultation process, and if any courts are due to close in the future, a similarly thorough consultation process will be gone through. I would point out that in the cohort of courts consulted on in 2015 that were subsequently closed, on average their utilisation rates were about one third. We need to balance a reasonable approach to the court estate with the access-to-justice considerations that the hon. Lady quite rightly raises.

**Assisted Dying**

13. **Sir Vince Cable** (Twickenham) (LD): What recent public consultation he has conducted on the law in relation to assisted suicide. We remain of the view that any change to the law in this sensitive area is a matter of conscience and a matter for Parliament, rather than one of Government policy.

**Sir Vince Cable**: The Secretary of State will be aware that, under the current law, people can be sentenced to up to 14 years in prison for assisting the suicide of a terminally ill loved one in great pain, and that the Crown Prosecution Service is pursuing prosecutions, with traumatic effects in some cases, so why have the Government decided to abandon even the call for evidence that his predecessor initiated only a few weeks ago?

**Robert Buckland**: I am grateful to the right hon. Gentleman for his question. There was no initiation of a call for evidence. However, I hear his point about prosecutions. The Crown Prosecution Service guidelines, which were actually pioneered by the right hon. and learned Member for Holborn and St Pancras (Keir Starmer), in my view strike a very sensitive and sensible balance between the need to protect the vulnerable and the need to understand the sensitive and emotive circumstances of many of these tragic cases.

**Sarah Newton** (Truro and Falmouth) (Con): Last week, the police and crime commissioner for Durham, Ron Hogg, said there needed to be changes in the law on assisted dying, and this reflects the view of many in the police. I know that the Secretary of State for Justice is a very compassionate man, so will he meet police officers to discuss their concerns?

**Robert Buckland**: I am grateful to my hon. Friend, who has taken a very close interest and been actively involved in this issue. Of course I would be happy to meet police officers—indeed, I have committed to meet others on this issue—but I do harbour the gravest of doubts about the ability of legislation to be watertight when it comes to the potential, sadly, for abuse.

**Nick Boles** (Grantham and Stamford) (Ind): It is a great pleasure to ask a question of my old friend the Lord Chancellor. I fear that he may not have received complete information from his officials, because his immediate predecessor did ask for a call for evidence and for No. 10 approval of a call for evidence. It is true that the previous Prime Minister resigned before that request could be approved, but the previous Lord Chancellor did make it clear that he thought a call for evidence was justified. To be clear about the reasons why, it is not that Government are going to take a position on a possible change of law, but only the Government can gather the information about the effect of the current law so that Parliament can decide whether that law needs to be changed.

**Robert Buckland**: I am grateful to my old friend for the way in which he asked that question. I accept the comments that he made. It was not agreed that there should be a call for evidence, and it is not my plan to initiate one. However, discussions and conversations will continue, and the wealth of information out there on both sides of the argument is something that will
I do not have any immediate plans from my days in the criminal justice system. Something about which I have long held strong views, my hon. Friend that public protection weighs very much to extend the proposals that I made last week. I reassure risk to the public and there is a risk of their reoffending. The Government's measures.

Robert Buckland: My hon. Friend raises the Noel Conway case, in which the Court found that Parliament's decision not to change the law did indeed strike a fair balance between the interests of the wider community and the interests of people who were in that tragic position. That was upheld by the Court of Appeal. It is a matter for right hon. and hon. Members to raise that issue, either in a private Member's Bill or in a general debate.

Several hon. Members rose—

Mr Speaker: Well, as usual, we are running late, but my judgment is that the House would be impoverished without the sound of Shipley, and it must not be. Mr Philip Davies.

Automatic Release from Prison on Licence

14. Philip Davies (Shipley) (Con): Whether he plans to abolish the practice of automatic release from prison on licence at the halfway point of sentences for all offenders. [912606]

The Lord Chancellor and Secretary of State for Justice (Robert Buckland): I do not have any immediate plans to extend the proposals that I made last week. I reassure my hon. Friend that public protection weighs very much in my mind when it comes to automatic early release—something about which I have long held strong views, from my days in the criminal justice system.

Philip Davies: The automatic early release of prisoners halfway through their sentences, introduced by the last Labour Government, is dishonest. It undermines public confidence in the justice system, and it lets people out halfway through their sentence even if they still pose a risk to the public and there is a risk of their reoffending. A Conservative Government should scrap that for all offenders.

Robert Buckland: I hear my hon. Friend's strictures. He will be greatly encouraged by the announcement that I made last week to move that threshold to two thirds for serious, violent and sexual offenders. As I have said, this is about public protection and confidence in the system, and I am sure that he will fully support the Government's measures.

Stephanie Peacock (Barnsley East) (Lab): The Secretary of State is aware of my constituent Jackie Wileman, who was hit and killed by four men driving a stolen heavy goods vehicle. They had nearly 100 convictions between them. One man was in the probation system; another two had just completed probation. As part of the Government's renationalisation of the probation service, will the Minister commit to review the way in which offenders are classed and monitored? Those men were not classed as high risk and were not monitored as such. That was a clear failure, which, as he knows, had devastating consequences.

Robert Buckland: The hon. Lady and I have spoken about this case in the past. She is an assiduous campaigner on this and other issues, and I am grateful to her. The reforms to probation give us an opportunity to get that sort of risk assessment absolutely right. Ending the division between the National Probation Service and community rehabilitation companies will allow us to focus on the offender, rather than worrying about which part of the system they should be in. I am grateful to the hon. Lady for raising that issue.

Caroline Nokes (Romsey and Southampton North) (Ind): My constituent Valerie Matcham's grandson was killed by a single punch to the side of his head. Bradley's killer was sentenced to just two years in prison, and the family are distraught at the thought that he could be out on licence after just one year. I am encouraged by my right hon. and learned Friend's words and urge him to keep the views of families at the forefront of his mind when considering these difficult decisions.

Robert Buckland: My right hon. Friend raises a distressing case. It is perhaps not appropriate for me to comment on it individually, but I extend my deepest sympathy to the family and friends of that victim. It is precisely why we have decided to take action to try to create a higher degree of confidence for victims and their families when it comes to the administration of sentences.

Chris Evans (Islwyn) (Lab/Co-op): I was out with Gwent police on Friday. A large amount of their casework relates to serious high-risk offenders being released halfway through their sentences, which is a massive drain on resources both locally and nationally. Will the Lord Chancellor commit to review automatic release?

Robert Buckland: I am sure the hon. Gentleman will join me in actively supporting my proposals to change the automatic release to two thirds for serious violence and sexual offenders. That will indeed help local police forces, such as Gwent, with their management of offenders in the community. I pay tribute to the work the police do in that respect.

Mr David Davis (Haltemprice and Howden) (Con): When violent criminals are released, it is a time of fear and sometimes terror for their erstwhile victims. Release under licence allows the restriction of both movement and access, but not beyond licence. When the Lord Chancellor reconsider the issue of licence, will he consider whether restrictions can be put on such criminals after their licence periods are over, to protect the victims?

Robert Buckland: My right hon. Friend asks a very important question. I have to accept the limitations on the period of sentencing. Supervision is an important part of the licence period, but what happens beyond
that is difficult in terms of court order. However, work can and should be done by the probation service to ensure we are protected as fully as possible.

Liz McInnes (Heywood and Middleton) (Lab): Almost two years ago to the day, the Government made a pledge to increase the maximum sentence for causing death by dangerous driving from 14 years to life. In the light of the Secretary of State’s recent announcement, will he be revising that pledge? To date, no action has been taken.

Robert Buckland: I am grateful to the hon. Lady, who I know has written to me. I repeat my pledge to get on with legislating on that issue as soon as possible. We have, we hope, a new Session coming. I am not going to pre-judge what might be said then, but I think there will be an opportunity for us to right this wrong.

Support for Victims of Crime in Court

15. Andrew Griffiths (Burton) (Con): What steps is he taking to ensure the provision of adequate support for victims of crime in court.

The Parliamentary Under-Secretary of State for Justice (Wendy Morton): The Government are prioritising support for victims through the criminal justice system and beyond, and we are committed to tackling poor criminal justice outcomes for them. Just last month, my right hon. and learned Friend the Lord Chancellor and I took part in a roundtable at Downing Street to discuss support for victims of rape. Victims and stakeholders highlighted the importance of support in their engagement with the criminal justice system.

Andrew Griffiths: The Minister will be aware that the recent consultation on the code of practice for victims of crime has recently closed, and she will be considering representations. Will she look closely at the greater use of criminal compensation orders for the victims of child sexual abuse? They are used in a woefully small number of cases, so vulnerable people have to re-live the trauma either through a private prosecution or through the criminal injuries compensation scheme.

Wendy Morton: Compensation orders are an important power. The purpose of the order is to pay the victim compensation for any personal injury, loss or damage caused by an offence, and they allow courts to ensure that offenders make financial reparations to victims where possible. As part of our review of the victims code, we will be considering the recommendation on raising awareness of criminal compensation orders made by the Independent Inquiry into Child Sexual Abuse.

Several hon. Members rose—

Mr Speaker: The hon. Member for Ashfield (Gloria De Piero) is leaving the House voluntarily at the next election to the very considerable detriment to Ashfield and to the House, so it would be discourteous of me not to hear her.

Gloria De Piero (Ashfield) (Lab): Support for victims is not good enough, so can I appeal to the Government to change the law to remove the automatic entitlement of joint assets from those who have attempted to murder their partners? The case I am working on sees the perpetrator demand £90,000 from the woman he attempted to kill, or, as she puts it, a £3,000 reward for every stab wound.

Wendy Morton: I am grateful to the hon. Lady for her question. I suggest that we perhaps meet after this session, when she can outline a little more about her case.

Topical Questions

T1. [912618] Bill Wiggin (North Herefordshire) (Con): If he will make a statement on his departmental responsibilities—with reference to Question 24.

The Lord Chancellor and Secretary of State for Justice (Robert Buckland): I know what my hon. Friend means. I laid a written ministerial statement before the House last week, and at the Conservative party conference, I announced reforms that will end automatic halfway release for the most serious violent and sexual offenders. These criminals will be required to serve two thirds of their sentence behind bars. I also announced that we will allow courts across England and Wales to sentence offenders guilty of alcohol-related offences for up to 120 days of electronically monitored abstinence. That follows two successful pilots, including one in London launched by the then London Mayor, now the Prime Minister.

Bill Wiggin: During the last Prorogation of Parliament, I was looking forward to serving on a jury. When the Supreme Court decided that we should be here, I had to be released from that jury service by a distinguished judge in Hereford. It cannot be right that judges decide when we sit and who attends, but the Secretary of State’s Department has been pathetically in its written responses to me about how it proposes to make sure that we can fulfil both sorts of public service.

Robert Buckland: I am distressed to hear that from my hon. Friend. I have sat as a judge in Hereford and it is a most pleasant court. Matters of jury service and jury duty are, of course, for the court system, and it would be inappropriate for my Department or Ministers to—[ Interruption. ] No, I am sorry; it is not appropriate for us to intervene in these matters. This Parliament changed the rules about jury service some years ago not to exempt Members of Parliament, or indeed judges or barristers. That was the right thing to do. While the system is there to accommodate my hon. Friend and his needs, like all other members of the public, we just have to work with respect to the system.

Richard Burgon (Leeds East) (Lab): The coming Labour Government are committed to restoring all legal aid-funded early legal help. That will restore legal aid help in nearly half a million cases, but the Government refuse to do it, so which of these groups of people does the Secretary of State think would be undeserving of such legal help: the 50,000 or so people who get help fighting dodgy landlords and other housing issues; the 90,000 or so people who get help fighting cruel decisions denying them the social security that they are entitled to; or the thousands of people who get help taking on bullying bosses? Which is it, or will the Government change their mind and agree to back this policy?
Robert Buckland: I am afraid that I will take no lectures from a Labour party that took a knife to civil legal aid back in the 1990s. I have a very long memory about legal aid, and I challenge anybody else to better it. I take the hon. Gentleman’s point about early intervention. That is why we are working with a £5 million pilot—[Interruption.] I will not be heckled by the right hon. Member for Islington South and Finsbury (Emily Thornberry)—[Interruption.] I will not. I think it is extremely discourteous, Mr Speaker, and I am trying to—[Interruption.] And now she wants to insult me even further. [Interruption.]

Mr Speaker: Order. The Secretary of State for Justice is entitled to be heard. There is quite a lot of noisy chuntering from a sedentary position, but I wish to hear the mellifluous tones of the right hon. and learned Gentleman, who is now looking discontented, to put it mildly. Blurt it out, man, with your usual elegance.

Robert Buckland: What I will say is that we are working on a housing repossession pilot. We are investing £5 million in early intervention services. I take a great interest in the work of law centres, and I want to do more to help them.

Jack Lopresti (Filton and Bradley Stoke) (Con): What plans does my right hon. and learned Friend’s Department have to help to facilitate careers for people who want to join the Ministry of Justice who have served in the military or the armed forces, so that it can help to communicate and facilitate their transition back into civilian life?

Robert Buckland: My hon. Friend makes a very important point about the role of the armed forces. They have a huge offer to make, and I will talk to him further about those points.

T2. [912619] Justin Madders (Ellesmere Port and Neston) (Lab): A recent freedom of information request of mental health trusts showed that they had spent millions of pounds on legal representation and inquests. In the same year, 2017-18, just £118,000 was available to families for legal aid. Do the Government agree that such inequality of representation means that justice is extremely hard to achieve?

The Parliamentary Under-Secretary of State for Justice (Wendy Morton): I fully understand where the hon. Gentleman is coming from. It is fundamental to our legal and justice system that everyone has the right to a fair trial. None the less, it is important that we give our utmost support for bereaved families. I am determined to do all that I can to ensure that bereaved families are at the heart of the coronial process, and we are working across the Government to achieve this.

Stephen McPartland (Stevenage) (Con): To reduce reoffending we need to improve ex-offenders’ employment prospects. What incentives can the Minister offer employers to take on people who have recently left prison?

The Minister of State, Ministry of Justice (Lucy Frazer): My hon. Friend has done some work in this area as a former trustee of a charity that seeks to rehabilitate ex-offenders. He raises a very important point. The new futures network, which we recently set up, and to which 500 employers have now signed up, seeks to ensure that ex-offenders are rehabilitated into jobs in the community.

T3. [912621] Ms Karen Buck (Westminster North) (Lab): The number of civil legal aid providers has fallen by a third since 2013. In February, the Government announced, under the legal support plan, a review of criminal legal aid providers. Will the Government today announce a similar review of civil legal aid provision to look at the levels of remuneration and how we can ensure capacity in all areas of the country?

Wendy Morton: As the hon. Lady will know, criminal defence lawyers play a crucial role in upholding the rule of law, and the Government greatly value their work. We have the legal aid support action plan, which we are working through, and I am keen to do all I can as legal aid Minister in this regard.

Several hon. Members rose—

Mr Speaker: Might I reasonably hope that the Chair of the Justice Select Committee can ask a single-sentence question?

Robert Neill (Bromley and Chislehurst) (Con): Will the Lord Chancellor confirm that the Government have no plans to change the right to trial by jury in serious criminal cases?

Robert Buckland: I am happy to confirm that.

Mr Speaker: Excellent.

T4. [912622] Karen Lee (Lincoln) (Lab): People in Lincoln are waiting on average 59 weeks for their personal independence payment appeal to be heard. It has gone up by 10 weeks in the last seven months. The Government have created a hostile environment for disabled people. The mandatory reconsideration process is causing distress, illness and hardship. Will the Secretary of State take urgent action to reduce the PIP appeal waiting time and provide accessible and financial support mechanisms for those going through the process?

Robert Buckland: I am grateful to the hon. Lady for raising that point. The level of appeals and the number of successful appeals remain stubbornly high, which has been of concern to all of us who have taken an interest in this for many years. I want to see the mandatory reassessment process be as meaningful as possible so that the courts are not having in effect to overturn these decisions. I take her point onboard and am looking at it anxiously.

Sir Peter Bottomley (Worthing West) (Con): I am aware of two cases in the last year where the most senior Appeal Court judges have come to a unanimous agreement only for that to be followed by unanimous disagreement in the Supreme Court. The Justice Secretary might know more. Would it be a good idea to have an independent body to write an explanation so that those of us who are not lawyers can understand what is actually going on?
Robert Buckland: A novel point, Mr Speaker. I think the judgments of their lordships and the lords justices in the Court of Appeal speak for themselves and are increasingly written in clearer language, and the recent Supreme Court judgment was an eloquent example, whatever one’s view of it might have been.

T5. [912623] Grahame Morris (Easington) (Lab): There is growing concern about the explosion in violence in prisons directed against prison officers. Does the Minister understand or even agree with the assessment of the Prison Officers Association that the Government are breaching their responsibilities under health and safety legislation by wilfully exposing hard-pressed prison staff to assaults? The number is running at 10,000 a year, which is over 28 a day on average.

Lucy Frazer: We are very concerned about the level of violence in prisons and very pleased that the 10 prisons project showed that we can reduce violence in prisons by reducing drugs in prison. I am very pleased that the Government recently announced the £100 million investment in prison security to make our prisons safer for those who work in them.

Mr Bob Seely (Isle of Wight) (Con): I thank the Minister for recently discussing the important Camp Hill site on the Island with me. Will the Ministry of Justice now develop, with me and Isle of Wight Council, a considered position in a timely way so that we can get a public interest outcome?

Lucy Frazer: I was very pleased to speak to my hon. Friend about this matter. As he knows, I have offered to meet him and others, and I will be very pleased to do that.

T6. [912624] Preet Kaur Gill (Birmingham, Edgbaston) (Lab/Co-op): What steps are the Government taking to ensure that ordinary people are not priced out of accessing proper legal advice and representation by the civil legal aid means test?

Wendy Morton: Access to legal aid is an important part of our justice system. In the past year, £1.6 billion was paid in legal advice. The Government remain committed to giving people access to legal aid when they need it.

Several hon. Members rose—

Mr Speaker: May we have very brief questions now, as we are short of time?

Tom Tugendhat (Tonbridge and Malling) (Con): Very briefly, Mr Speaker. The Lord Chancellor will remember that there used to be a convention involving judges not speaking publicly other than in their written declarations. Does he agree that speaking publicly can sometimes make people confused about what is the judgment of the court and what is personal opinion?

Robert Buckland: My hon. Friend is absolutely right. The judgments speak for themselves, and the judges cannot really answer back when it comes to criticism. That is why I am here to defend them.


Further to the question from my hon. Friend the Member for Hammersmith (Andy Slaughter), may I point out that the Association of British Insurers has made very clear its view that the small claims limit in employer and public liability cases should remain at £1,000? We know that the Government would not listen to victims of injury and would not listen to the Justice Committee, so why are they not listening to the industry body that speaks for all insurers in the United Kingdom?

The Parliamentary Under-Secretary of State for Justice (Chris Philp): The £1,000 limit has not been changed for many years, and it is of course a great deal lower than the general small claims limit of £10,000. In my view, a small claims track limit of £5,000 balances access-to-justice considerations with reasonably administering the courts system.

T8. [912626] Debbie Abrahams (Oldham East and Saddleworth) (Lab): More than seven out of 10 men and women in prison have at least two mental health conditions, and there was a 30% increase in the number of self-inflicted deaths last year. What investigation have the Government undertaken of the relationship between that increase and the significant delays in transferring prisoners to hospital?

Robert Buckland: The hon. Lady raises a hugely important point. I assure her that the mental health of offenders and prisoners is my priority. I think that we can do far more, and far more sensibly, working with other Departments such as the Department of Health and Social Care, to get the commissioned services right and to stop those delays. I will talk with the hon. Lady further about this important issue.

T9. [912627] Paula Sherriff (Dewsbury) (Lab): I recently visited New Hall women’s prison, which is on the border of my constituency. We discussed drug smuggling, and how much of it could be prevented if the prison had a body scanner. I know that 10 were installed in male prisons in January this year, but there have been no further announcements about rolling them out in other prisons, or indeed in any women’s prisons, such as New Hall. Will the Secretary of State update us on the plans for future roll-outs of this vital equipment?

Robert Buckland: The hon. Lady will welcome the £170 million that we are investing in new scanners, up to now and in the next year. We are prioritising category B local prisons, which are particularly problematic in terms of security, but I will take away the point about New Hall and consider it carefully.

Mr Speaker: The hon. Member for Westmorland and Lonsdale (Tim Farron) has been jumping up and down like Zebedee, so I think he will be inconsolable if he is not heard. Let us hear the fella.

Tim Farron (Westmorland and Lonsdale) (LD): Thank you very much, Mr Speaker.

Local families and police in the south lakes have been badly affected by the closure of Kendal court. Will the Secretary of State agree to meet me to ensure that we restore access to justice in the south lakes?
Chris Philp: I thank the hon. Gentleman for his question and for the enthusiasm with which he called for your attention, Mr Speaker. I should of course be delighted to meet him to discuss any concerns that he may have about access to justice in his constituency.

Catherine West (Hornsey and Wood Green) (Lab): Given the tragic case of the baby who died in prison and the mother who laboured on her own in a prison cell, will the Minister please, in her review, look at two issues? First, were enough prison officers on duty that night, and secondly, will every single pregnant prisoner be given a healthcare plan suitable to her needs for every day of her pregnancy on which she is in prison?

Lucy Frazer: The hon. Lady has made a very important point. I assure her that a number of investigations are under way. Ten separate investigations of the incident are currently taking place, and I am pleased to announce that the Secretary of State and I have formally asked the prisons and probation ombudsman to conduct an overarching investigation. I spoke to the governor of the prison yesterday. She has introduced hourly checks throughout the night for all pregnant women, and fortnightly pregnancy review boards are being held for them, involving a multidisciplinary team. That is happening throughout the female prisoner estate.

Mr Speaker: A sentence from Strangford.

Jim Shannon (Strangford) (DUP): It will definitely be one sentence. Will the Minister further outline what recent work has been done in co-operation with the Department for Education to target young people and knife crime?

Robert Buckland: The hon. Gentleman will know that there is cross-governmental work on this. We have a strategy on that issue, and the teachable moment and the importance of education are things that we absolutely understand.

Tonia Antoniazzi (Gower) (Lab): What assessment has the prisons Minister made of the discrepancy between the starting salaries and pay scales for prison officers employed by Parc Prison in Bridgend, which is run by G4S, and those for officers employed by the Government-run HMPs in Swansea and Cardiff?

Lucy Frazer: We have increased prison officers’ salaries in the public sector by over 2% across the board. The public and private systems are separate, and both produce excellent outcomes in some circumstances for prisoners.

Melanie Onn (Great Grimsby) (Lab): In June, a 15-year-old and an older accomplice broke into my house to steal my car. Thankfully, Humberside police force was excellent. It found those two and made sure they were imprisoned and put on remand. However, that 15-year-old was released on tag but apparently has removed the tag and stolen two further vehicles, which have been crashed into community buildings and people’s homes. Can the Minister please explain to my community how the current system is working to protect them?

Robert Buckland: I listened to hon. Lady’s case with care and concern. I think it merits a further conversation, and I will have that with her.
US Troop Withdrawal from Northern Syria

12.41 pm

Mr Tobias Ellwood (Bournemouth East) (Con) (Urgent Question): To ask the Minister for the Middle East and North Africa if he will make a statement on the US troop withdrawal from northern Syria.

The Minister for the Middle East and North Africa (Dr Andrew Murrison): We are consulting the US on its response to the proposed Turkish military action in north-east Syria. The Foreign and Defence Secretaries both spoke to their US counterparts yesterday. The US position, including any movement of US troops, is of course a matter for the US Government. However, the US Department of Defence said in a statement yesterday that the US does not endorse a Turkish operation in north-east Syria. We have been consistently clear with Turkey that unilateral military action must be avoided, as it would destabilise the region and threaten efforts to secure the lasting defeat of Daesh. As members of the global coalition, our focus remains on securing the enduring defeat of Daesh. The UK is not enough to keep our nation safe. Does the US therefore agree that the international community must design a better long-term legal solution to this challenge, which will not go away?

Neither the SDF nor Turkey has the desire to properly process the number of detainees and foreign fighters. If Turkey invades, the SDF will fight back, and these camps, such as that at al-Hawl, will get caught in the middle, with thousands deliberately released or able to escape. We will then see the emergence of Daesh 2.0.

The international community must stick together.

Several hon. Members rose—

Mr Speaker: Order. The right hon. Gentleman speaks with very considerable authority on these matters, and that was part of the rationale for granting him his urgent question. He rather gently pointed out to me that it was his first urgent question, so I granted him some latitude, because I think the House wanted to hear from him, but other colleagues cannot expect comparable latitude. Two minutes does not mean four minutes.

Mr Speaker: Further to the Minister’s or the Secretary of State’s conversations, will the Prime Minister be speaking to the President on this matter? Has the Minister or the Foreign Secretary spoken to our coalition allies about this fundamental change in US foreign policy? The Minister says that the placement of US troops is a matter for that country, but the US is part of an international coalition. We will only defeat the challenges around the world if we work and stick together. What impact will this decision have, therefore, on our efforts—Department for International Development efforts—to help provide aid to this war-torn country?

The Minister talks about discouraging Turkey from crossing the border in some form of invasion and creating that safe zone. What actions will the international community, or indeed Britain, take if such an action does, in fact, take place?

More generally, does the Minister acknowledge that the character of conflict has changed? These are not soldiers in uniform, but radicalised extremists committed to pursuing their jihadist agenda. Many of these fighters come from across Europe, including from the UK. Simply denying dual nationals the ability to return to the UK is not enough to keep our nation safe. Does the Minister therefore agree that the international community must design a better long-term legal solution to this challenge, which will not go away?

Neither the SDF nor Turkey has the desire to properly process the number of detainees and foreign fighters. If Turkey invades, the SDF will fight back, and these camps, such as that at al-Hawl, will get caught in the middle, with thousands deliberately released or able to escape. We will then see the emergence of Daesh 2.0.

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Dr Murrison: Nevertheless, Mr Speaker, I think the eloquence of my right hon. Friend probably justified the time he took.

I will try to address some of the points my right hon. Friend made. I absolutely agree with him about this being primarily an issue about Daesh. To answer his question about foreign fighters and others, my worry would be that this will divert the SDF from its activities against Daesh in the Euphrates valley—absolutely, 100%.

My right hon. Friend will understand that we are talking to all our interlocutors at the moment. This situation is very kinetic and very fast-changing, and we of course need to ensure that, so far as we can, we influence our partners in the way that he has just described.

As I understand it, the US withdrawal, if it happens, will be fairly small-scale. It will involve a small number of troops in the immediate vicinity of the border. That is our understanding. We do not support any incursion by Turkey into north-west Syria.
My right hon. Friend will know from previous outings at the Dispatch Box of the extent, breadth and depth of support for the crisis in Syria. We are among the top few in terms of our financial contributions to that awful humanitarian disaster. I hope that that begins to address some of the points he raised.

Emily Thornberry (Islington South and Finsbury) (Lab): Thank you very much, Mr Speaker, for granting this urgent question. I thank the right hon. Member for Bournemouth East (Mr Ellwood), along with all those other Members who sought to pursue this issue today, including my hon. Friend the Member for Brighton, Kemptown (Lloyd Russell-Moyle).

The number of UQ applications you had on this issue today reflects the range of concern and, indeed, anger across the House about the Trump Administration’s decision to open the door to a Turkish invasion of northern Syria and to the subjugation of the Kurdish people in Rojava—the very people who led the fight against Daesh and who lost 11,000 brave fighters in the process. Donald Trump is not just abandoning those Kurdish allies; he is betraying their sacrifice. Of all the great and unmatched ways in which he has shamed his office over the last three years, this is one of the very worst.

However, simple expressions of anger will not help the Kurdish people now, so I have four specific questions for the Minister. First, in answer to critics of the decision, Donald Trump said yesterday:

“The UK was very thrilled at this decision ... many people agree with it very strongly.”

Will the Minister make it clear today that that is a lie? Can he explain what, if anything, the Foreign Secretary said yesterday to Mike Pompeo that might have given Donald Trump that impression?

Secondly, will the Minister agree to table emergency resolutions at this afternoon’s UN Security Council meeting and tomorrow’s North Atlantic Council meeting prohibiting Turkey from taking any action on the ground or by air to increase its military incursions into northern Syria? Will he redouble our efforts through those bodies to restore any sort of equanimity in Syria, we need to be push that agenda, because it is right, and if we are going to resist any incursion into Syria, and the reason for that—well, there are many reasons for it—is that it will divert attention away from the principal threat to this country in relation to this conflict, which is Daesh. It would potentially divert efforts by the SDF from its operations along the Euphrates valley to the north-west of the country. That would not be helpful and would destabilise the situation, and I think that that is probably behind a lot of concern that has been expressed in Washington. We will continue to work with our allies to push that agenda, because it is right, and if we are going to restore any sort of equanimity in Syria, we need to be united in this particular fight.

Dr Murrison: I have said in plain terms that we would resist any incursion into Syria, and the reason for that—well, there are many reasons for it—is that it will divert attention away from the principal threat to this country in relation to this conflict, which is Daesh. It would potentially divert efforts by the SDF from its operations along the Euphrates valley to the north-west of the country. That would not be helpful and would destabilise the situation, and I think that that is probably behind a lot of concern that has been expressed in Washington. We will continue to work with our allies to push that agenda, because it is right, and if we are going to restore any sort of equanimity in Syria, we need to be united in this particular fight.

Stephen Gethins (North East Fife) (SNP): I thank the right hon. Member for Bournemouth East (Mr Ellwood) for securing this question and for his comments, and I thank other colleagues for theirs. The SDF has been critical in the defeat of the murderous death cult Daesh. One of my concerns relates to what this move says about our future commitment to allies and about UK foreign policy when we are seeking those boots on the ground. President Trump’s policy is ill-thought-out, with one Pentagon official describing it as a blatant betrayal. What does this mean for UK forces still on the ground? Will the Minister comment on reports that the SDF was compelled to demolish defensive fortifications?

Dr Murrison: I thank the right hon. Lady for her questions. As for the tweet, I have no idea where that came from. It certainly is not based on the conversation that my right hon. Friend the Foreign Secretary had with Secretary Pompeo last night. Let me be quite clear that we would be opposed to any incursion by Turkey into Syria. The right hon. Lady refers to what is technically called refoulement, which is proscribed under international law, and we would most certainly be against any attempt by any state to engage in social engineering, ethnic cleansing or demographic change.

The right hon. Lady referred to the constitutional committee, and she will be aware that Geir Pedersen led on that at the UN General Assembly and that it will be stood up on 30 October in Geneva. It will be three pillared, with the pillars being the opposition, the regime and independence. Our position would be that all citizens in Syria should be fully represented. There is only one way of making progress in Syria, and that is through an inclusive political process.

Mr Iain Duncan Smith (Chingford and Woodford Green) (Con): I rise to support the urgent question of my right hon. Friend the Member for Bournemouth East (Mr Ellwood). This is surely an issue on which we should be, in many senses, bolder and more public about our disagreement. In America, as the Minister will know, General Petraeus has made it absolutely clear that this is the wrong move and the Republicans themselves in Congress are absolutely opposed to it, so this is not an issue about Trump versus just the usual political sources. It is a real problem that we could abandon a key ally in the destruction of the caliphate and then release them to the mercies of Turkey. Can we make it clear, publicly, that we disapprove of this—not just to the Americans but, more importantly, to the Turks? Will we also make it clear that if the Turks do carry out their threat, we would consider it to be an aggressive act against ourselves as much as we would one against the Kurds?

Dr Murrison: I have said in plain terms that we would resist any incursion into Syria, and the reason for that—well, there are many reasons for it—is that it will divert attention away from the principal threat to this country in relation to this conflict, which is Daesh. It would potentially divert efforts by the SDF from its operations along the Euphrates valley to the north-west of the country. That would not be helpful and would destabilise the situation, and I think that that is probably behind a lot of concern that has been expressed in Washington. We will continue to work with our allies to push that agenda, because it is right, and if we are going to restore any sort of equanimity in Syria, we need to be united in this particular fight.

Emily Thornberry (Islington South and Finsbury) (Lab): Thank you very much, Mr Speaker, for granting this urgent question. I thank the right hon. Member for Bournemouth East (Mr Ellwood), along with all those other Members who sought to pursue this issue today, including my hon. Friend the Member for Brighton, Kemptown (Lloyd Russell-Moyle).

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Dr Murrison: I have said in plain terms that we would resist any incursion into Syria, and the reason for that—well, there are many reasons for it—is that it will divert attention away from the principal threat to this country in relation to this conflict, which is Daesh. It would potentially divert efforts by the SDF from its operations along the Euphrates valley to the north-west of the country. That would not be helpful and would destabilise the situation, and I think that that is probably behind a lot of concern that has been expressed in Washington. We will continue to work with our allies to push that agenda, because it is right, and if we are going to restore any sort of equanimity in Syria, we need to be united in this particular fight.

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counterparts, particularly on the humanitarian impact? We know from Save the Children that thousands of children and other refugees need access to food and medicine, so what is he doing to secure that? Is now the time to repatriate the innocent British children who have been stuck in Syria?

**Dr Murrison:** The US has to answer for itself. I cannot answer for the US or for President Trump—

**Emily Thornberry:** Give it a go.

**Dr Murrison:** The right hon. Lady tempts me, but I am going to resist.

The US, I believe, is talking about seeking to redeploy 50 service men at the moment. I have no information on forts, so I cannot answer that question. As for boots on the ground, we need to be careful. The UK does not have regular boots on the ground in Syria; we do not do that. The hon. Gentleman was right to raise international development and Turkey, and he will be aware that we have been a major donor to this particular crisis through the EU Facility for Refugees in Turkey. We are also considering at the moment what our response to FRIT 2 will mean, particularly in the context of our imminent departure from the European Union.

**Mr Andrew Mitchell** (Sutton Coldfield) (Con): My right hon. Friends and the right hon. Lady spoke for the entire House on the important issue raised in this urgent question. Does the Minister understand that Britain must take responsibility for its own nationals and not use some device to evade that responsibility, nor must we leave them swilling around in ungoverned space where they can do ill in countries less well governed than this, but where they are also a danger to the people in this country? Does he understand that we may well be talking about approximately 40 people, of whom maybe as many as 30 are children? Will he raise this matter immediately with the Foreign Secretary and with his colleagues in Government to see whether we can get a change of policy and an urgent resolution of that particular issue?

**Dr Murrison:** My right hon. Friend is obviously an expert in such matters. There are two categories of individual: those in detention camps and those in al-Hawl, who are, in the main, the families of detainees. It is important that justice is served as close as possible to any alleged crime, and we are taking that forward with those in the region. As for the minors, it is the Government’s intent that innocents should be protected at all times. He will appreciate the difficulties that that poses in the context of Syria, but we are quite clear that minors need to be handled properly and humanely, and that will be our intent.

**Ann Clwyd** (Cynon Valley) (Lab): I am afraid that the Kurds are being stabbed in the back once again, as they have been so many times in the past. We have a responsibility, and we should stand up. We need to know what is going on day by day. We cannot wait for the Queen’s Speech and all that; we need to know what is happening today and what the Minister will be doing today. Otherwise, the Kurds are going to be left to die, as they have been so often in the past.

**Dr Murrison:** I understand the right hon. Lady’s frustration. We must be clear that we cannot act alone and that we have to act with our partners. That is the reality. The Kurds are not being stabbed in the back by the United Kingdom, but US actions are obviously a matter for the US. I hope that my remarks have provided my understanding of the extent and scope of what is in the President’s head, so far as I can, and it seems that some of the more exaggerated claims have probably been overdone. However, the right hon. Lady is right that the situation is highly kinetic and that things change from moment to moment. If things do change further, I rather suspect that I will be back in his place before too long.

**Tom Tugendhat** (Tonbridge and Malling) (Con): The Minister will be aware that one principle of military action is the need for surprise, but we normally try to surprise the enemy, not our friends. Here we find ourselves surprised by the actions of our most important ally, and our allies on the ground have been surprised by the possibility that they may find their homes under serious threat from another of our important military allies—Turkey. Will the Minister please assure me that our other allies in the region are being assured that the UK will not make a pattern of being a fair-weather friend but will commit to our allies seriously and properly?

**Dr Murrison:** The only point I would make about surprise is that President Erdoğan has, of course, threatened this on a number of occasions, and he has previous in relation to Afrin. This has not come out of the blue, but I agree that we need to ensure that we do everything we can to understand our colleagues’ thinking on these matters so that we can act in a relatively joined up way, if possible.

**Stephen Twigg** (Liverpool, West Derby) (Lab/Co-op): As ever, it is innocent civilians who will suffer the consequences of the humanitarian disaster that will follow this decision. May I press the Minister to respond to the question of my right hon. Friend the Member for Islington South and Finsbury (Emily Thornberry)? It really is time for us to table this at the United Nations Security Council.

**Dr Murrison:** I cannot give the hon. Gentleman that guarantee. Gentleman that commitment at the Dispatch Box, but the point has been well made and will be considered. I am sure what he suggests has merit, but we will have to examine it fully.

**Mary Robinson** (Cheadle) (Con): There have been ongoing concerns about the safety and welfare of Syrian refugees on or near the Turkish border. There is the prospect of a safe zone being set up, but how can the Minister guarantee that these people will be safe? There are fears about forcible repatriation or relocation from Turkey into Syria, which will be challenged. What representations are being made on their behalf?

**Dr Murrison:** My hon. Friend refers to the forcible repatriation of refugees, and clearly we would strongly oppose such a thing. I made it very clear to the right hon. Member for Islington South and Finsbury (Emily Thornberry) that we would oppose anything that looks
like ethnic cleansing or demographic change. All those things are absolutely not appropriate, and we will resist them.

My hon. Friend will be aware of our effort in support of Turkey through the FRiT process, which will endure on our departure from the European Union. Turkey has done a good job in supporting refugees on its territory, and we will continue to support it in doing that. Turkey has a strong tradition of humanitarian assistance and, so far, it has acted well for refugees, and we want to encourage it in that process.

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): I am chairman of the all-party parliamentary group on north-eastern Syria, and we were in al-Hawl a month ago. I do not want to disagree with the Minister, but this is not primarily an issue of defeating ISIS; it is also about defending an area that has promoted democracy and gender equality, and that has been an ally, too. Will we now suspend the sharing of security and intelligence information with Turkey so that it cannot use that information against one of our allies? Will we bolster support for the SDF to ensure it has the resources it needs? And will we go to NATO to ensure that Turkey cannot invoke article 5 if there is a backlash?

Dr Murrison: I do not think we are into article 5 territory. We continue to support the SDF and the coalition. The principal intent here is the fight against Daesh, which is a clear and present danger that threatens us all. We will do everything in our power to ensure that fight continues and is unaffected by this latest news. It is important that we keep our eye on the ball in that respect. As the hon. Gentleman may be aware, there is a lot of ongoing work against Daesh along the Euphrates valley, and it is important that that work continues. This latest news risks destabilising that work.

Alistair Burt (North East Bedfordshire) (Ind): I am grateful to my right hon. Friend the Member for Gravesham (Adam Holloway) and my hon. Friends the Members for Liverpool, West Derby (Stephen Twigg), may I ask the Minister what we will do? Will we review all the Government’s policies at this crucial point to see whether we can do a little more to accept more refugees from the region?

Dr Murrison: I have alluded to our support for the humanitarian situation. I suspect I will be quizzed on this further when I appear before the Select Committee on International Development in a few minutes’ time. I am proud of the contribution made by the British people. We are in the top few countries in our support for the humanitarian situation in Syria.

I am also proud that, by 2020, we will have resettled 20,000 Syrians, including in my constituency. That is a sign of the generosity and big heart of the British people. It is a fair contribution, and it is an indication of the UK punching above its weight on international development.

Crispin Blunt (Reigate) (Con): I was in north-east Syria just three weeks ago with the hon. Member for Brighton, Kemptown (Lloyd Russell-Moyle) and my hon. Friend the Member for Gravesham (Adam Holloway) and, at least then, it would have come as news to the leaders in the region that there was any engagement on the ground.

I am sure the Minister understands the scale of Kurdish resentment following the operation against Afrin, and therefore the scale of Kurdish resistance that there would be if there were a Turkish incursion. He has just said that we would resist any incursion into Syria and that we support the SDF and the coalition. What will we actually do to deter Turkey from making the profound mistake of this planned intervention in north-east Syria?

Dr Murrison: Turkey is a major NATO ally, and it is a good friend of this country. We have some leverage with Turkey, as a friend and as a partner, and my hon. Friend will understand that this is currently in the diplomatic space. He is tempting me to make all sorts of contingency preparations, which I certainly will not do at the Dispatch Box. This is clearly a dynamic situation, and we will have to respond to whatever happens, but our message to Turkey is, “Please don’t do this. It will deflect attention from what really matters here: first, defeating Daesh, and secondly, restoring this poor, benighted country to some sort of equanimity.”

Joanna Cherry (Edinburgh South West) (SNP): The Kurdish diaspora has a sizeable presence in Scotland, with a community centre at Dumfryden in my constituency,

could not invoke article 5 if there is a backlash?

Dr Murrison: My right hon. Friend’s point is well made. I cannot give him that assurance because I am not the US, but I am sure his point will have been heard by our interlocutors. He refers to our allies in the coalition and elsewhere, and he will be aware that we are working very closely with our E3 partners—probably more closely than we have for some considerable time. Some might think that is something of a paradox, given our imminent departure from the European Union, but it remains true nevertheless. Particularly in the region for which I have geographic responsibility, I have been struck by our close working relationship with France and Germany.

Alison McGovern (Wirral South) (Lab): Syrian civilians have suffered again and again in this conflict. Further to the question asked by my hon. Friend the Member for Liverpool, West Derby (Stephen Twigg), may I ask the Minister what we will do? Will we review all the Government’s policies at this critical point to see whether we can do a little more to accept more refugees from the region?

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Joanna Cherry (Edinburgh South West) (SNP): The Kurdish diaspora has a sizeable presence in Scotland, with a community centre at Dumfryden in my constituency.
I know they would wish me to remind the UK Government of the debt we all owe the Kurds in relation to defeating Daesh, so can the Minister confirm that the United Kingdom Government recognise that they have a moral obligation to help the Kurds, rather than just leaving them to their fate?

Dr Murrison: Of course, the SDF is part of the coalition against Daesh. I admire our Kurdish friends and partners enormously, and our posture has not changed at all. We are talking here about the possibility of Turkey moving into north-west Syria—we do not know how far that incursion is going to be—and the fact that the US has said that in those circumstances it would withdraw 50 of its people from the immediate area. So we need a sense of proportion on this, but of course we have to react to circumstances.

Dr Julian Lewis (New Forest East) (Con): I am sorry to disagree with my friend the Minister, but saying, “Oh well, it is only a withdrawal of 50 people” is like saying, “Oh, well, it is only the withdrawal of HMS Endurance before the invasion of the Falkland Islands.” Is it not a fact that if the green light is given to Turkey, under its Islamist regime, to attack our allies, it will be an act of treachery and betrayal not dissimilar to what happened in 1944 when Stalin basically gave the green light to Hitler to crush the Warsaw uprising?

Dr Murrison: I am grateful to the hon. Lady for that. I am sure my hon. Friend the Minister would welcome the very points the hon. Lady raised. She talks about being the best, but I think we probably are that. If we look at the sum total of our contribution to this, we see that it is extraordinary, and I am really proud of it. I am proud of it on behalf of my constituents and hers, because they are the ones who ultimately provide this contribution—she and I do not. If she looks at the humanitarian package in Syria objectively—I am more than happy to sit down to discuss it with her—she will share my view that we are doing extremely well, and we will continue to do so.

Mr Bob Seely (Isle of Wight) (Con): I wish to declare an interest: I have worked alongside the peshmerga—men and women—in northern Iraq, and I consider them to be impressive soldiers and incredibly generous hosts. My question to the Minister is: if this is just about a redeployment of 50 servicemen, is he saying that this is envisaged as being relatively small, or are there indications that after nightfall great swathes of north-east Syria are no-go areas for the SDF, will the Minister confirm that we will redouble our efforts in supporting the Syrian Kurds?

Dr Murrison: We do support the SDF, which is an important part of the coalition—it is clearly central to it. As I said in my earlier remarks, the worry is that this recent news, if it is carried forward, will detract attention from Daesh along the Euphrates river. That would be extremely bad for the stability of Syria and for the rest of us.

Thangam Debbonaire (Bristol West) (Lab): The Minister rightly says he is proud of DFID’s support in the region and he rightly speaks of the vulnerable persons resettlement scheme, but that is 20,000 people from Syria over the course of five years, and we have only one year’s commitment from the Government so far about what is going to happen after the end of that scheme next year.

Dr Murrison: Of course, the SDF is part of the coalition against Daesh. I admire our Kurdish friends and partners enormously, and our posture has not changed at all. We are talking here about the possibility of Turkey moving into north-west Syria—we do not know how far that incursion is going to be—and the fact that the US has said that in those circumstances it would withdraw 50 of its people from the immediate area. So we need a sense of proportion on this, but of course we have to react to circumstances.

Adam Holloway (Gravesham) (Con): When the hon. Member for Brighton, Kemptown (Lloyd Russell-Moyle), my hon. Friend the Member for Reigate (Crispin Blunt) and I were on the ground in Syria three weeks ago, the SDF was clear in its appreciation for the help of coalition countries, including the UK and US. Given the resurgence of ISIS, particularly around Deir ez-Zor, and the fact that after nightfall great swathes of north-east Syria are no-go areas for the SDF, will the Minister confirm that we will redouble our efforts in supporting the Syrian Kurds?

Dr Murrison: We do support the SDF, which is an important part of the coalition—it is clearly central to it. As I said in my earlier remarks, the worry is that this recent news, if it is carried forward, will detract attention from Daesh along the Euphrates river. That would be extremely bad for the stability of Syria and for the rest of us.

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Mike Gapes (Ilford South) (IGC): The Turkish President has recently improved his relations with Putin, and the Russians and the Iranians who are fighting on the side of Assad will also have views and interests in respect of what is happening. Is not the danger of what President Trump has done that it reduces the influence of other forces in the region and means that the autocrats and demagogues are dominant in this conflict?

Dr Murrison: We want to make sure that autocrats and demagogues are not dominant in this conflict. The hon. Gentleman talks as though action has been taken, but my understanding is that that is not the case yet, so we are talking about what might happen. What we have done is say that we do not believe that what has been discussed is the right way forward. We believe we have to ensure that Turkey does not go ahead with this, as it would be unhelpful. If it does not go ahead with it, presumably the US will not carry out the action that has been talked about and which the President has been tweeting about.

Richard Drax (South Dorset) (Con): The only way to stand firm against this recent scourge that is Daesh, ISIS, call it what you will is by doing just that—standing firm. As a former soldier, I must say that to withdraw now seems like an act of betrayal to the Kurds, who are brave allies and who I do not want to see on our TV screens fighting for their lives in the days to come. Will the Minister assure me that if there are any British soldiers on the ground, they will not get caught up in the fighting—if there is some—between the Kurds and the Turks?

Dr Murrison: I think I can give that reassurance. As I said in response to an earlier question, we do not have boots on the ground. Let me be clear: that means we do not have combat soldiers on the ground. I am grateful for the opportunity that my hon. Friend has given me to clarify that point. We have others, as part of the coalition, who engage, for example, in training, and across the middle east we have UK servicemen engaged in the fight against Daesh. That will continue. Our No.1 imperative is the defeat of Daesh, and we have to celebrate the fact that the coalition has been very successful against Daesh in achieving a substantial degradation in that malign organisation. That will continue.

Several hon. Members rose—

Mr Speaker: For the benefit of those observing our proceedings, let me explain that I now call the president of the NATO Parliamentary Assembly, otherwise known as President Moon.

Mrs Madeleine Moon (Bridgend) (Lab): I thank the Minister for his statement, which has been very clear. He said that the issue has now moved into diplomatic discussions; this weekend, and over the next few days, it will also be moving into parliamentary discussions, as the NATO Parliament will be meeting here in London. I assure the House that parliamentarians from across NATO—the alliance is not involved in Syria but allies within it are—will be discussing this issue and talking to the Turkish representatives and the American representatives who will be at the conference. Across Parliaments throughout the alliance, discussions such as this one are taking place, and they are so important to the sending of clear, concise messages to the Governments who will be making decisions that will impact on all our countries and on the Turkish and Kurdish communities within them.

Dr Murray: I thank the hon. Lady for her comments. She serves with great distinction as chairman of the NATO Parliamentary Assembly. No doubt conversations will be had over the next few days and will particularly note Turkey’s status in NATO.

Henry Smith (Crawley) (Con): I, too, have had the privilege of seeing the work of the peshmerga combating Daesh on the frontline—for me, it was in northern Iraq—and also the work of the Kurds supporting internally displaced persons in the region. Will the Minister assure me that, in addition to speaking to officials at the top of the US Administration, our interlocutors will engage with officials in Ankara to say that any Turkish incursion into northern Syria is unacceptable?

Dr Murray: Yes, of course. My hon. Friend will be aware, because he knows how these things work, that those conversations happen all the time. There can be no room for confusion in the minds of our Turkish interlocutors as to where we stand on this matter. We clearly have something of a privileged position with our good friends the Turks, given their status as a firm ally of this country and as a member of NATO.

Kate Osamor (Edmonton) (Lab/Co-op): Many of the 50,000 Kurds who live in this country live in my constituency, and they are in a state of absolute anguish about what is about to happen to their families in Rojava. Will the Minister of State agree to meet Kurdish representatives from my constituency in the next 24 hours, so that he can hear what they are going through?

Dr Murray: The hon. Lady needs to help us to reassure Kurds in this country about the extent of what, as we understand it, is being proposed. This has been threatened before, so I suspect that Kurds will live their lives in a state of constant anxiety, given the very difficult part of the world in which they and their loved ones live. So far as I know, nothing has happened yet, so I do not think we should do anything that would heighten their anxieties. The information we have is that if it happens, Turkey’s incursion into Syria is going to be modest in scope and that the US response to that is going to be similarly modest. Obviously, we have to watch and await events, but I do not think we should do anything that is going to cause Kurds resident in the UK too much anxiety. That would be the wrong thing to do, and I hope the hon. Lady will assist us in making sure that people are given an accurate view of what is going on.

Dr Matthew Offord (Hendon) (Con): How many British-born Daesh supporters does the Minister believe remain in Syria?

Dr Murray: I do not know and I am not going to speculate.

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): There are thousands of Kurds in Plymouth who are equally as concerned as those we have heard
Dr Murrison: The hon. Gentleman will be aware that this particular matter is the subject of a great deal of work in the Departments of State that have responsibility for this policy area. A great deal of heart searching—if I can put it like that—is going on right now to make sure that what we have done in the past is correct and that what we do is correct going forward. He will also be aware that the basis for what we do in this space is governed very strictly by the EU consolidated criteria. That has to be the fundamental way in which we deal with these matters. Notwithstanding the recent past in this respect—the hon. Gentleman will be aware that my right hon. Friend the Secretary of State for International Trade has established a committee of inquiry—we are confident that, fundamentally, our processes are correct and that they comply with the eight or so articles of the EU consolidated criteria.

Bob Blackman (Harrow East) (Con): The clear impression is that our closest ally, the United States, is abandoning an ally, the Kurdish forces, to be attacked by another ally, the Turkish forces. Not only is this a strategic and humanitarian error, but it will send a signal around the world that if people trust the United States or the UK, they might be abandoned. Will the Minister undertake to speak to his opposite number in the United States and impress upon them that this is not only a bad move now but a bad strategic move?

Dr Murrison: It really is not for me to be an apologist for the US, but my hon. Friend needs to be a little bit careful about conflating the US and the UK in the way he has. That would be unfair. Let us be clear: the focus of what we understand to be happening at the moment is the 110 km stretch of border covered by the previous US-Turkey security mechanism agreement. It is a fairly narrow strip of land. That is not to justify anything that has been said in recent times, but nevertheless I hope that puts it into some sort of perspective. It would be wrong if we gave any message about the UK—I can speak only for the UK—abandoning our partners in the coalition. That is clearly not the case—it is definitely not the case—and we stand shoulder to shoulder with them in the battle against Daesh, which is undiminished.

Kevin Brennan (Cardiff West) (Lab): The Minister is assiduous and sincere, but does he understand that hearts sink in all parts of the House when he uses phrases such as any incursion might only be “modest in scope”? Essentially, we will be complicit in the US President’s decision to stab our Kurdish allies in the back. It is not just a moral betrayal but a strategic error to do what the United States is proposing. Do we not need to speak out more strongly at this stage? Otherwise, it will look as if we are complicit.

Dr Murrison: No. The hon. Gentleman, whom I respect very much, needs to be careful. We are not complicit in any action that the US may or may not take. This is a matter for the US. We have made our position absolutely clear—I do not think I could have been clearer from the Dispatch Box than I have been: we are shoulder to shoulder with the SDF and our coalition partners in the battle against Daesh, which is undiminished.

Jonathan Edwards (Carmarthen East and Dinfranog) (PC): It seems to me that the British Government have two points of leverage against Turkey: first, the licensing of arms exports to Turkey, and secondly, a review of Turkey’s NATO membership. If there is a ground offensive against the Kurds in northern Syria, will the British Government explore both avenues?

Dr Murrison: With respect to the hon. Gentleman, I do not think I would put it in the terms in which he put it. That is not where we are at the moment. He invites me to speculate; he would expect me to resist speculation. Clearly, we keep matters under review, but what he has suggested is a very severe penalty, either to threaten or to carry out in respect of Turkey. Let us be clear: Turkey is a long-standing and very close ally of this country. With that comes diplomatic leverage that we can exert, and we will continue to do that with our friends and allies the Turks. We have made clear that we think that any incursion into Syria would be wrong. It would be wrong in principle, and in practice I think it would be disastrous in relation to the fight against Daesh.

Catherine West (Hornsey and Wood Green) (Lab): Even a small incursion into the region by Turkey could have a detrimental effect on the Kurdish fighters there and for the communities there. What specific recommendations or representations can the Minister make in relation to women? Kurdish women in that area have suffered terribly through the war, including because of sexual violence.

Dr Murrison: There is some sunshine in this terrible situation, and that is the establishment of the constitutional committee and the work of the special envoy, Geir Pedersen. It is important that when that committee is set up at the end of this month in Geneva, it includes comprehensive representation. That is clearly an issue in relation to what is currently happening in the Idlib governorate and the north-west of the country. Nevertheless, I agree with the hon. Lady on the importance of the involvement of women; my experience is that when that happens, better outcomes are procured. I hope very much that the committee will include proper representation.

Peter Grant (Glenrothes) (SNP): It is now just under four years since this House agreed to UK airstrikes in Syria, and it is worth reminding ourselves that, first of all, we were assured that that was part of a strategy that was expected to restore civilian transitional Government to Syria in about six months. The Foreign Secretary who gave that assurance is now Prime Minister, so he is in a position to do something about it, but the success of the airstrikes against an organisation that was accepted to be a grave threat to our lives and to our security could only be achieved because of the involvement of Kurdish soldiers on the ground. Those Kurds have paid a terrible price: around 11,000 of them lost their lives and several times that number were seriously injured. They died not only to protect their territory, but so that British troops did not have to die protecting our way of life. Will the Minister accept that the very least we can
do in recognition of the debt we owe to the Kurdish soldiers is to give an assurance that we will not stand back and let things happen to them if we could prevent it?

Dr Murrison: I think I can give an assurance that the Government will do everything they can to resolve the situation. The hon. Gentleman would expect me to say that, as a Minister in the Foreign and Commonwealth Office, I put my faith principally in diplomacy, which is what we are trying to roll out in relation to this situation. It is not pretty—it is messy, it is dirty, it is complicated, and it is sometimes very difficult to plot a sensible way forward, particularly as we are buffeted by events, but we will be quite clear that this is principally a fight against Daesh; it is a fight that we share with our Kurdish friends and allies, and we are shoulder to shoulder with them. We do not let people down, but we are also, I have to say, the victim of perhaps being rather less powerful than once we were in traditional terms, and we must be realistic about what we individually can achieve. What is undiminished is our ability, very often, to exert diplomacy for maximum effect. I like to think that we are extremely good at that, and we will deploy it, so far as we possibly can, in relation to this situation.

Jessica Morden (Newport East) (Lab): On Saturday, I met representatives of the Welsh Kurdish community in Newport, who, like other hon. Members’ constituents, are obviously extremely worried and concerned about this news. I simply ask the Minister again to give reassurances directly to my constituents that we will do absolutely all that we can to influence partners and to protect the Kurdish people against any action by Turkish forces.

Dr Murrison: Yes, I can give the hon. Lady that assurance. Lady that assurance. We are doing everything we realistically can to try to bring some equanimity to this situation. That has been our position from the start, but we also have to be realistic about what we can individually achieve. We are influential, but we are one of several, and we will continue to work with our friends and partners within the coalition to try to ensure that this goes in an appropriate direction. As I have said on repeated occasions during my remarks, that does not involve an incursion by Turkey into Syria.

Chris Stephens (Glasgow South West) (SNP): I refer the Minister to early-day motion 2772, which reflects the strong feelings that have been expressed in this House today and by the Kurdish community, many of whom are in Glasgow South West. May I say to the Minister that, obviously, pleas have been made to Turkey, but pleas in the past have been ignored—I am thinking particularly of the situation in Afrin last year—and ask him to reflect on that? Is it not time that the Government now immediately suggest to the Trump Administration that they must reverse this policy to protect one of the stable regions in Syria?

Dr Murrison: I think it is important to say—this is what we understand to be the case—that the US is not agreeing with Turkey by potentially withdrawing from this piece of territory, so it is not endorsing Turkey’s action at all. I hope that it will be joining the UK and the rest of the coalition to impress upon Turkey that this is not the best way forward in our principal aim for Turkey and others, which is to defeat Daesh, which poses a threat to Turkey, a big threat to Syria and a threat to the UK and the US, too. As Turkey’s reputation is on the line in this matter, I hope very much that it listens to its friends and allies and desists from this particular course of action. That is the line that we have taken, and I am hopeful that we will have some success in getting it to revise its position in this particular matter.

Jim Shannon (Strangford) (DUP): Along with others, I also express great concern over the decision of the President of the United States of America to remove US troops. No one should ever betray our allies—the Kurds—who helped to cleanse Syria of Isis fighters. Turkey’s response towards the Kurds in the past has been all-out war, so what discussions has the Minister had with Turkey to prevent its aggression and the threat to democracy and freedom in that area, which will mean potential casualties among women, children and the innocents?

Dr Murrison: I thank the hon. Gentleman for his question. He tempts me to talk about wider issues relating to the Kurds, and he will know that we have in the past discussed these matters, and will continue to do so, with our Turkish interlocutors at every level in support of our Kurdish friends and allies. It is important that the rights of Kurds, of all groups, of all minorities and of all ethnicities are respected. That is contained within international humanitarian law, and all the conventions to which Turkey is a code signatory. We will use every opportunity to stand up for the rights of Kurds where we see them being abused.
HMRC Impact Analysis: Customs

1.36 pm

John McDonnell (Hayes and Harlington) (Lab): To ask the Chancellor of the Exchequer (Urgent Question): To ask the Chancellor of the Exchequer to make a statement on HMRC’s published impact analysis of introducing new customs legislation and amendments.

The Financial Secretary to the Treasury (Jesse Norman): I am delighted to respond to the right hon. Gentleman’s question. The Government are devoting huge energies, as the House will know, to Brexit preparations. The Prime Minister has stated that the Government’s preference is to leave with a deal, but, if necessary, they will leave without a deal as it is so vital that we get Brexit done.

Those easements, for example, are planned to simplify goods in the UK to take effect in a no-deal scenario.

We have heard the Prime Minister’s previous crude dismissal of British business. Now we are seeing his words become Government policy. Does the Minister not understand that this only compounds the uncertainty brought about by this Government’s failure to secure a deal that protects the UK economy? A senior No. 10 source, who I most believe to be the Prime Minister’s adviser—well, I say “adviser”—Dominic Cummings, said: “We’ll either leave with no deal on 31 October or there will be an election and then we will leave with no deal”, and that everything to do with the duty of sincere co-operation that we have with the EU partners “will be in the toilet”.

Does the Minister agree with the priorities set out by No. 10 as a result of that statement? Does he also challenge the Institute for Fiscal Studies, which said today that this would push UK debt to its highest level since the 1960s, soaring to 90% of national income?

The reckless incompetence of this Government just knows no bounds, does it? At a moment of national crisis, this Government pose a threat to their own people and the economy they rely upon. Has the Minister any idea of the scale of the destruction of confidence in the British economy that this Government’s stated policy is bringing about?

Jesse Norman: This is a long document at some 45 pages or so, but I would have hoped that the right hon. Gentleman could have made it to page 9. He claims that the cost to British business will be £15 billion, but it says perfectly clearly at the bottom of page 9:

“The latest… estimate for the annual administrative burden… is £7.5 billion (updated to reflect 2017 data)”.

I am in no sense happy about that—[Interruption.] I am just correcting the record. The right hon. Gentleman said £15 billion, when in fact the figure is £7.5 billion. That figure is, of course, prior to any mitigations that might be put in place by the Government.

Let me turn to the right hon. Gentleman’s other concerns. He criticised the Government for, as he puts it, failing to secure a deal. All his party had to do was support the perfectly reasonable series of deals that have been put before this Parliament, and it would have a deal.

I am not going to comment on unsourced speculation of the kind mentioned by the right hon. Gentleman. Let me just remind the House that when this Government’s predecessor came into office in 2010, debt was at a peacetime high thanks to the previous Labour Government. The deficit was at almost 10% and, interestingly, inequality under the Labour Government was significantly higher than it is today.

Sir Geoffrey Clifton-Brown (The Cotswolds) (Con): The number of customs declarations is likely to increase from 50 million now to 250 million when we have to start to export to the EU. This will be governed by a customs declaration service system. Will the system cope, and will there be enough agents to handle that volume of transactions?

Jesse Norman: We believe the system will cope. Of course, there are a lot of easements in place, and there is already a functioning CHIEF—customs handling of import and export freight—system to handle the current level of declarations.
for educating commentators, I absolutely agree with the Minister, who is widely respected across the House, had used her influence to bring Labour Members into the Lobby to confirm that these costs do not even include tariffs, and that they are in fact the costs not simply of no deal but of refusing to have a customs union at all? Given that a proposal for a deal including a customs union only lost three votes back in April and that such a deal would, according to his own figures, have saved British businesses billions, why have the Government continually refused even to explore a deal that includes a customs union?

Jesse Norman: I could wish that the right hon. Lady, who is widely respected across the House, had used her influence to bring Labour Members into the Lobby to support the deal that was offered—[Interruption]—and, still more, the deal that we are currently exploring, when that is placed before the Chamber. [Interruption.] The impact analysis is a careful piece of work that reflects dozens of statutory instruments that have been placed before the House. It is a composite of all the impact assessments in place, and should be seen as such. Before Members become too enervated, they should reflect that although the number has gone up somewhat, the unit cost of a declaration has not gone up. The increased number reflects the increase in trade in the last couple of years, and in the period to 2017, which is interesting, because it does not look as though trade has been headed off by the threat of Brexit.
the facilitations and easements, which can substantially reduce the amount of money lost in these sorts of transactions; that has to be the way forward. The cost is much lower than those in the Treasury’s forecasts thus far.

**Jesse Norman:** My hon. Friend is right to point out that although there is a cost, we do some £275 billion-worth of trade with the EU; we should see this in that context. As I say, the figures are before we take into account any behavioural change, either by UK exporters and hauliers or importers, or by the EU, and should be seen in the wider context of the liberalisation that we expect to occur after Brexit.

**Lady Hermon** (North Down) (Ind): The Chief Constable of the Police Service of Northern Ireland has already spoken directly to the Prime Minister, and has made it abundantly clear to him that his police officers will not carry out customs functions at or near the border after the UK leaves the EU. That being the case, the Minister has a duty to explain to HMRC officials what plans the Government have to keep those officials safe when they are carrying out their functions at or near the border after the UK leaves the EU.

**Jesse Norman:** I am grateful to the hon. Lady for that question. That is a very serious issue. I have discussed it with senior officials at HMRC, and I can tell her that they are taking the issue extremely seriously.

**Sir Desmond Swayne** (New Forest West) (Con): Is not the problem with reports of this sort the assumptions on which they are made—not least the assumption that though circumstances change dramatically, behaviour will not change at all?

**Jesse Norman:** My right hon. Friend, having of course taught economics in his previous life, is acutely aware of the dynamic effects of change when people are confronted with different circumstances. As he correctly points out, this is a static assessment; it does not reflect the dynamics once a change is made.

**Helen Goodman** (Bishop Auckland) (Lab): In effect, the Minister is telling the House that a £7.5 billion tax on trade is being introduced by the Government. How many jobs will be lost as a result of the reduction in trade? Given that we control the administration of imports, why are the Government allowing this £3.8 billion figure?

**Jesse Norman:** I think the hon. Lady misunderstands. Only in the event of a no-deal Brexit would we incur any of the additional declaration costs described here. This is not a tax; these are the administrative costs associated with a change in the country’s trading position.

**Jeremy Lefroy** (Stafford) (Con): Does my hon. Friend agree that there will be extremely serious impacts on exports? We have been trying to promote exports for many years, given that we have such a large trade deficit, but the fact that 60% of our exports to the EU will now incur tariffs will be a real problem for our exporters—particularly of ceramics in my area, but also for exporters in many other areas. What does he say to that?

**Jesse Norman:** My hon. Friend is right to raise that concern on behalf of his constituents. Of course, we run a very substantial services surplus with the rest of the world, and that will be unaffected by these customs declarations. What he says of his concerns is true; that is why I hope very much that the House will come together to support the Government in procuring a deal before we leave the EU.

**Jonathan Edwards** (Carmarthen East and Dinefwr) (PC): Diolch yn fawr iawn, Mr Speaker. The Tories’ claim to be the party of business and law and order has been blown apart by its Brexit policies. What is the point of the Conservative party today?

**Jesse Norman:** I do not need to tell the hon. Gentleman that conservatism, as a body of thought, has many virtues, and business has traditionally benefited from the Conservative party’s commitment to low taxation and a supportive business economy. If he casts an eye over the spending round, he will see an enormous array of investments designed to complement growth in business with growth in public services. It is that balance that makes for good government.

**Mr Speaker:** If the appetite of the hon. Member for Carmarthen East and Dinefwr (Jonathan Edwards) remains unsatisfied by that ministerial reply, my counsel is that he should read the biography of Edmund Burke that the Minister penned, which is, at any rate, a stimulating read.

**Michael Tomlinson** (Mid Dorset and North Poole) (Con): How many businesses would be affected if we left the EU without a deal—a deal that some Opposition Members seem to be opposing?

**Jesse Norman:** As my hon. Friend will know, there are over 150,000 VAT-registered businesses that trade with the EU, and another 100,000, we believe, that are not VAT-registered. If they wish to continue to trade with the EU—that trade may be just part of their business—they will experience some effect. It would be impossible for me to improve on the Speaker’s last comment, but if I might direct my hon. Friend to my book on Adam Smith, he will see that economies are dynamic, as has been recognised since the 18th century. We would expect the dynamic effects of the change in our status to offset many of the concerns raised in the impact assessment.

**Luciana Berger** (Liverpool, Wavertree) (LD): Anyone outside this place watching the response to this urgent question will be appalled by what they have heard so far, because the party that is supposed to be against red tape is piling it on for so many businesses. I can give the Minister the figures needed to respond to the question from the hon. Member for Mid Dorset and North Poole (Michael Tomlinson): 245,000 businesses will be affected, according to the impact assessment laid out yesterday. It will cost each company £28 at a minimum, and take an employee on average 1 hour and 45 minutes, to fill out each form for each load. How on earth will that ensure growth and jobs in our country?

**Jesse Norman:** The hon. Lady has managed to pull off the trick of saying almost exactly what I said, but in slightly fewer words. As I pointed out, 150,000 businesses registered for VAT, and a further 100,000 that are not
registered for VAT, may be affected. That makes 250,000, which is not a million miles away from the 245,000 that she described. If she looks at the impact assessment, she will see that the declaration cost will vary from between £15 for an export declaration for fast parcel operators, to £56 for traders operating below the VAT threshold and outsourcing their declarations, so there is a range of impacts. This was scouted, as she will know, in previous discussions with HMRC officials and in past impact assessments.

Stephen Timms (East Ham) (Lab): What has become of the Tory party? If the Minister really believes that a £15 billion additional burden on business is acceptable, can he tell us how large a burden would be unacceptable?

Jesse Norman: I would have expected the right hon. Gentleman, as a man of great assiduity who is widely respected across the House, to differentiate between the £7.5 billion that we are talking about and the overall impact on the EU as well as the UK of £15 billion, which is one of the things that will bring both sides together into what we hope would be, in these extreme circumstances, a deal. Of course, no impact on business is something that we want. That is why we are pressing the House for a deal, and I hope he will support us in doing that.

Alison McGovern (Wirral South) (Lab): I think we are all confused about the nature of conservatism this afternoon. When the Minister and I joined the House in 2010, Prime Minister David Cameron was embarking on a red tape challenge. I did not understand that the ambition was to increase red tape in the manner that we see today. When did the Minister last speak to the car industry? We know that every 60-second delay takes away from that industry £50,000 of gross value added—every 60 seconds. If, as it seems, there is no deal to be had and we are heading towards that catastrophe, has he asked the car industry how many jobs we are going to lose?

Jesse Norman: The way to respond to that is to remind the hon. Lady that when I was at the Department for Business, Energy and Industrial Strategy, I had extensive engagement with different industrial sectors, including the car industry. The same was true when I was at the Department for Transport. There is no doubt, as she will know, that the importers and exporters that are repeatedly crossing the borders will be affected by this. Of course, there are mitigations in place, and I hope she will help us to avoid those by supporting the deal.

Mr Chris Leslie (Nottingham East) (IGC): To put this £15 billion figure in context, it is the equivalent of a 7% increase in corporation tax for those businesses and firms—or, to put it another way, the exact plan of the Labour leadership, were they to get into power and increase corporation tax. If the Minister shifts to the ideological fringes, he should not be surprised if he sacrifices any claim to be in the party of business.

Jesse Norman: I think most people would be surprised to hear me considered a member of the ideological fringes of any side of the political debate. We do not wish this country to have to incur this £7.5 billion cost, and we do not think it would be a good idea for the country to have a Labour Government who imposed twice that amount in corporation tax.

Mr Ben Bradshaw (Exeter) (Lab): The Minister keeps claiming that his preference is for a deal, but is it not clear from the fictional briefing given by Dominic Cummings of the conversation between Chancellor Merkel and the Prime Minister today that the Prime Minister and Mr Cummings have absolutely no interest in a deal whatsoever? The tariffs proposed by the Government have been described by the normally mild-mannered and loyal hon. Member for Tiverton and Honiton (Neil Parish) as extremely disappointing. He says that no tariffs on imports but tariffs on exports will ruin the United Kingdom’s farming industry. In the past hour, the head of the National Farmers Union has called it a “betrayal of British farmers”. How does he respond?

Jesse Norman: I am not going to comment on the detail of tariffs, which were discussed in detail during an urgent question yesterday. I do not think there is any proper suggestion that the Government are in any sense comfortable about incurring these costs or any other costs. We would like to leave the EU with a deal, and the Chancellor of the Duchy of Lancaster and I have been working with colleagues around the clock for the past three months and longer to deliver it.

Dr David Drew (Stroud) (Lab/Co-op): With regard to what my right hon. Friend the Member for Exeter (Mr Bradshaw) just said, it is absolutely right that the Government—particularly the Chancellor of the Duchy of Lancaster, who was the Secretary of State for Environment, Food and Rural Affairs—listen to what the NFU is saying about no deal. With that in mind, is it not about time the Government updated their own website, which does not seem to have been changed since earlier this year, so that farmers at least know what will happen in the event of no deal?

Jesse Norman: In general, as the hon. Gentleman will know, the gov.uk website is updated daily, but I take the point. As a man with many farmers in his constituency, I will ensure that the website is checked to see that the data is up to date.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): I also recommend the Minister’s book on Burke as great bedtime reading; it is very good. Does he ever discuss the nature of modern conservatism with Dominic Cummings? Is it right that a Minister could have been on the radio at primetime this morning with Paul Johnson from the Institute for Fiscal Studies, but Cummings refused to let a Minister appear?

Jesse Norman: I am grateful for the hon. Gentleman’s kind words about my book, but I cannot comment on remarks that may or may not have been made or rebutted on a media programme of which I know nothing.

Mrs Madeleine Moon (Bridgend) (Lab): Ford finally came up with its frustration in relation to a lack of customs union and single market and decided to close the engine factory in Bridgend, with 1,700 jobs lost directly at the plant and 12,000 across the south Wales
economy. When I look at today’s report, I look with horror at what will happen to the small and medium-sized enterprises across my constituency. What assessment has the Treasury made of the impact of today’s report on SMEs in individual constituencies? Ordinary lives will be devastated, even more so in my constituency than they already have been.

Jesse Norman: The hon. Lady is absolutely right that any job losses are deeply regrettable, and I am sure she will be delighted that, in aggregate, this country has proven to be astonishingly adept at creating good new jobs over the past 10 years. With this impact assessment, I think I am right in saying that the detail is not available that allows for a constituency-by-constituency or even regional assessment, which is why it has been done in aggregate, based on the number of declarations that are expected and the cost per declaration. Of course, it may be possible for other entities to take the number of businesses that were expected to fill out declarations and produce impact assessments for the specific areas that they are concerned about.

Matt Rodda (Reading East) (Lab): It is quite clear from the Minister’s answers that the Government are willing to place enormous additional burdens on business. Given everything that he has written and said in the past, how can he possibly justify that approach?

Jesse Norman: I gently remind the hon. Gentleman that the burdens that he claims will be placed by this can not only be mitigated by voting for a deal but will be as nothing compared with the burdens that will be imposed on the UK economy by a Labour Government dedicated to nationalising, without full compensation, a swathe of industries and expropriating a large number of people by transferring property into the hands of employees. I think those things will impose much greater costs on the economy than anything that has been contemplated today.

David Hanson (Delyn) (Lab): The Minister is on a sticky wicket, and deep down, he knows it. After the Prime Minister’s announcement today, it will get even stickier. I am still not clear whether he expects businesses to absorb the £7.5 billion of costs or pass it on to consumers.

Jesse Norman: In the event that we had no deal and this £7.5 billion of estimated costs were incurred, that it was not mitigated and that there were no behavioural reactions by businesses, there would be some costs—we do not know what they would be—and it would be up to businesses to decide how those costs should be allocated between consumers, employees and other stakeholders.

Toby Perkins (Chesterfield) (Lab): People watching this will be amazed. The Minister appears not to be aware of what is being said out there. He is still speaking as though there is a deal to be done, when the Prime Minister and his advisers are making it absolutely clear that the deal is dead. The impacts that we are discussing will fall on businesses, and they are looking at a Government who appear utterly clueless about what to do. All we are getting now is a blame game. Will the Minister come to the Dispatch Box and say something that might help manufacturing businesses in my constituency?

Jesse Norman: I would be delighted to do that. With the good grace of the people of Great Britain, they will have a Conservative Government for many good years to come, supporting their interests, their welfare and the growth and productivity of the British economy. No finer outcome could be hoped for by British business.

Anna Soubry (Broxtowe) (IGC): Does the Minister have no shame at all in being a member of a Government who are meant to be on the side of business, having done a job in which, when I used to do it, we were so proud that for every one new piece of regulation we got rid of two? We see now Government embarking quite clearly on no deal—this sham of trying to get a deal is exactly that—and imposing on our already struggling businesses an additional £15 billion. Has he no shame to be associated with this appalling Government?

Jesse Norman: I am unable to match the right hon. Lady’s capacity for bombastic intervention, but let me just tell her that if she looks at the statutory instruments that have been placed in front of this House, she will see that their purpose is not to regulate, but to create mitigations to protect people in the event of a no-deal Brexit. If we have a no-deal Brexit, these will be useful mitigations and supports for businesses and people. If she doubts that, she can avoid the issue altogether by supporting the Government on the deal that I have no doubt is being promoted vigorously.

Wayne David (Caerphilly) (Lab): The extra administrative costs for filling in customs forms alone for businesses will be £15 billion per year. This contrasts markedly with the Prime Minister’s claim that if we left the EU with no deal, we would save £1 billion per month. Does the Minister agree with me that there is a growing chasm between the rhetoric of a Prime Minister and the reality of a no-deal Brexit?

Jesse Norman: No, I do not accept that at all. I think that it is perfectly clear that the Government remain very fixed on securing a deal. That is what these negotiations and discussions are about. At the same time, it is important to prepare for the possibility of no deal—no responsible negotiator would fail to have a walk-away position—and this quantifies those. As I have indicated, there are mitigations and dynamic effects that may well reduce their actual effect. In that context, this is wise planning and provisioning—plans that I hope we will never have to invoke.
Preparations for Leaving the EU

2.11 pm

The Chancellor of the Duchy of Lancaster (Michael Gove): Mr Speaker, with your permission I would like to make a statement on our preparations to leave the European Union on 31 October and the steps we are taking to get ready.

It is the strong desire of this Government to leave the EU with a deal, and our proposals to replace the backstop were published last week. I commend the Prime Minister and the Exit Secretary for their continued efforts to ensure that we can leave the EU with a withdrawal agreement in place. We have put forward a fair and reasonable compromise for all sides that respects the historic referendum result, and we hope that the EU will engage with us seriously. In setting out these proposals, we have moved. It is now time for the EU to move, too. If it does, there is still every chance that we can leave with a new deal. However, if the EU does not move, this Government are prepared to leave without a deal on the 31st. We must get Brexit done, so that the country can move on and focus on improving the NHS, cutting crime, helping families with the cost of living and further improving school standards.

In preparing for every eventuality, we are today publishing our “No-Deal Readiness Report”. This document is a comprehensive summary of the UK’s preparedness for leaving the EU without a deal. It sets out the preparations that the Government have made and how these have been intensified under the determined leadership of my right hon. Friend the Prime Minister, and it also outlines the steps that third-party organisations need to take to get ready.

The actions in this report reflect our top priority: ensuring that we maintain the smooth and efficient flow of goods and people from the UK into the EU, and vice versa. The actions are also aimed at ensuring that we continue to support citizens, upholding their rights and helping them to prepare for the changes ahead. My right hon. Friend, the Chancellor, to prepare for Brexit, has doubled funding from £4 billion to £8 billion. We have published a significant volume of material relating to no-deal planning, including 750 pieces of guidance setting out the steps that businesses, traders and citizens should take to prepare. We have also published 31 country guides for all EU and European Free Trade Association states, setting out what UK nationals living there need to do to get ready for Brexit.

This morning, my right hon. Friend the Trade Secretary has published the temporary tariff regime, which will apply from 1 November. In all, it liberalises tariffs on 88% of goods entering the UK by value. It maintains a mixture of tariffs and quotas on 12% of goods, such as beef, lamb, pork, poultry and some dairy products, to support farms and producers that have historically been protected through high EU tariffs in the past. I should say that, as a result of cutting these tariffs, we should see a 15% reduction in the cost of honey from New Zealand, a 9% cut in the cost of grapes from South America and of course a 7% reduction in the cost of wine from Argentina.

Businesses raised a number of points in response to the publication of the tariff schedule in March. The Government listened carefully to these representations and have made three specific changes as a result: we are reducing tariffs on heavy goods vehicles entering the UK; we are adjusting tariffs on bioethanol to retain support for UK producers; and we are also applying tariffs to additional clothing products to ensure that developing countries continue to have preferential access.

But it is not enough just for Government to get ready; we need businesses and citizens to get ready too. Even with every Government project complete and necessary IT systems in place, flow at the border would still be affected if hauliers do not have the right paperwork. If companies do not prepare, they will face challenges in trading their goods and services with the EU. While the Government can of course lobby EU member states to improve their offer to UK nationals who are living in their countries, we need individuals to act as well—to register for residency and to make arrangements for continued access to healthcare. For that reason, the Government have invested £100 million in one of the largest public information campaigns in peacetime. [Interruption.] I am glad hon. Members have noticed.

Through both mass market and targeted advertising, we are alerting business and citizens to the actions they need to take to get ready. We are also providing a further £108 million to support businesses in accessing the information and advice they need. My right hon. Friend the Business Secretary is overseeing a series of events with businesses around the country, designed to provide information on all the steps they need to take to get ready, including actions that will support the flow of trade through the short strait. My right hon. Friend the Health Secretary has also today established a trader readiness support unit for suppliers of medical products. This week, Her Majesty’s Revenue and Customs is writing to 180,000 businesses, setting out the full range of steps that they need to take in order to import and export with the EU after we leave.

Of course, in advance of 31 October, we will continue to use every means at our disposal to communicate to businesses the need to get ready. I want to pay particular tribute to the automotive, retail and transport sectors, including authorities at the port of Dover and at Calais, as well as Eurotunnel, for the extent of their Brexit preparations. On a recent visit to the west midlands, the heartland of our automotive industry, I was impressed by the steps that manufacturers are taking to prepare. Retail businesses have also made significant strides: Morrisons, for example, now reports it is “prepared for all eventualities” in the UK, while the Co-op says it is “prepared for the worst case”.

Of course, risks remain and challenges for some businesses cannot be entirely mitigated, even with every possible preparation in place, but the UK economy is in a much better position to meet those risks and challenges, thanks to the efforts of these sectors and companies, and to my right hon. Friend the Chancellor.

It is also the case that the impact of no deal on both the UK and the EU will depend on decisions taken by the EU and its member states. On citizens’ rights, internal security, data protection and of course the vital position of Northern Ireland in the United Kingdom, we have taken decisions that will benefit UK nationals as well as EU citizens. I hope the EU will match the generosity and flexibility that we have shown.

1. [Official Report, 16 October 2019, Vol. 666, c. 3MC.]
Through the EU settlement scheme, we have ensured that every EU citizen resident here by 31 October can acquire a formal UK immigration status, protecting their right to live and work in the UK. To date, 1.7 million citizens have applied and 1.5 million have been granted a status. Those who have not yet applied have until the end of December 2020 to do so. So far, very few EU member states have made as generous an offer to UK nationals as the UK has made to EU citizens. We do not believe that citizens’ rights should be used as a bargaining chip in any scenario. EU citizens in the UK are our friends and family, and we want them to stay. We now hope that the EU extends the same hand of friendship towards UK nationals as we have to EU nationals.

At the same time, keeping our fellow citizens safe should be a priority. My right hon. Friend the Home Secretary has written to Commission Vice-President Frans Timmermans to ensure effective arrangements are in place on the exchange of passenger name record data, disconnection from Schengen information system II and working arrangements with Europol, as well as the transfer of law enforcement data. We hope the EU will respond positively, in the interests of the shared security of us all. We have also unilaterally ensured that personal data can continue to flow freely and legally from the UK to the EU and the European economic area. A swift adequacy decision from the EU would reciprocate this arrangement, providing legal certainty to EU entities and companies.

With respect to Northern Ireland, to avoid a hard border we have committed not to introduce any checks at the border between Northern Ireland and Ireland. The limited number of checks that do need to take place, due to international obligations, will all be carried out well away from the border and will only affect a very small number of businesses. The Irish Government and the EU have not yet set out how they will manage the Irish border if we leave without a deal. We urge them now to match our commitment.

Let me, finally, turn to the opportunities from Brexit as laid out in this report. For the first time in 50 years, the UK will have an independent trade policy and we will be able to take our own seat at the World Trade Organisation. We will be able to introduce a points-based immigration system that prioritises the skills that we need as a country. We will have autonomy over the rules governing our world-leading services sector, and we will continue our leading role in setting global standards for financial services. We can be a beacon for the world in setting progressive policies on farming, fishing and the wider environment. Outside the jurisdiction of the European Court of Justice, we will set our own rules, putting in place smarter, more responsive regulation.

Of course, no deal will bring challenges. I have been open about that today, as I have been in the past. It is not my preferred outcome, nor the Government’s. We want a good deal. Whatever challenges no deal may create in the short term—and they are significant—they can and will be overcome. Far worse than the disruption of no deal would be the damage to democracy caused by dishonouring the referendum result—17.4 million people voted to leave, many turning up to vote for the first time in their lives. They voted to ensure that the laws by which we are governed are set by the politicians in this place whom they elect. They voted for a fairer migration system that attracts the brightest and the best. They voted to end vast financial contributions to the EU budget, and instead invest in the people’s priorities such as the NHS and our brave police service. That is what the British people voted for, and that is what this Government will deliver. I commend this statement to the House.

2.21 pm

Keir Starmer (Holborn and St Pancras) (Lab): The Prime Minister should be here. Talks with the EU are collapsing as we speak. The proposals that the Government introduced last week were never going to work, and instead of reacting to challenge by adapting them they are intent on collapsing the talks and engaging in a reckless blame game. It will be working people who pay the price. The Prime Minister should be here to account for his actions.

It is no good pretending that the proposals would work. That is simply not going to wash. You cannot take the UK and Northern Ireland out of the customs union and avoid customs checks. You cannot have customs checks without infrastructure in Northern Ireland. The Government know that, which is why they refuse to answer the very simple question—where will the checks take place? You cannot give a serious response to the EU’s concerns about protecting the integrity of the single market simply by saying, “We’ll put that question off until later.” You cannot be serious about upholding the Good Friday agreement while proposing what amounts to a veto for one party in Northern Ireland over the all-Ireland regulatory zone. Consent of all communities in Northern Ireland is at the heart of the Good Friday agreement, and the Government have ridden roughshod over that principle.

That is why the proposals were never going to work, but instead of responding to legitimate questions from the EU27 or in this House by actually answering them, the Government appear to be pulling the plug, descending into a reckless blame game, instead of putting the country first. Sources close to No. 10 say that a “deal is overwhelmingly unlikely”. Sources close to No. 10 say that it is “essentially impossible”. Sources close to No. 10 have begun blaming people—it is Parliament’s fault, it is the Opposition’s fault, it is the Benn Act, it is Germany, it is Ireland—absolutely defining the character of the Prime Minister, a man who never takes responsibility for his own actions.

The stark reality is that the Government introduced proposals that were designed to fail, and they still will not take responsibility for their own actions. Last night, there were even reports that the Government were threatening to withdraw security co-operation with the EU. That is an astonishing statement. If true, it is beneath contempt. Will the Minister take this opportunity to denounce those comments and confirm that that is not the Government’s position? Will he echo comments this morning by the Secretary of State for Northern Ireland, who said that “withdrawing security co-operation with Ireland is unacceptable” and was “not in the interests of Northern Ireland or the union”?

I know from last week’s statement that instead of answering serious questions the Minister prefers to revert to pre-prepared attacks and gags, but today is not the day for those tricks. Can he be straight with the House?
Is it the Government’s official position to end negotiations with the EU, and to seek to leave on 31 October without a deal? If not, will the Government either propose a different basis for negotiations with the EU, or make it clear that they will seek an immediate extension, as required under the Benn Act, on 19 October? The House and the country deserve a straight answer.

I appreciate that the Minister speaks as if he is giving a statement or a reassuring bedtime story about preparations for no deal, but I remind the House that he used the same tone last week at the Dispatch box when he said:

“The automotive sector...confirmed that it was ready. The retail sector has confirmed that it is ready”.

As he knows, while we were in the Chamber debating that, it drew a furious response. Within hours, the British Retail Consortium issued a rebuttal, stating:

“It is impossible to completely mitigate the significant disruption which would be caused by no deal.”

The Society of Motor Manufacturers and Traders did likewise within hours in response to what the Minister said:

“A no deal Brexit would have an immediate and devastating impact on the industry, undermining competitiveness and causing irreversible and severe damage.”

That was only hours after the Minister said that those sectors were ready. What the Minister tells the House in his reassuring tones and what businesses say are two different things, and he knows it. This is no longer a time for games.

The reality is that no deal would be a disaster for the economy and for businesses. That is underlined by today’s figures from Her Majesty’s Revenue and Customs, which estimates additional costs of £15 billion a year for businesses to comply with customs arrangements. The Institute for Fiscal Studies said today that no deal would result in borrowing rising to £100 billion, debt rising to 90% of national income, and growth flattening. That is why it was essential that the House passed the Benn Act, which was intended as an insurance policy. We did so because we feared that the Government were more focused on delivering no deal than on doing the hard work needed to find a deal. It is clearer now than ever that the Act will be needed.

Michael Gove: I am grateful to the shadow Brexit Secretary for his questions. First, he asked where the Prime Minister was. The Prime Minister is talking to our EU partners, attempting to secure a good deal, and he is doing so with the full-hearted support of everyone on the Government Benches. The question that many people will be asking outside the House is why, if the right hon. and learned Member for Holborn and St Pancras (Keir Starmer) says that he is anxious for a deal, he declined to support one on the three opportunities he had to do so. If he wants to be taken seriously as an advocate of compromise and a deal why, in cross-party talks in which we both took part, did he attempt to erect an obstacle at every turn to consensus across the House? That is the conclusion that people will draw.

There is another conclusion that people will draw. The no-deal report was made public three hours before the right hon. and learned Gentleman began asking questions. Having had time to absorb 156 pages, he did not have a single question about no-deal preparation; not a single point to make about how any sector could be better prepared; not a single suggestion, query or contribution about how we can ensure that British business is in a robust position. There was just a series of questions that we have come to expect from him about politics, rather than policy; about positioning, rather than practicalities.

The right hon. and learned Gentleman asked about customs checks in Northern Ireland. He knows—it has been made clear—that those customs checks can take place away from the border, at the manufacturer or other distribution sites. He also asked whether our proposals were serious about maintaining the integrity of the single market. They allow the EU to maintain the integrity of the single market, but is he serious about maintaining the integrity of the United Kingdom, because he and his party are more than willing to see a customs border erected in the Irish sea? We would be the only sovereign nation in the world with such a customs border, but he is more than prepared to dance to the EU’s tune, rather than standing up for the UK.

That is the spirit in which the Benn Act was passed. That Act signals to the EU that there are people in Parliament who do not want to conclude a deal, who do not want to leave by 31 October and who want to delay. Indeed, the right hon. and learned Gentleman is one of them. He has had every opportunity to engage meaningfully with Government, not just on the deal but on no-deal preparations.

When I last spoke to the House, on 25 September—the right hon. and learned Gentleman referred to my statement then—I invited any MP in this House to come to the Cabinet Office and the Department for Exiting the European Union to discuss a deal and our no-deal preparations. Only one Opposition MP, the hon. Member for Leicester West (Liz Kendall), accepted that invitation. Oh sorry—and the hon. Member for North Down (Lady Hermon). Two Opposition MPs. That is the measure of the seriousness with which the Labour party, the SNP and all the Opposition parties take our Brexit negotiations: an open offer, an invitation, to come and talk rejected hands down.

Is there any surprise? The right hon. and learned Gentleman in 2017 said of the referendum:

“We’ve had a decision and we respect that decision.”

He also said that the Labour party cannot spend all its time trying to “rub out yesterday” and not accept a result it is honour-bound to respect. As I mentioned earlier, after voting against the deal three times, he rejected the opportunity to come to a consensus between the Front Benches to get a deal through.

We in this Government have compromised. We in this Government are showing flexibility. We in this Government seek to leave without a deal, but faced with the delaying, disruptive and denying tactics of the Opposition we say, on behalf of the 17.4 million: enough, enough, enough—we need to leave.¹

John Redwood (Wokingham) (Con): When Mrs Merkel says that either the UK or Northern Ireland have to stay in the customs union, is she speaking for the EU following consultation with the other 25, or is she just making it up and assuming they will go along with her totally unrealistic and inflexible view?

¹[Official Report, 16 October 2019, Vol. 666, c. 3MC.]
Michael Gove: I do not know what the contents of the telephone call between the Prime Minister and the Bundeskanzlerin were earlier today, but we remain committed to working with the German Government and other EU Governments to find a deal. I am sure we can find a way through.

Tommy Sheppard (Edinburgh East) (SNP): It saddens me that in the middle of this political crisis what we have is a pathetic masquerade from this Government pretending that they are competently arranging our departure from the European Union, when in fact everyone knows that there is no agreement as to how that departure will take place and that without an agreement it is simply not possible to plan in a proper way how it would take place. The responsibility for that is entirely of the Government’s own making: a mixture of their bellicose intransigence in their negotiations with our European partners and their arrogant contempt in trying to establish a political majority in this Chamber, and using the Brexit vote for their own narrow political ends.

Now the Government are in a situation where the only thing they can possibly do is contemplate crashing out of the EU without a deal. I have to remind the Chancellor of the Duchy of Lancaster that that approach would be illegal, because we have passed a law to say that we will not leave the European Union with no deal. I therefore want to ask him: why is he preparing this document, which is called the “No-Deal Readiness Report”? Perhaps it should be called “Preparedness for Breaching the Law” since that is essentially the course on which he is now engaged. Why is he preparing this, rather than trying to come back to this House properly with proposals we can debate on the negotiations they are having with the European Union? To my eyes, and to those of many colleagues, it looks as if the Government are not in the least bit serious about getting a deal at all, but are in fact engaging in gesture politics, deliberately setting conditions they know cannot be met in order to come back here and try to blame everybody but themselves for the consequences.

I have two specific questions relating to the statement. The Opposition spokesman referred to the IFS report, a damning report that came out this morning. It tears away all credibility for there being an economic case for Brexit. The IFS is saying that the difference between asking for an extension and considering this issue further, or crashing out with a no deal in three weeks’ time, is 4% of GDP over the next three years. I invite the Minister to tell us whether this now means that, as we complete the first decade of Tory austerity, he and his Government are preparing for a second decade, because that is surely the consequence of the course they are on.

Finally, may I ask about the status of EU nationals? The Minister makes much of this, saying that everything is rosy in the garden. The truth is that most of the 1.5 million people he refers to as having some status have got what is called pre-settled status. It is not at all sure that they are going to get settled status. If he genuinely believes, and if it is the Government’s policy, that European nationals living in this country should not suffer any disbenefit to their rights as a result of Brexit, will he commit now to let each and every one of them have a permanent right to remain in this country?

Michael Gove: I am very grateful to the hon. Gentleman for his questions. On the first question about the IFS report, we respectfully disagree with some, not all, of its conclusions. An extension would only generate further uncertainty. Not only would that extension involve us continuing to pay money into the European Union, but the uncertainty would mean that the investment decisions that business wants to make would still be put on pause. Business leaders, including many of those who backed remain such as the founder of Carphone Warehouse, now argue that we need to leave, deal or no deal, in order to have the certainty on which to plan for the future. That is what business wants overwhelmingly: to leave with a deal, but at least to ensure that we have certainty.

The hon. Gentleman asked about EU nationals, and he makes a very fair point. The majority of those who have been granted status have been granted settled status. Pre-settled status is for those people who have not been in the country, or cannot demonstrate that they have been in the country, for five years. Once they have been here for five years, however, they move automatically and smoothly to settled status. The number of people who have applied for status is increasing every day. It is also the case that our offer is significantly more generous than that for all save a tiny number of EU member states.

Those were the serious questions that the hon. Gentleman asked. I know that he used to be the proprietor of a comedy club in Scotland. I felt he was trying his hand at some Dadaist and surrealistic comedy when he accused my party of trying to establish a majority for political purposes in the House of Commons. That is Scottish National party policy: trying to establish a bogus, broken-backed majority with Jeremy Corbyn as Prime Minister for blantly political purposes. As for using Brexit for our own ends, it is the Scottish National party that has been attempting to weaponise this argument to push its separatist and sectarian agenda. As for gesture politics, that is the hallmark and stock-in-trade of the SNP. I am afraid the hon. Gentleman was guilty of a psychological phenomenon known as projection, which is accusing your opponents of the sins of which you yourself are guilty.

Mrs Maria Miller (Basingstoke) (Con): I thank my right hon. Friend for his statement. I am sure that the 3 million EU citizens who live in our country will very much welcome that their rights to health, education and welfare are being fully protected in the event of no deal. Does he have any hope of being able to secure similar rights for British nationals who are living, working and studying in EU countries, particularly those who may need to secure healthcare benefits?

Michael Gove: My right hon. Friend makes a very, very good point. The picture across member states varies. Some member states, Spain in particular, have done an enormous amount. Of course, Spain is the country that has the highest number of UK nationals living abroad. I also have to commend the Government of Denmark for the approach they have taken. We are working with EU member states to ensure that there is access to reciprocal healthcare. We are also ensuring that UK citizens abroad continue to have access to pension uprating and the welfare benefits to which they are entitled. I hope that more EU member states will improve the offer to UK nationals.
Hilary Benn (Leeds Central) (Lab): Notwithstanding the Chancellor of the Duchy of Lancaster's beguiling manner at the Dispatch Box, his statement today bears only a passing relationship to reality. No. 10 is briefing that the talks are going nowhere. He knows that if that remains the case, the Prime Minister will be under a legal obligation to write to apply for an extension which, if granted by the European Union, will mean that we will not be leaving the European Union without a deal on 31 October. The right hon. Gentleman wrote in March this year:

"We didn't vote to leave without a deal."

Why is he now advocating on behalf of a Government policy that he himself has admitted there is no mandate for?

Michael Gove: I am grateful, as ever, for the thoughtful tone in which the right hon. Gentleman asks his questions. I am also grateful for the opportunity, which I hope I will have, to appear in front of his Committee to discuss in detail some of the provisions within the document. We take a different view on the Act that bears his name. I think it weakens the UK Government's position. He in all conscience believes that it strengthens the UK's position, but we disagree on that. It is of course possible, for a host of reasons, that we might leave on 31 October without a deal, and it is prudent that this Government—and indeed the Scottish Government and the Welsh Assembly Government, led by Labour—are preparing for that, because that eventuality is a realisable and potential outcome. In the meantime, I am anxious to secure a deal. I argued that we should leave the European Union without a deal, but if it is impossible to leave the European Union without a deal, then, much though I regret it, we have to leave.1

Several hon. Members rose—

Mr Speaker: Looking at me imploringly, and now to be heard, is the longest-serving member of the Speaker's Panel of Chairs: Sir Roger Gale.

Sir Roger Gale (North Thanet) (Con): You will recall, Mr Speaker, that some weeks ago you afforded me the opportunity to ask the Prime Minister what provision would be made for pension uprating, healthcare and benefits for expat UK citizens. My letter seeking a clarification of the broad-brush answer awaits a response, but I have had the opportunity to read the no-deal readiness report, and not one word in it offers long-term comfort to the thousands of now increasingly frightened and elderly UK citizens living within the rest of the EU. This is not a matter of reciprocal arrangements; it is within the clear gift of the United Kingdom Government to look after our own people. Will my right hon. Friend agree that that will be made for pension uprating, healthcare and benefits for expat UK citizens, living in Member States, in the event of leaving without a deal, the UK has now committed to uprate state pensions paid in the EU for a further three years"—beyond the original guarantee—until the end of March 2023.1

We have a commitment, of course, to keep this policy under review.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): It is reported that a Downing Street adviser has threatened that the UK will withdraw security co-operation if Europe does not do what the Prime Minister wants. Does the right hon. Gentleman agree that given the common threats that we face—extremism, terrorism, trafficking and organised crime—this is extremely irresponsible and dangerous, and that there is no planet on which this is in our national interest? Whatever the Brexit plans, we need countries to work together, so will he condemn those threats from this Downing Street adviser? Will he agree that any adviser who makes such threats in public or private is not fit to hold any post in No. 10 Downing Street? Will he and the Prime Minister take some responsibility for removing anyone who pursues that course and argument from No. 10 Downing Street, because, frankly, when national security is at stake, we desperately need some advisers, some Ministers and a Prime Minister who are capable of behaving like grown-ups?

Michael Gove: The right hon. Lady is right that it is vitally important that we maintain security co-operation with our European allies. It is the case that we co-operate with not just the other EU27 nations but nations outside the EU on the exchange of information by security and intelligence agencies to keep us safe. That will continue outside the EU. We will continue to co-operate with the Garda Síochána and other police forces to ensure that our citizens are kept safe and the citizenry in our neighbouring countries is kept safe. One thing that I respectfully say to the right hon. Lady—I know that she is the longest-serving member of the Speaker's Panel of Chairs—is that the Home Secretary has written to Frans Timmermans, who is the member of the EU Commission responsible for these issues, saying that we wish to continue co-operating in a number of areas, and the EU has said that it does not wish to continue co-operation. I absolutely respect the right hon. Lady's commitment to our co-operation with the EU. It is the case that we want to co-operate with the EU more than it currently wants to co-operate with us.

Damian Green (Ashford) (Con): I thank my right hon. Friend for reaffirming the Government's preference for leaving with a deal—that, today, is an important commitment to many of us on the Government side of the House—but I draw his attention to page 17 of his report, where he says:

"On both the M20 and at Manston, the Government will deploy resources to establish whether drivers have the necessary border documentation prior to proceeding to their point of departure at the Port of Dover or Eurotunnel."

May I plead—even at this possibly late stage—that some of the checking, which is essential, can be done before the lorries enter the last few miles of their journeys to the port of Dover or Eurotunnel? If we spread these checks around the country, they need not cause any pain to the local traffic system.

Michael Gove: My right hon. Friend is absolutely right. The Secretary of State for Transport has ensured that across the United Kingdom, at service stations and other points on our motorway system where hauliers are likely to pause or pass, we are in a position to provide them not just with the information that they need to know whether they are compliant with EU rules, but with the opportunity—if they need to—to
correct the paperwork that they have, or if they are not compliant, to turn back, because we want to do everything possible to ensure that non-compliant vehicles get nowhere near Kent for reasons of maintaining the flow at the border and safeguarding the interests of my right hon. Friend’s citizens and other Kent residents.

Mr Ben Bradshaw (Exeter) (Lab): The business and local authority organisation representing Devon and Cornwall—the Heart of the South West local enterprise partnership—wrote to the right hon. Gentleman last week telling him that with the wholly inadequate mitigation measures that are already in place, a no-deal Brexit would be as bad for our region as foot and mouth, except that it will go on for a lot longer, will it not? Is the organisation wrong?

Michael Gove: Yes, I think it is, but it is also important that if we put to one side the rhetoric that organisations often use to try to secure attention and look in a granular way—[Interruption.]

Mr Speaker: Order.

Michael Gove: Thank you, Mr Speaker. If we put aside the rhetoric for one moment, there are granular issues that local resilience forums and local enterprise partnerships address. I would be very grateful to address those and, indeed, to meet the right hon. Gentleman if there are specific questions that he wants to put and specific easements that he wants to see put in place.

Mr Andrew Mitchell (Sutton Coldfield) (Con): I thank my right hon. Friend for his courteous and helpful statement, but I ask the Chancellor of the Duchy of Lancaster and, indeed, former Government Chief Whip: is he proud of the tone and character of quasi-official briefings and language coming out of No. 10? Does he think it is helpful?

Michael Gove: My right hon. Friend makes a characteristically original, helpful and constructive idea. As well as the individual country guides, we should also publish a guide that allows for the comparisons of the kind he mentions.

Helen Goodman (Bishop Auckland) (Lab): Page 104 of the document says that the agricultural support will be continued at the current level until the end of this Parliament. Given that the Chancellor of the Duchy of Lancaster wants an election before Christmas, this is possibly the emptiest promise in the whole document. It is no wonder that the National Farmers Union described the Government’s plans as “catastrophic”. He knows that hill farmers will face 48% tariffs on lamb exports. He has a salary of £140,000 a year. They earn £14,000. How can he stand there and behave as if this is not a serious, critical, existential problem?

Michael Gove: I am grateful to the hon. Lady for the pithy replies.

Anna Soubry (Broxtowe) (IGC): This is Brexit reality: £8 billion of taxpayers’ money—the equivalent of 400 brand spanking new state-of-the-art schools—being spent on something that people did not vote for and were not promised. We have just heard about the cost to business—£15 billion—and that is before we have sorted out the tariffs. The leave campaign, of which the right hon. Gentleman was a proud leader, promised that we would not leave the European Union until we had secured a good deal. We were told that it was going to be so easy that it would take somewhere in the matter of a few days. Three and a half years on, the reason why we have not left the EU is that the simple truth is that whichever way we do it, it will harm our economy and cut jobs and the future prosperity of our constituents. He talks about the 17 million people who swallowed many of the falsehoods and fake promises that were made by him and others, forgetting the 29 million who did not vote for us to leave the EU. Is not the only way out of this crisis now to put this matter back to the British people by way of a confirmatory referendum—at last, a people’s vote?

Michael Gove: No.

Greg Hands (Chelsea and Fulham) (Con): I welcome the publication of the 31 country guides for UK nationals in other EU and EEA countries. I will ask my right hon. Friend a question that I asked our hon. Friend the Member for Worcester (Mr Walker) when he was working on no-deal preparations: is it possible to publish the preparations done by those countries all in the same place so that we can compare countries such as Spain and Denmark, which are doing the right thing for our nationals, with those that perhaps are not?

Michael Gove: My right hon. Friend makes a characteristically original, helpful and constructive idea. As well as the individual country guides, we should also publish a guide that allows for the comparisons of the kind he mentions.

Several hon. Members rose—

Mr Speaker: In order to accommodate as many hon. and right hon. Members as possible, I am now looking for short questions without preamble and comparably pithy replies.

Sir Geoffrey Clifton-Brown (The Cotswolds) (Con): We have been extremely generous to 3 million EU citizens residing in this country at the point of no deal. Surely our EU partners could be equally generous in providing assurances for 1 million-odd of our citizens living in Europe. They have been threatened with having to reapply for residence next year, and they do not know where they stand.
Michael Gove: My hon. Friend is right. As I mentioned earlier, some member states have been more generous than others. We respect the political constraints under which some Governments operate, but we want to work with them to guarantee the position of UK nationals.

Stephen Timms (East Ham) (Lab): Ministers recognise that the key to the level of chaos at Dover after a no-deal Brexit is the number of non-compliant trucks arriving without customs documents. In June, HMRC estimated that number to be at least 20%, or 2,000 a day. What is HMRC’s current estimate?

Michael Gove: We are currently revising those estimates, and we hope to publish that revision. One of the key things is that the HMRC calculation of which companies will be ready depends on translating data it has on the amount of goods exported by value into data on the amount exported by volume, and as I am sure the right hon. Gentleman will be aware, that is not an easy calculation to robustly underpin.

Chris Grayling (Epsom and Ewell) (Con): I congratulate my right hon. Friend on this work. There is no incompatibility between being well prepared for no deal and working hard for a deal. Does he share my surprise and disappointment that the Irish Government appear to be preparing to carry out customs checks away from the border in a no-deal scenario but appear less willing to talk about customs checks away from the border in a deal scenario?

Michael Gove: I thank my right hon. Friend for the enormous amount of work he did when he was Secretary of State for Transport to prepare us for leaving without a deal and the opportunities of life after Brexit. He worked incredibly hard with tremendous focus, passion and energy, and we in this country are all better off for his service in government. I want to put that on the record and underline my thanks to him. He is absolutely right as well that, while of course we respect the sovereignty of the EU and the Irish Government’s position, it is in the Irish Government’s interests to avoid there being infrastructure near the border by collaborating and co-operating with us to secure a deal.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): This so-called no-deal readiness report is no such thing. It does not reflect the readiness of businesses in Newcastle for the devastating impact of a no-deal Brexit, it does not talk about currency fluctuations or how many businesses have got their documentation for imports and exports, and most importantly it does not talk about how many jobs will be lost. How many jobs will be lost in Newcastle?

Michael Gove: Businesses in Newcastle and the north-east, and more broadly, are at various different states of readiness. Some companies that are fully ready see opportunities to grow from the moment we leave. I hope we can work together on making sure that all businesses recognise what they need to do. That is why HMRC and others are, for example, automatically authorising EORI—economic operator registration and identification—numbers and making it easier for people to take advantage of transitional simplified procedures.

Stephen Crabb (Preseli Pembrokeshire) (Con): Does my right hon. Friend recognise that there will be dismay today among the UK oil refining sector at the Government’s announcement of their no-deal tariff plans, which remove the level playing field for its trade with the EU? How do the Government plan to support these important strategic assets for the country?

Michael Gove: My right hon. Friend makes a very good point. It was important in looking at our tariffs that we did everything possible to ensure that prices remained low for consumers and industry, but there are bespoke arrangements we can put in place to support our refineries, which do such an important job.

Lady Hermon (North Down) (Ind): The Prime Minister and his Government will never be forgotten or forgiven for undermining the Belfast/Good Friday agreement, which has guaranteed peace and stability for all of us in the 21 years since it was signed. That agreement was endorsed in two referendums—one in Northern Ireland, one in the Republic of Ireland. Thousands upon thousands of people voted for the agreement in those two referendums. When will the Prime Minister feel honour-bound to respect those referendums?

Michael Gove: My hon. Friend knows that I have enormous respect for her, not just as a parliamentarian but because of her distinguished career in public service in Northern Ireland. I do not believe that it is the Prime Minister’s intention for a moment to undermine the Belfast agreement. The hon. Lady and I have talked in and outside the Chamber about the importance of supporting all those who believe in maintaining the gains of peace over the last 21 years. I do not believe it is the Prime Minister’s intention to undermine it at all. Far from it: we believe that our proposal is consistent with the Belfast agreement, but I understand that there will be people of good conscience who disagree.

Mr Mark Harper (Forest of Dean) (Con): I draw the Chancellor of the Duchy of Lancaster back to the opening part of his statement, where he talked about the prospects of a deal. If the reports this morning are accurate about the call between the Prime Minister and the Chancellor of Germany, they are very worrying. It cannot be the case that we can only leave the EU by leaving part of our country behind. That will not just mean that we will not get a deal by 31 October; it will mean we will not be able to get a deal at all. If that is the position, can I urge him and his Cabinet colleagues to hold fast to our position and urge our European partners to look at the Prime Minister’s constructive proposals and negotiate them over the next couple of weeks so that we can get a deal? I am sure that all those on the Opposition Benches worried about a no deal would be in the Division Lobby supporting it.

Michael Gove: My right hon. Friend makes a very important point. In our proposal we have said that the people of Northern Ireland will be subject to the European acquis as it applies to manufacturing goods and agri-foods. That causes some discomfort for some in Northern Ireland, but we cannot accept the idea of a customs border inside our own country. No country on earth would allow a customs border to be erected between its own people. If it is the case—I have not heard that it is
that any politician says that Northern Ireland must stay in the customs union come what may, they are saying either that we should generate dynamic forces that separate our country or that the UK can only leave the EU on terms that the EU dictates. That cannot be acceptable.

Several hon. Members rose—

Mr Speaker: Single-sentence questions please.

Angela Smith (Penistone and Stocksbridge) (LD): The document makes it clear that environmental standards will be not only maintained but enhanced. Yesterday, a leaked DEFRA paper, written by civil servants, said that the Department for International Trade would push DEFRA to lower UK standards governing animal welfare and pesticide residues. Does that not indicate that the document is not worth the paper it is written on?

Michael Gove: We are taking steps to improve animal welfare standards when we leave the EU, not least by taking steps to end the live export of animals to Europe. We are also introducing legislation on everything from puppy farming to banning the use of primates as pets, which means that the UK, as a nation of animal lovers, will lead the world in animal welfare.

Steve Double (St Austell and Newquay) (Con): Does my right hon. Friend agree that the Benn Act, which was rushed through the House last month, actually makes a deal harder for the Government, and that if we are forced to delay, not only will it extend the uncertainty for our businesses, which want this matter resolved, but it will simply mean we are having this same discussion three weeks before the new deadline?

Michael Gove: My hon. Friend is absolutely right. I know that there were good people who voted for the right hon. Gentleman’s Act thinking that it would help the country, and I do not cast any aspersions on their motivation, but let us look at the consequences. The consequences are that it is more difficult to secure a deal, and as a result I hope that all those who voted for the Act—and I respect their motivation—reflect on the position in which we now find ourselves.

Nic Dakin (Scunthorpe) (Lab): As 31 October approaches, may I ask when the Government will deliver on their promise to put in place a UK version of the current EU steel safeguards?

Michael Gove: Shortly.

Steve Brine (Winchester) (Ind): Page 49 of the document states: “The Government has permitted EU airlines to continue to fly to and from the UK until 24 October 2020”. How does the Minister envisage the situation after that, given the point that he has rightly made about business certainty, and what is the position regarding new routes that may be opened up during that time?

Michael Gove: I am confident that we will make progress on aviation, but I understand its importance to my hon. Friend and his constituents.

Clive Efford (Eltham) (Lab): Figures from the Institute for Fiscal Studies show that after 10 years of austerity we are back to square one, with no discernible global financial crisis to explain the Government’s incompetent handling of the finances. Would any other Government whose finances were in that state consider a no-deal Brexit?

Michael Gove: Business takes a variety of views on Brexit, and indeed on a no-deal Brexit, but I have yet to meet a single business man, woman or organisation that thinks that a no-deal Brexit would be worse than a Jeremy Corbyn Government.

Rachel Maclean (Redditch) (Con): According to the feedback from local businesses at a business event that I held in my constituency, the delay created by Opposition Members who are refusing to back the deal that the Government are negotiating is more damaging than the current state of affairs. Does my right hon. Friend agree with that?

Michael Gove: Absolutely. We could have been out of the European Union with a deal if Opposition Members had backed the Prime Minister, Theresa May, in her efforts.

Mr Speaker: Order. All these references to named individuals are quite improper. The right hon. Gentleman no doubt luxuriated in the lather of the Oxford Union, in which he excelled, and he excels in this House other than in that respect. He should wash his mouth out, and should refer to Ministers not by name but by title, which he is well able to do.

Caroline Lucas (Brighton, Pavilion) (Green): The Minister is not being straight with us. He has the gall to claim that UK environmental standards post Brexit will be a beacon to the world, but in reality he is planning to cut those standards. The document claims that the carbon price will apply “at a similar level” to that under the current EU emissions trading system, but page 64 makes it clear that the new carbon emissions price will be about half the EU price. If the Government are going to cut incentives to tackle the climate crisis, will they at least be honest about it?

Michael Gove: This Government were one of the first to commit themselves to net zero by 2050, and we are taking all the appropriate steps to ensure that we shift towards renewables and reduce emissions.

Alistair Burt (North East Bedfordshire) (Ind): Would it not be better for my farming constituents today if the Government would listen to the concerns of Minette Batters of the National Farmers Union about the tariff regime resulting from no deal, rather than allowing their advisers to blame the EU, blame everyone else, and create new barriers to prevent a deal that the tone of last week was so determined to secure?

Michael Gove: My right hon. Friend is absolutely right: Minette Batters is a powerful and effective advocate for farmers in the UK, and she too is right. I know from my previous job, and from my role as a constituency MP, that the sector of our economy that faces some of the biggest challenges in the event of no deal is agriculture,
and within that there are particular sectors that face particularly stringent challenges. I think it important that the tariff regime that we published today provides protection for some particularly vulnerable sectors, but more needs to be done. As for my right hon. Friend’s broader point about tone, I believe that positivity and optimism are critical to ensuring that, whatever noises off there may be, we keep our eyes on the prize, which is a deal with the European Union.

Mr Chris Leslie (Nottingham East) (IGC): May I urge the Minister just to pause and reflect on the deliberate dog-whistle briefing issued this morning by No. 10 against Angela Merkel, the German Chancellor, in respect of the phone call reported to have taken place between her and the Prime Minister? It has sparked a series of frankly racist attacks against the Germans, from Leave.eu and others. This is an extremely dangerous course for the Government to embark on, and I want to hear—right now—the Minister condemn and distance himself from it.

Michael Gove: I am grateful to the hon. Gentleman for raising the matter. First, let me say that I was not in on that telephone call. Secondly, let me affirm that the Bundeskanzlerin and the Government of the Federal Republic are good friends of this country. I had the opportunity to speak at the German day of national unity event at the German embassy last week, when I affirmed our commitment to friendship and the respect that we have for the German people for their achievements since 1945 as a democracy that we can all admire. Let me take this opportunity, at the Dispatch Box, to dissociate myself entirely from any sort of racist or demeaning language towards Germany. The Germans are our friends and our allies, and Germany is a great country.

Mr Speaker: I must say to the Chancellor of the Duchy of Lancaster that my sense is that that statement will be very warmly welcomed across the House, but also by a great many people outside this place, whatever their view about Brexit. It is important that decorous language is used, and the right hon. Gentleman has just been an exponent of it.

Stephen Hammond (Wimbledon) (Ind): I agree with my right hon. Friend. As someone who voted for a deal three times, I am pleased to hear that that is still the Government’s policy.

Many people will already have plans for travel beyond 31 October. Notwithstanding point 4 on page 41 of the document, and the answers that he gave my right hon. Friends the Chancellor of the Exchequer and the Business Secretary have Operation Kingfisher, which is a means of making sure that we can support any company that is fundamentally viable but experiences turbulence for a short period.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Over the years, I have become something of a Gove-watcher. Is it not a fact that, in his heart of hearts, the right hon. Gentleman really now knows that this country is being led to disaster by a man whom he neither likes nor trusts?

Michael Gove: No, I do not take that view. The hon. Gentleman is an old friend, and I therefore take his comments in good part, but no: I admire the Prime Minister, and I know that what he is trying to do is what the Government are trying to do, which is to honour the votes of his constituents so that we can leave the EU.

Maria Caulfield (Lewes) (Con): Three million tonnes of the Republic of Ireland’s goods travel to and from the EU via the UK land bridge, and without a deal they will be liable for customs checks, tariffs and quotas. Does the Minister agree that, more than those of any other country, the best interests of the Republic will be served if the UK leaves the EU with a deal?

Michael Gove: My hon. Friend and I both want to make sure that the Republic of Ireland is in the strongest possible position after we leave the European Union,
and the best thing for the UK, for the Republic of Ireland and for the many interests that we share across these islands is to secure a deal.

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): The Prime Minister is trying to shift the UK away from EU rules on the environment, safety standards and workers’ rights in order to secure a trade deal with Donald Trump. Has the Prime Minister had any discussions with the Trades Union Congress or with any trade union, and have you had any yourself, Minister?

Michael Gove: Both the hon. Gentleman and I have been trade union members. We have both been involved in industrial action and we both know how important it is to uphold workers’ rights. I have had the opportunity to meet not just the TUC but other trade unions. My own view is that workers’ protection matters and that we have higher standards of workers’ protection than the EU mandates, and that will continue.

Richard Graham (Gloucester) (Con): Although this document shows the considerable work being done on the Chancellor of the Duchy of Lancaster’s watch, it none the less reinforces his stated view that there is no good day for a no-deal Brexit. If the Labour party agrees with him and me on that, is it not time, given that Opposition Members were all elected on a manifesto to respect the referendum, for them to say that they will avoid no deal by supporting the deal, and would that not in turn help the negotiations?

Michael Gove: I think it would, and, to be fair, the attitude of EU member states and others towards the proposition that we have put forward would, I hope, be warmer and more flexible if they knew that it had support across the House. The hon. Members for Stoke-on-Trent Central (Gareth Snell) and for Stoke-on-Trent North (Ruth Smeeth) issued a cautious welcome to the deal, as did the hon. Member for Aberavon (Stephen Kinnock). If that were the view of those on the Opposition Front Bench, it would be better for the whole country.

Matt Western (Warwick and Leamington) (Lab): May I pick up the point about this being a comprehensive summary? There are two sentences referencing border inspection posts, which will seriously impact our food and fish exports. There will be only nine, as I think the Secretary of State understands. That will lead not to hundreds of certain certificates being issued, but to tens or hundreds of thousands. Does he agree that we do not have the capacity in our local authorities or the vets to service that?

Michael Gove: The hon. Gentleman makes an important point. The key thing is that we will be taking a continuity approach towards the flow of goods into this country. We will not be administering checks for the EU when EU businesses export to us. The EU will, of course, impose checks under its acquis, although the French authorities, for example, have ensured that the border inspection posts for shellfish will be in Boulogne-sur-Mer. That means that fish caught in Scotland on Tuesday can be on sale in France on Wednesday without any impairment.

Mr Speaker: Single-sentence questions.
deal on exit day. British citizens in the middle of treatment will receive treatment only for a further 12 months. Why can we not just provide healthcare costs for people suffering from terminal cancer or motor neurone disease, who, through no fault of their own, find themselves in this position?

Michael Gove: My hon. Friend makes a good point. I will take it up with the Health Secretary to ensure that the support that we already give can be extended in precisely the cases that he mentions.

Mr Speaker: A sentence, Mr Wilson?

Sammy Wilson (East Antrim) (DUP): The intransigence of the Irish Government and the EU has resulted in the comprehensive proposals put forward by the Prime Minister and the compromises that were required being rejected. In the light of that, will the Minister think again about his policy of not imposing duties on goods coming from the Irish Republic, in order to protect producers in Northern Ireland and put some pressure on the Irish Government to be realistic?

Mr Speaker: One, Mr Wilson?

Michael Gove: I entirely appreciate the force of the case that the right hon. Gentleman makes, but it is our judgment that we should not impose additional checks or tariffs on goods coming from Ireland into Northern Ireland.

Mr Speaker: The word “tangential” springs to mind.

Michael Gove: I congratulate my right hon. Friend on his documents and on his crisp and effective chairmanship of the daily XO—EU exit operations—committees. I notice that he talks about the environmental safeguards in great detail. Does he think, therefore, that the current desecration of Cumbington Wood by HS2, despite the moratorium, might be better controlled after Brexit?

Mr Speaker: The word “tangential” springs to mind.

Michael Gove: As one former Member of this House said to a foreign potentate, I admire my hon. Friend’s courage, his strength and his indefatigability in being able to insert HS2 into every question, and he knows my views on that matter.

Martin Whitfield (East Lothian) (Lab): We spoke in questions recently about pallets. I raise the issue again today because on page 113 of the recently published report the Government say that there must be compliance with ISPM 15—international standards for phytosanitary measure No. 15—to export into Europe, but on page 115 they suggest that compliance only “may” be needed. To help those trying to export on pallets that will be accepted, which is it?

Michael Gove: It would be prudent to ensure that pallets are compliant, but we also point out that individual firms should contact the supplier or the Timber Packaging and Pallet Confederation—TIMCON—if they need more advice.

Kirstene Hair (Angus) (Con): Without access to tens of thousands of seasonal workers, our soft fruit industry in Angus and across the UK will suffer. Will my right hon. Friend confirm that he recognises the importance of having a mechanism in place to ensure a smooth route for businesses to continue to function by having access to labour in a no-deal situation?

Michael Gove: Absolutely, and it is important that we look at the operation of the seasonal agricultural workers scheme and, if necessary, expand the numbers available to people in the soft fruit industry, for which my hon. Friend is such a powerful advocate.

Several hon. Members rose—

Mr Speaker: Order. I remind the House that only last week the hon. Member for Canterbury (Rosie Duffield) made a speech that brought hope and will have changed, and will change, lives. Colleagues, if you did not hear it, you missed something.

Rosie Duffield (Canterbury) (Lab): Thank you, Mr Speaker. In the light of recent fake news from the Prime Minister about a shiny new hospital in Canterbury, which currently has no A&E or urgent treatment centres, can the Minister please guarantee that, with the possible chaos resulting from Operation Brock, my constituents will still be able to get to the William Harvey Hospital in Ashford for the urgent care that they desperately need?

Michael Gove: I thank the hon. Lady for her question and underline your comments, Mr Speaker, about her amazing speech last week. We have been looking to ensure that we can accelerate the roadworks on junction 10A in order to ensure that access to the William Harvey for the hon. Lady’s constituents and others can be uninterrupted. I hope to be able to brief her and other Kent MPs on some of the other steps that we are taking in the next week.

Mr Peter Bone (Wellingborough) (Con): By what date this month does the Secretary of State think it will be necessary to reach an agreement with the EU or notify the country, and in particular business, that there will be a no-deal?

Michael Gove: I hope we can make sufficient progress this week in order to be able to say at the EU Council that we have secured a deal. If we have not secured a deal, we will have to negotiate the legal framework that the House of Commons has put in place.

Alan Brown (Kilmarnock and Loudoun) (SNP): Does the fuel supply contingency programme mentioned on page 61 make special allowance for the predicted closure of two refineries, which was outlined in the Yellowhammer document? If not, why not? When will the Government tell us which two refineries they think are at risk?

Michael Gove: There are six major refineries across the United Kingdom. There have been representations from the energy sector about our tariff regime. We stand ready—in particular, the Business Secretary stands ready—to support all our refineries and the vital work they do.
Eddie Hughes (Walsall North) (Con): As the good people of Walsall North voted overwhelmingly to leave the EU, what role does my right hon. Friend think Walsall Council can play in ensuring that they are as prepared as they can be for Brexit on 31 October?

Michael Gove: They should pay attention and do everything they are asked to by the outstanding Member of Parliament for Walsall North.

Mr Speaker: There will come a time when the right hon. Gentleman will want the hon. Gentleman’s vote. I do not know when that will be, but the time will come.

Michael Gove: In the race for Speaker.

Mr Speaker: Ah, the right hon. Gentleman has a new ambition. It is percolating in my head.

Peter Grant (Glenrothes) (SNP): First, may I indicate that, with your permission, Mr Speaker, I intend to raise a point of order at the end of this item of business about comments made by the Chancellor of the Duchy of Lancaster earlier that were deeply offensive to me and many others? However, given the damage that has been done to relationships between the United Kingdom and Germany by the deliberate, malicious and almost certainly inaccurate leaking of a private phone call between the two Heads of Government, will he, the next time he speaks to his very good friend the Minister for the Cabinet Office, ask how quickly we can be given a statement by the Cabinet Office that confirms that the culprit—there are only two possible suspects—has been identified and removed from No. 10 before they can do any more damage?

Michael Gove: That is not a matter for me.

Marsha De Cordova (Battersea) (Lab): On a point of order, Mr Deputy Speaker. It has come to light that the Department for Work and Pensions is issuing ill and disabled people with positive health guidance statements, asking them to describe their disability or health condition. In these statements, disabled people are being asked “to avoid words that sound worse than they are” to describe their disability. This includes avoiding words such as “chronic”, “degenerative” or even “depression”. In essence, the DWP is encouraging disabled people to downplay their disability or health condition. Can you advise me on how the Secretary of State can come to the House and make a statement on this issue at the earliest convenience? It cannot be right that the Department expects disabled people to downplay their disability or health condition.

Mr Deputy Speaker (Sir Lindsay Hoyle): I thank the hon. Lady for giving me notice of the point of order. As she well knows, it is not the responsibility of the Chair, but what we can guarantee is that Government Members have absolutely heard what you have to say. The hon. Lady will be coming back next Monday, and I am sure that she will ensure this House is aware of the issue and that she will pursue it in the rightful way.

Dr Rupa Huq (Ealing Central and Acton) (Lab): On a point of order, Mr Deputy Speaker. I wonder whether you had had any indication before we are prorogued again imminently of whether the Home Secretary intends to come to the Dispatch Box to make a statement on the revelations that came out overnight via a freedom of information request that the review her Department ordered into buffer zones around abortion clinics to stop the harassment of women contained disturbing flaws. The review was ordered in 2017, and it reported last year, but ITV, LBC and The Independent newspaper are reporting that evidence was suppressed and that civil servants were instructed that the main aim of the game was to be seen to be doing something. In the light of the letter that the Home Secretary has received today from 30 different groups, from Mumsnet to the British Medical Association, the Royal College of Obstetricians and Gynaecologists and the Royal College of Nursing, and in the light of the moving statement made by my hon. Friend the Member for Walthamstow (Stella Creasy) on the same subject last week, as well as the daily distress women are still suffering up and down the country, can we please get the Home Secretary to right this wrong and have a fresh inquiry to clear up the mess made by her two predecessors?

Mr Deputy Speaker: I thank the hon. Lady for giving me notice of her question. The matter she raises is not a matter for me in the Chair today, but I know that the responsible Ministers in the Home Office have absolutely heard what you have to say. I am sure the Home Office will be taking that on board. Once again, I know that you, through your good offices, and colleagues of your good self will ensure that, when we return on Monday, this matter will be raised again.
Peter Grant (Glenrothes) (SNP): On a point of order, Mr Deputy Speaker. I apologise that I could not give advance notice of my point of order, because I had to remain in my seat hoping to catch Mr Speaker’s eye. In his answer to my hon. Friend the Member for Edinburgh East (Tommy Sheppard), who was on the SNP Front Bench earlier, the Chancellor of the Duchy of Lancaster clearly accused the Scottish National party of being a sectarian organisation. That is the second time he has done that from the Dispatch Box. I appreciate that it is not a question of order whether remarks are offensive, although I hope that, on reflection, the Minister will understand that those comments are not only deeply offensive, but a highly irresponsible accusation to throw at any organisation that works so tirelessly to rid Scotland of the cancer that is sectarian bigotry—a cancer that was very prominent in the community in which I and a number of my colleagues grew up. Can you advise me whether it is still the case that a Minister who says something untrue from the Dispatch Box must be given a reasonable chance to correct the record and that, if they refuse to do so, it is not possible for them to remain as a Minister in the Government?

Mr Deputy Speaker: In fairness, it is up to the Minister whether they wish to. I do not know whether the Chancellor of the Duchy of Lancaster would want to speak or not—that is his choice. If he does, of course I will give way. What I would say is that you would not expect me to comment on that. I was not chairing the debate, and, in fairness to Mr Speaker, if it was disorderly, he will have said so. That is the one thing I want to be clear on. In fairness to Mr Speaker, he will have done the right thing at that moment.

Mr Chris Leslie (Nottingham East) (IGC): On a point of order, Mr Deputy Speaker. Parliament is expected to prorogue today, but, unusually, the Privy Council website still does not list an Order in Council as having been approved for Prorogation. The matter is listed on the Order Paper and in the House of Lords on the Order Paper, yet, for some reason, an Order in Council does not appear to have been passed so far according to the Privy Council website. Normally, Orders in Council for Prorogation are passed several days before it actually occurs. It is 3.26 pm. I wonder what is going on.

Mr Deputy Speaker: That is not a matter for the Chair. I am not for me to speculate on the Privy Council. I am sure that you will not take your eye off your mobile phone, to ensure that that first-line knowledge will be through to your good self once you see it there. But it is not a matter for the Chair, as much as it is frustrating. As a member of the Privy Council, I have to say that I have no further information to add.

Rachel Reeves (Leeds West) (Lab): On a point of order, Mr Deputy Speaker. Lots of people will be watching Parliament on television today, but, of course, that was not possible 30 years ago. Twenty-seven years ago, Baroness Betty Boothroyd became the first female Speaker of the House of Commons. Today is her 90th birthday. I wondered what pieces of advice you could give on how we could all go about wishing her a happy birthday.

Mr Deputy Speaker: One of them is not to sing in the Chamber. I would say that I have the greatest respect for Baroness Boothroyd. She is one of my idols. She is somebody who I look up to and who set an agenda in this House that we can all respect—the first woman Speaker. It is a privilege to have known her; it is a privilege to have been in this House when she was in this Chair. Everybody who ever worked with her held her in the highest esteem and respect. The one other thing I would say is happy 90th and many more to come, because she is a great lady who I will always respect. I always remember her fighting the by-elections of Nelson and Colne, which my father took over as the MP afterwards. So, yes, we do have a great affinity.
Nurse Staffing Levels

Motion for leave to bring in a Bill (Standing Order No. 23)

3.28 pm

Maria Caulfield (Lewes) (Con): I beg to move,

That leave be given to bring in a Bill to make provision about National Health Service bodies establishing nurse staffing levels.

I start by declaring an interest as a nurse and a member of the Royal College of Nursing, which is leading the campaign for safe and effective nurse staffing. Nursing is one of the most underestimated professions in the country, if not the world, because while everyone loves a nurse, with colloquial terms such as “angel”, “having a vocation”, “hero” and “caring or compassionate”, being used to describe us, the true impact of nurses and nursing on the nation’s health has never been recognised. We are more than just a doctor’s assistant. Whether an experienced nurse who holds a patient’s hand as they die while assessing their level of pain or symptom management, or an advanced nurse practitioner in places such as the Royal Marsden Hospital’s clinical assessment unit who can treat patients with acute ascites and manage them by inserting a drain to deal with the symptoms or can look for the first sign of sepsis, nurses are truly saving lives.

There is increasing evidence that the right number of qualified nurses can improve patient outcomes in terms of mortality, morbidity and quality of care, and that, conversely, insufficient nurses can have a potentially life-threatening effect on patients. A study by Aiken et al reported in The BMJ looked at discharge data from hospitals for over 275,000 surgical patients in 188 hospitals across Europe, finding that a greater number of professional nurses was associated with lower odds of mortality. Likewise, Bridges et al also found in The BMJ only last year that the addition of qualified nurses makes a difference to patient outcomes—not simply the addition of healthcare workers, but qualified and experienced nurses. There is something in the skill and experience of qualified nurses that improves mortality rates, morbidity rates and quality of care.

Record numbers of nurses have joined the Nursing and Midwifery Council register, with 8,000 more nurses and midwives now registered to work in the UK, but over 43,000 nursing vacancies remain in England alone. The RCN staff survey in 2017 reported that that is having an impact on the ground, and nurses are reporting that care is going undone as a result. That is why, as a nurse and a member of the RCN, I am bringing this Bill forward to establish legally enforceable nurse staffing levels in the NHS in England, as was done in Wales in 2016 and in Scotland in June this year, when the Health and Care (Staffing) (Scotland) Act was passed.

The Bill has four main aims. First, we need to make the Government accountable for nursing levels in England. No one is accountable for nursing numbers, which is why we have such a high vacancy rate and a lack of strategic action to address the situation. How are we going to increase student nurse numbers via degree apprenticeships, which are working so well in places at the University of Brighton in my constituency, where student nurses earn while they learn in clinical placements? How are we to increase the numbers returning to practice when return-to-practice courses are difficult to access and expensive, with nurses often having to pay for them themselves? Nearly a third of our nurses in practice today are likely to retire in the next 10 years, so how are we to address early retirement? Without someone taking responsibility, none of those issues will be addressed. While individual trusts do their best to mitigate recruitment and retention challenges, no one is taking responsibility for the sheer scale of the issue across England.

That fits neatly into the second and third parts of the Bill, which relate to a fully costed workforce strategy and nursing numbers. There are currently no legally enforceable nursing numbers for any healthcare sector in England. In 2014, National Institute for Health and Care Excellence guidelines for adult wards stated that when nurse patient ratios reach eight patients to one nurse, that should act as a red flag that care is becoming unsafe. However, in the 2017 RCN staff survey, 71% of nurses report that they had cared for more than eight patients on their previous shift, with 26% reporting that they cared for more than 14 patients. We need legally enforceable numbers, so that nurses and patients can be protected from unsafe care and so that someone is held to account if that does not happen.

In England, each trust manages its own staffing numbers, and if money is tight, retention and recruitment just does not happen. To be fair to the trusts, they have no pool of nurses on which to draw, so what are they supposed to do? We need a nursing workforce strategy not only to meet short-term need, but to plan for the long-term healthcare needs of the nation. However, the Bill is about more than just ring fencing nursing numbers. It is about the skill mix, too. Having experienced qualified nurses is the key to improving patient outcomes.

As already mentioned, there is a growing body of evidence to show the difference that experienced and qualified nurses can make to patient outcomes. In my 25 years’ nursing experience, nothing can beat the continuity of someone looking after the same patient over a period that only adequate staffing numbers allows for. An experienced nurse often gets to know their patient and can spot mild changes, such as mild confusion, that could indicate the start of sepsis. They can spot that someone is not taking their medication, is slightly dehydrated or has raised sugar levels. Something as simple as constipation can lead to abdominal pain, nausea and vomiting, dehydration and, ultimately, hospital admission.

Service managers who are driven to replace nurses with healthcare assistants take a penny wise and pound foolish approach, as a qualified nurse can prevent hospital admissions, reduce the length of stays and reduce readmissions simply by using their skill and experience. Any extra paid in higher wages would be offset by savings in the length of stays and acute adverse events.

Finally, the Bill would legislate to provide training and education for all nurses throughout their career. If we want nurses to take on more advanced roles, from nurse prescribing to chest drain insertion, the Government need to ensure the training happens both by paying for it and by allowing study leave. We cannot continue with nurses using their annual leave and their days off to undertake training vital to their role.

Other countries have realised the need for change and have made legislative changes to ensure safe staffing levels. That is why I support the RCN and Dame Donna Kinnair in promoting this Bill to create a legal framework
that clarifies the roles and responsibilities and the accountability for the supply, recruitment and retention of nurses in England.

Question put and agreed to.

Ordered,

That Maria Caulfield, Alberto Costa, Kate Hoey, Stephen Lloyd, Andrea Jenkyns, Andrew Lewer, Andrew Griffiths, Lloyd Russell-Moyle, Charlie Elphicke and Eddie Hughes and present the Bill.

Maria Caulfield accordingly presented the Bill.

Bill read the First time; to be read a Second time tomorrow, and to be printed (Bill 439).

Mr Deputy Speaker (Sir Lindsay Hoyle): I do not think there will be many here, but good luck.

Business without Debate

DELEGATED LEGISLATION

Mr Deputy Speaker (Sir Lindsay Hoyle): With the leave of the House, I will put motions 2 and 3 together.

Motion made, and Question put forthwith (Standing Order No. 118(6));

EXITING THE EUROPEAN UNION (FINANCIAL SERVICES AND MARKETS)

That the Prospectus (Amendment etc.) (EU Exit) Regulations 2019 (S.I., 2019, No. 1234), dated 5 September 2019, a copy of which was laid before this House on 5 September, be approved.

That the Risk Transformation and Solvency 2 (Amendment) (EU Exit) Regulations 2019 (S.I., 2019, No. 1233), dated 5 September 2019, a copy of which was laid before this House on 5 September, be approved.—(Maggie Throup.)

Question agreed to.

Exchanging the European Union

(Plant Health)

3.37 pm

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Rebecca Pow): I beg to move,

That the draft Plant Health (Amendment etc.) (EU Exit) Regulations 2019, which were laid before this House on 22 July, be approved.

These regulations amend the Plant Health (EU Exit) Regulations 2019 to ensure that recent EU-derived protective measures against the introduction and spread of harmful plant pests continue to remain effective and operable on leaving the EU. The 2019 regulations, which were debated in this House on 19 March, are an important element of the EU exit legislation that we have put in place to maintain plant biosecurity, and they set out a list of harmful pests and plant material that will continue to be regulated.

It is our responsibility to protect biosecurity across plant and animal health, as well as to protect the wider ecosystem. It is also important that we have a robust process of ongoing review to strengthen biosecurity protections, where this is possible and necessary, as we leave the EU. These draft regulations are specifically about protecting plant biosecurity, and the amendments address technical deficiencies and inoperability issues—that is quite a mouthful—relating to retained EU law on plant health that could arise when we leave the EU. I should make it clear that all the amendments introduced by this instrument are simply technical operability amendments and do not introduce any policy changes. They ensure that existing measures set out in EU legislation and national measures introduced under the EU’s plant health directive will continue to apply to the UK as we leave the EU.

Jim Shannon (Strangford) (DUP): First, let me say what a joy it is to see the Minister in her role, and I wish her well in that position. In recent times, and in many of the papers I have had the chance to read, alien species, be they plant or animal life, have become a growing issue. Does the Minister feel that the legislation coming forward—I am mindful that the Minister has said that this is not a change—will be able to ensure that those alien species, wherever they come from, be they from the sea or land, become a thing of the past, rather than something we have to endure and live with?

Rebecca Pow: I thank the hon. Gentleman for his intervention. As he will know, I have an interest in this area, and I wish to give assurances that this Government are taking alien species extremely seriously. We do not want invasive species coming into this country, and we will give assurances that we will have the highest level of protections and standards as we go forward, as this example today on plant biosecurity will demonstrate. This is a belt and braces step we are taking today.

Susan Elan Jones (Clwyd South) (Lab): I have a quick question for the Minister. Many of us are very concerned about regulated plant material coming in from third countries via the EU. What will happen with the checking? Many of us are very concerned about what this could mean in terms of pests and diseases.
Rebecca Pow: Again, the hon. Lady raises a good point. We are setting up the most stringent system and checks. I will perhaps make some references to that in my summing up at the end, because people are concerned about it. However, we are revered for our standards on these things already, and we will be strengthening our checks and balances, because it is so important to us as an island that we address these things.

The majority of the changes update the list of regulated plant pests and plant material and associated import and movement requirements relating to host material in the 2019 regulations to reflect the recent amendments to the list in the plant health directive made by Commission implementing directive 2019/523, as a result of technical changes in the assessment of risks presented by particular pests and diseases. Important changes are included, regulating against new threats, such as the lemon tree borer, which affects a great deal more species than just lemon trees, including species in this country, and strengthening protections against the tobacco whitefly and the pine processionary moth, for which the UK currently has protected zone status. In addition, the list is being updated to ensure that specific national measures that have been introduced under EU provisions to protect against the rose rosette virus and the oak processionary moth remain operable after we exit the EU. I thought I would just say a bit about those two things because they are the new things we are ensuring protection against.

The rose rosette virus is an extremely damaging disease that will affect our wonderful roses. It is already widespread in the USA and parts of Canada, where it has had devastating impacts, and it was found for the first time in 2017 in India. The virus affects all roses—

Mr Jim Cunningham (Coventry South) (Lab): Will the Minister give way?

Rebecca Pow: I shall just finish describing the horrific effects of this virus, if the hon. Gentleman does not mind. The virus affects all roses and its mite vector may be present in both plants and plant parts. Current EU regulations restrict the import of plants for planting from non-European countries to plants which are dormant and free from leaves, flowers and fruit, but this is not sufficient to prevent the entry of this devastating virus, which is why we introduced national protections, which we want to retain into the future. Can you imagine, Mr Deputy Speaker, if the virus got a hold in our gardens, where we love and revere roses so much? It would have a terrible impact, as it would have on our high-quality rose breeders and the whole of that industry. It is extremely serious. Interestingly, the EU is now following our lead and is going to copy what we do. That sets us up as leaders.

Mr Jim Cunningham: I welcome the Minister to her new position. Can she give me an example of what I would call an early warning system? Do we have one so that we can get on top of diseases as soon as possible?

Rebecca Pow: That intervention leads me neatly to the other thing that we are protecting, so I will answer the hon. Gentleman’s question shortly. The oak processionary moth is native to southern Europe. Its caterpillars eat the leaves of oak trees, thereby affecting the health of the trees. They also shed poisonous hairs that can cause adverse reactions in humans. The majority of the UK is designated as a protection zone against this damaging pest. It is established in many parts of Europe and its distribution has recently expanded, including in the UK, where some cases were found earlier this year. Fortunately, the Government took rapid action—this answers the hon. Gentleman’s question. We have in place a good system: first, we strengthened the existing national protections against the pest by tightening import requirements. The Forestry Commission and the Animal and Plant Health Agency then took swift action to eradicate any signs of the moth, its larvae or its caterpillars. An excellent surveillance system swung into action and lots of work was done to trace the creatures and destroy the caterpillars and, indeed, infested and related trees. All the infested trees were intercepted in the protection zone and any signs of the moths and the trees they attacked have been destroyed. It is important that we ensure the continued operability of the strengthened import requirements, to ensure ongoing protection. That is why we are proceeding with this legislation.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): The Minister has given a full and interesting answer. Global warming is upon us, and of course as global warming proceeds, various species of animals and flowers are migrating ever northwards to the British Isles and across Europe. I plead with the Minister to consult our scientists and experts at Oxford, Cambridge, Edinburgh and St Andrews on what dangerous species might be tempted north, even into my constituency, by what is happening in the world.

Rebecca Pow: That is very much on the Government’s radar. Indeed, DEFRA is really strong in this policy area and works constantly to see what new threats might be coming into and out of the country. As an island nation, it is important that we are really on the ball. We are going to remain part of the European and Mediterranean Plant Protection Organisation, which involves many more European countries, as well as many others, all working towards the same goal.

Jim Shannon rose—

Rebecca Pow: I am going to press on, because time is tight.

The instrument will amend primary legislation to remove references to EU obligations. The changes have no operational impact, but simply remove redundant and inoperable references to EU obligations. The devolved Administrations have provided their consent for the changes to be made for the whole UK—I think that answers the question that the hon. Member for Strangford (Jim Shannon) was going to ask.

Jim Shannon indicated assent.

Rebecca Pow: Regulation 2 of the instrument applies to Great Britain, regulation 3 applies to Northern Ireland, and regulations 4 and 5 apply to England, Wales and Northern Ireland.

The instrument’s purpose is to ensure that an operable legal framework is in place on EU exit day and to facilitate the flow of goods while preserving the current
Let me turn briefly to the explanatory memorandum, because, sometimes, it is just as important as the regulations themselves. It suggests, implicitly, that this is a mere updating of the previous SI with new regulation. However, if we take one example, the EU Commission Implementing Decision of 2018/59, which concerns preventing agrilus planipennis being introduced into the EU, was passed on 10 December 2018. The agrilus planipennis is incredibly damaging to the European ash trees, and so the Government are correct to legislate against its introduction to the UK to protect our own trees. Why was this not implemented when we last considered this area? Can the Minister explain to the House what process her Department is undertaking to look at the statutory instruments that have been passed by Parliament to check that there were no omissions, especially in that real surge of statutory instruments in February and March of this year before one of the early exit dates.

The previous SI, which this one amends, was needed to correct errors and omissions in the Plant Health (EU Exit) Regulations. Does the Minister concur with our assessment that the process that was followed in some of those SIs was unsatisfactory and that improvements to the process could be made? If she does agree with that, can she set out how her Department is addressing that? I think there is cross-party agreement that getting this right is important, but sometimes getting right things that are very technical can take a few attempts, but we want to make sure that the system the Minister is using is as robust as possible.

The Minister may know that one of my penchants with statutory instruments is to look at the impact assessments, and I will not disappoint anyone who is concerned about the impact assessment on this particular SI. I am not a fan of the phrase that there is “no, or no significant impact” in impact assessments in explanatory memorandums. It is important to state that “no impact” and “no significant impact” are two very different things. The phrase “no impact” suggests that there is no change, and “no significant impact” suggests that there is change but that it has not been measured. In this case, there is no impact assessment to enable us to understand whether or not there is an impact. I encourage the Minister—I have done so with every one of her predecessors in this role—to work with the House authorities and the Leader of the House to correct that language. There is a difference between “no impact” and “no significant impact” and, as we know, this SI is a correction of the previous SI that corrected regulations. We need to be getting this right.

Let me turn briefly to biosecurity and Northern Ireland in relation to customs. The Minister has set out the territorial application of this instrument, which affects different parts of the UK differently. Given the volume of UK-EU trade—especially across the Ireland-Northern Ireland border, which we hope will not be diminished as a result of any of the Brexit arrangements her Government are pursuing—the current system for sharing biosecurity intelligence with EU countries risks being lost if there is not an agreement to ensure that information sharing takes place. In the past few days, we have seen a potential threat to information sharing between the UK and our EU friends as part of the posturing around the Brexit deal negotiations. Will the Minister set out clearly for the House that information sharing on biosecurity and plant health security, especially
regarding invasive species, will not be affected by any posturing from Downing Street, and that these regulations include the ability to share properly the information that we need between ourselves and our EU friends.

In the previous Statutory Instrument Committee on plant health, the Minister’s predecessor referred to contingency plans to develop a database to capture interceptions and incursions, and to share information with the European Union when such incursions have been recorded. Is that database ready? If not, how long after the proposed exit day—for the sake of argument, let us assume that it will be 31 October, although I suspect many of us think that it will not—will it be ready? How many interceptions and incursions does the Minister anticipate the system recording, and what action will be taken to contain them as they are identified?

The report of the House of Lords EU Committee states:

“The need to facilitate trade post-Brexit must not be allowed to compromise the UK’s biosecurity.”

That is probably something with which everyone on both sides of the House would agree, so will the Minister tell us how her Department will guarantee that we face no increased biosecurity risks and that we maintain alignment with the EU—especially in data sharing—in any Brexit arrangements?

These regulations set up lists for England, Wales and Northern Ireland that seek to replicate the current set of EU lists on plant health. They ensure that protected zones can continue to be protected from pests, and that emergency measures can continue to be applied where necessary. However, it is proposed that a large raft of the EU legislation that accompanied the lists be revoked. As mistakes were identified in the previous SI, may I just check with the Minister that it is still her intention to revoke those parts of the EU regulation? I just want to ensure that there are no errors or omissions in that respect.

My hon. Friend the Member for Clwyd South (Susan Elan Jones) mentioned that the EU plant health directive requires checks on material imported from third countries at the first point of entry into the EU. However, once we have left the EU—if that happens—the intention is to allow plant material from third countries to enter and pass through the EU without checking at the border, and to rely on checks at the destination premises of the importers. How does the Minister intend to ensure that all plant material brought into this country in that manner from third countries—without checks—will actually be checked? It is important to ensure that there are no invasive species, pests or diseases on containments of plants that can escape into our natural environment. As the Minister set out in her speech, there are a number of different pests and diseases that can affect UK species and which we would want to avoid, especially as we see the effects of climate change. The number of diseases and pests that can thrive in the UK environment has changed since regulations on pests were first introduced.

I know that this is the Minister’s first outing, so I apologise for the large number of questions that I have fired at her, but there is cross-party support for robust biosecurity in relation to plant health.

In case hon. Members were unaware, Extinction Rebellion is in New Palace Yard today, providing a free tree for every Member. I have collected mine; I got an English oak with my name on it. In fact, I walked past the Minister’s tree, which is sitting outside and which I am sure she will collect in a bit.

Ensuring that we have robust plant health and biosecurity for our natural habitat—especially the native species that Extinction Rebellion is giving out—is going to be very important whether we remain in the European Union or not, and we need to ensure that we have robust systems in place. I would be grateful if the Minister addressed a few of my questions when she responds.

3.59 pm

Neil Parish (Tiverton and Honiton) (Con): I welcome the Minister to her new position. She is my neighbour and was a great member of the Select Committee on Environment, Food and Rural Affairs. I look forward to great work from her.

I echo what the hon. Member for Plymouth, Sutton and Devonport (Luke Pollard) said: there are trees out there, waiting for us to collect them. I too have collected an oak tree. Let us see if the soil in Tiverton is better than the soil in Plymouth. We will see how fast the trees grow and how much carbon they capture.

As the Minister will know, ash dieback—I am not as good at Latin as the shadow Minister—was introduced to this country after seed was taken to the Netherlands and grown into trees, which were brought back here. We can make Britain a bastion of trees that are not diseased. We should do everything we can to make sure that trees we import are healthy, and to grow many more of our own. There could be a real benefit from this statutory instrument, but let us make sure that we get it right. Again, I welcome the Minister to her new role.

4 pm

John Mc Nally (Falkirk) (SNP): I, too, welcome the Minister to her Front-Bench position. I absolutely acknowledge her in-depth knowledge of the subject. She will know that the Scottish National Party and the Scottish Government have made plant health a priority. I would be grateful if the UK Government stated fully and frankly which standards, if any, they intend to alter, and whether plant health is to be targeted.

Plant health is at the heart of Scotland’s thriving natural environment, our rural economy and our wellbeing. However, there are increasing pest and disease threats to our plant health, particularly through increased globalisation of trade and other factors such as climate change. The aim of the Scottish plant health strategy is to safeguard agriculture, horticulture, forestry and the wider environment from plant pests from 2016 to 2021 and beyond.

The strategy requires an integrated approach to ensure effective collaboration between all interested parties. That approach builds on work already undertaken by the Scottish plant health service, but recognises that Government alone cannot tackle current and future plant health challenges, and so has a focus on working in partnership with others to build and strengthen relationships. It sets out how together we can protect crops, trees and other plants from new and existing pests and diseases. That underpins the development of the economic potential of the Scottish agriculture, horticulture, forestry, rural land use and food and drink industries. It will ensure that Scotland’s natural environment is protected and we enjoy all the benefits such as clean air, water and wildlife. It is about sustainable development, and it is about protecting our environment, which is so important across the world.
sectors, which in turn enhances production efficiency, protects the natural environment, including amenity sites and gardens, and maintains wholesome environments for rest and relaxation.

It is my job, and that of my fellow SNP Members, to make sure that powers devolved to Scotland are protected, and not taken back by Westminster, as that would prevent us from meeting the ambitions that we share. Scotland's rich and diverse natural environment is a valuable national asset. Its continued health and enhancement is vital for the health and wellbeing of all, and for sustainable economic growth.

In Scotland, we have the largest green space project in Europe—the central Scotland green network. It receives and welcomes some 25 million tourist visits per year, which generate around £63 million for the Scottish economy. In my constituency of Falkirk, I witness locals enjoying the results of the Scottish Government's ambition to enable and deliver a happier, more active lifestyle, particularly through the active travel hub plan; through encouraging walking and cycling, which everybody seems to enjoy in the area; and through connecting the magnificent Kelpies to the Falkirk stadium. There are also the canal paths to the world-famous Falkirk wheel, and of course there is the Antonine wall, a world heritage site. Local people, and people from all over Scotland and the rest of the UK, walk, cycle and use the canal boats, alongside visitors from all over the world, including Europe, all enjoying each other's company.

Long may this continue.

For your information, Mr Deputy Speaker, Scotland was the first country in Europe to implement a land use strategy. That allows our strategic approach to land use to account for the full range of benefits that our land resources provide. For example, Scotland created 73% of all new woodland in the UK in 2016-17. Furthermore, Scotland's new target of 15,000 hectares per year from 2024-25 is both ambitious and achievable. The Scottish Government's 2017-18 programme for government was described by no less a person than Richard Dixon of Friends of the Earth Scotland as "the greenest" in the history of the Scottish Parliament.

The EU has provided significant funding for Scotland's biodiversity. The EU's nature policy and legislation are effective, ambitious, far-reaching, robust, consistent and well enforced. EU-wide implementation allows it to function on a supranational scale, thereby acknowledging that nature does not observe national boundaries and recognising the importance of promoting habitat connectivity, which allows biodiversity to thrive and adapt in response to anthropogenic pressures such as habitat fragmentation and climate change.

Regulations on animal and plant health and food safety remain essential for Scotland's reputation to access EU and other international markets. These regulations are vital to ensure certainty of policy for Scotland's future and must be respected and remain in the Scottish Government's powers.

4.6 pm

Rebecca Pow: I thank all Members who have contributed to the debate. There were a great many more interventions than one might have expected, and I am heartened to hear that so many people are interested in plants and our biosecurity, which is extremely important to all of us in so many ways. I particularly want to thank the shadow Minister, the hon. Member for Plymouth, Sutton and Devonport (Luke Pollard), for kindly welcoming me to my place—we are going to be a south-west stronghold. I am delighted that he is supporting the regulations. I also thank the Chairman of the Environment, Food and Rural Affairs Committee, my hon. Friend the Member for Tiverton and Honiton (Neil Parish), for his kind words, and the hon. Member for Falkirk (John McNally), with whom I had many enjoyable times on the Environmental Audit Committee. Working together on these things is important.

In order to prepare for the UK leaving the EU, it is essential that we have the right legislation in place to continue to protect plant biosecurity, while facilitating the trade and movement of plants and plant material around the world. We have a great many plants coming into the UK, but equally we export a great many plants. That must continue, but it must be safe, and we must be sure that any diseases or pests are under a tight microscope.

I take slight issue with the shadow Minister, because I do not believe that this statutory instrument has been rushed. Importantly, as I mentioned—I am sure he was listening—these regulations update legislation to include the particular biodiversity threats posed by the rosette virus and the oak processionary moth. Those threats have come to light since 31 March, and it was essential that we included them in the regulations. That demonstrates that we are on the ball and will not let things pass under the radar. I hope that the shadow Minister agrees.

A number of points were raised, and I will whizz through a few of them. The hon. Member for Strangford (Jim Shannon) asked what we are doing about alien species. As I said, we work with evidence to develop a risk-based and proportionate approach to plant health measures. We have in the past introduced precautionary national measures to protect the UK against threats that we see arising elsewhere in the EU and beyond. A good example is the stronger national legislation we put in place against Xylella fastidiosa in response to the situation elsewhere in the EU. We are now introducing national legislation to protect against the oak processionary moth and a potato pest called Epitrix.

The hon. Member for Clwyd South (Susan Elan Jones) raised a question about material in transit from third countries. Regulated material will transit in sealed conditions through the EU with a phytosanitary certificate. Material entering England via the roll-on roll-off ports will need to transit to a point of first arrival in England, where plant health inspectors will carry out plant health checks. A very definite system is set in place, and people exporting and importing plant material have all had notification of this, so it is quite clear what is going to happen. Such material must be pre-notified to the APHA, which will inspect it before releasing it, and direct third-country imports, sea and air freight will be checked at the border, as currently.

Luke Pollard: Briefly on that point, in an SI Committee in which we talked about checking air freight, a Minister mentioned containerisation, but did not mention any containers coming via a rail link. Given what the Minister has said today, can she say whether that includes any freight that comes via rail?
Rebecca Pow: Well spotted. I am glad that the shadow Minister is on his toes. Yes, that will also include rail freight. I am glad we have cleared that one up.

Early warning systems for new threats were raised in the debate. As I think I suggested, pest, plant and disease experts in DEFRA, the APHA, the Forestry Commission and the devolved Administrations all work together already, providing an exceptional capability to protect plant biodiversity in the UK. All those bodies will continue to function and collaborate as we leave the EU.

Global warning threats were mentioned. Again, specialists will continue to work with pest and disease specialists in UK universities to inform our understanding of the risks. That is really important, and it is absolutely on the radar—for example, there is modelling of trade pathways for pests to arrive in the UK and the potential spread of outbreaks. Specialists will continue to collaborate with industry and stakeholder groups, and to develop citizen science capabilities and systems so that the public can help identify and report pest risks. Such citizen engagement is actually very useful in these areas.

I will move on to some of the points raised by the shadow Minister. He raised the issue of potential errors, given the number of changes being made and the errors being corrected. Our intention to retain relevant EU legislation has inevitably meant that it was not possible to include everything in earlier SIs, as EU legislation is updated frequently, especially in this kind of area. The purpose of this instrument is to introduce certain provisions that could not be included in earlier EU exit SIs, principally because they concern recent changes in plant health legislation. These changes are necessary to ensure that all deficiencies have been fully addressed. I hope he is happy with that answer.

The shadow Minister also asked whether we can be confident about the accuracy of other EU exit SIs. As I am sure he knows, such instruments go through the normal checking processes for draft SIs, including second and third pairs of eyes, and checks with DEFRA and other Government lawyers. They are also scrutinised by the Joint Committee on Statutory Instruments. The principal focus of this instrument concerns operability, and the need to make technical changes and introduce certain provisions developed and agreed subsequent to earlier SIs.

The shadow Minister asked what consultation or impact assessment has been carried out, with whom and when. No separate formal consultation with stakeholders or impact assessment was undertaken because this instrument, as I have mentioned, makes many technical amendments, the purpose of which is to preserve biosecurity protections and assurances when the UK leaves the EU. It is not intended to change substantive policy.

The database for sharing information on biosecurity threats was mentioned. There is some precedent for third-country access to EU notification systems, and we will seek to negotiate such access with the EU. However, DEFRA has developed fallback positions for the eventuality of our losing access to EU notification systems. We are developing our own database to capture details of interceptions and incursions from day one to inform our decision making. All EU systems have publicly available elements that the UK will continue to access after exit. Our dedicated UK-wide risk and horizon-scanning team will continue to gather intelligence on plant health risks, including from other organisations, agencies and networks, and by increasing bilateral relationships with key trading partners and our nearest neighbours. Functionality has been added to the UK-owned plant portal to replace some EU notification systems. It is something that we take incredibly seriously, so under no circumstances would the Government let any of that slip, because it is crucial for all of us.

I shall touch quickly on a couple of points made by the Scottish National party spokesman. On the right for Scotland to make its own arrangements, plant health unfortunately is devolved, and Scottish Ministers have made the decision that they will deal with technical deficiencies relating to plant health legislation in Scotland, which will arise when the UK leaves the EU, by introducing their own EU exit SIs in Scotland. We are working closely with the Scottish Government, as ever, and the other devolved Administrations on a UK framework for plant health, including governance to minimise the risk of divergence, while respecting the devolved settlement, as the hon. Member for Falkirk will know. We will always work together closely.

The hon. Gentleman asked about protecting against future threats in the plant health regime. Policies in our EU plant health EU exit instruments are risk-based and proportionate, and will apply temporarily from day one until we develop our future plant regime. That will include consideration of the new plant health and official control regulation that will apply in EU member states from December 2019. In future, the Department will seek to take advantage of available technologies to facilitate as frictionless trade as possible while continuing our risk-based and proportionate approach to maintaining high standards of biosecurity. Again, DEFRA and the Food Standards Agency are working together closely to develop proposals on that.

I hope that hon. Members fully understand the need for the regulations, which has been made quite clear today. As I have outlined, they correct technical deficiencies and ensure that existing regimes for safeguarding UK biosecurity will continue to operate effectively from day one after exit. They ensure that newly regulated pests, plants and other material continue to be regulated after exit and provide for an internal market in plant material. I thank everyone for their input, and I very much look forward to collecting my tree. It is protecting such trees that the SI is all about.

Question put and agreed to.
The convention on international trade in endangered species—CITES—provides protection for more than 35,000 species of endangered animals and plants, from pangolins to parrots, through to guitars made from rosewood. By regulating international trade in live animals and plants and in parts such as fur, feathers and seeds, the convention aims to reduce the threat to those species in the wild. The UK is completely committed to supporting the work of CITES. At the recent CITES conference of parties in August, the UK used its world-leading scientific and technical expertise to play a pivotal role in proceedings. As a result of those interventions, 93 new species, including giraffes, mako sharks, sea cucumbers and several species of otter, lizard, spider and box turtle have enhanced protection under the convention.

Mr Jim Cunningham (Coventry South) (Lab): I congratulate the hon. Gentleman. This is the first time I have taken part in a debate when he has been at the Dispatch Box. There have been reports about some of this country’s traditional species either disappearing or dropping in number. What are we doing to encourage the growth of those species, given climate change? They are naturally species for the climate of this country.

Zac Goldsmith: The hon. Gentleman is right to point to the collapse in biodiversity in this country, which is mirrored across the world. The purpose of the regulations is to deal with CITES specifically in relation to the import and export of endangered species from abroad, but he is absolutely right to raise the issue. We are completely committed to bringing in an environment Bill—we hope in a matter of weeks—which will set us on a course to reversing the biodiversity loss we are experiencing in this country. We could debate for hours what that involves. I do not think that this is the time for that, but it has my commitment—I am sure my colleague on the Front Bench, the Under-Secretary of State for Environment, Food and Rural Affairs, my hon. Friend the Member for Taunton Deane (Rebecca Pow), would make the same commitment—to do everything we can, for as long as we are in the Government, to play our role in turning around the extinction crisis we are experiencing in this country.

Sir John Hayes (South Holland and The Deepings) (Con): While the Minister is on this subject and while you are allowing us to go into these areas, Mr Deputy Speaker, it is critically important that we plant more native species for exactly the reasons offered. Ash dieback is a good example, there is the disease affecting oak trees, and we know that horse chestnuts have suffered too in recent years, yet Network Rail and local authorities continue to decimate our tree population. To compensate for just that, the Government need a planting scheme of unprecedented proportions. I want millions more trees planted and there is no better Minister than this one, who has been such a champion of the environment throughout his political career, to be the spearhead to take that forward.

Zac Goldsmith: I thank my right hon. Friend very much for his kind words and his intervention. He is absolutely right. We need a hugely ambitious tree planting programme for this country. We do have an ambitious tree planting programme, but my view is that we need to step it up even further. We are certainly planning to do so and there will be, I can tell him tantalisingly, some announcements soon to that effect. It is not just about planting trees; it is also about ecosystems and encouraging wildlife in all its forms. As he knows, one of the advantages of leaving the European Union is that we can change the common agricultural policy to a system that, instead of paying people simply for owning land—effectively, simply for being wealthy—we will be paying them subsidies in return for providing public goods like improving biodiversity, flood prevention and so on. This is one of the great Brexit bonuses that I am looking forward to.

Neil Parish (Tiverton and Honiton) (Con): I welcome my hon. Friend to his new position. Further to his answer to my right hon. Friend the Member for South Holland and The Deepings (Sir John Hayes), we now have an opportunity, with a new agricultural policy, to plant the right kind of trees. We need the right advice to plant trees in the right place so they do not get diseases and are not destroyed later. We have a real opportunity to make practical changes, moving on from the common agricultural policy, that work in different parts of the country. Different trees may need to be planted in different climatic conditions.

Zac Goldsmith: I thank my right hon. Friend for his intervention and all the work he has done on these and associated issues. I could not agree with him more. I look forward to the publication of our tree strategy in a couple of months. From what I have seen so far, it will address those concerns head-on.

Andrew Percy (Brigg and Goole) (Con): The Minister will be aware that my constituency will be included in the northern forest, which we are very excited about. I know he is very busy, but I invite him to come to North Lincolnshire where, in a couple of weeks’ time, North Lincolnshire Council will be launching its own new environmental strategy to ensure that the resources it has, be they grass verges or open green spaces, are better utilised to increase the amount of habitat available. We will be launching that very shortly and he is welcome to visit at any time.

Zac Goldsmith: I thank my hon. Friend very much. I have heard a bit about what his council is doing and it does sound inspired. I would love to take him up on his very kind invitation. We will talk later. Now I am going to make some progress.

The Government’s support for CITES is just one part of a much bigger and wider commitment to tackling the catastrophic loss of biodiversity we are now facing. At the UN General Assembly a couple of weeks ago, the Prime Minister announced a new £220 million international biodiversity fund to protect and restore biodiversity. The new fund will provide support for, among other things, a new biodiverse landscapes initiative, substantial
uplifts to the world-renowned Darwin fund, and work to combat the illegal wildlife trade, including for the IWT Challenge Fund. He also announced a doubling of international climate finance to £11.6 billion. That will provide for a massive scaling up of nature-based solutions to climate change, which are vital if we are serious about averting the threat not only of mass extinctions, but of climate change. The proposed legislation makes sure that after we leave the European Union, the regulations implementing CITES will work in the UK.

CITES is currently implemented in the EU through a number of regulations known as the EU wildlife trade regulations. Those EU regulations will become retained EU law on exit day. We have already made various EU exit regulations to make the legislation work in the UK. This statutory instrument corrects the drafting in one of the previous EU exit instruments.

The EU regulations put in place a system of permits and certificates for cross-border movement of specimens of endangered species. The main EU regulation, No. 338/97, contains a number of derogations—exceptions—from the permitting regime. Further detailed provisions on derogations are then set out in a subsidiary, implementing regulation, No. 865/2006. The main regulation gives the European Commission powers to legislate and set out these rules in subsidiary legislation.

We are talking here about specific provisions. The main regulation contains derogations in articles 7(1) to 7(3). These relate to specimens of species born and bred in captivity or artificially propagated, specimens in transit, and specimens that are personal and household effects. Article 7 currently gives the European Commission legislative powers to make further detailed provisions on these derogations, and that has been done in subsidiary legislation—EU regulation No. 865/2006.

These derogations cover, for example, the process by which someone may be able to import artificially propagated orchid hybrids without the normally required CITES paperwork and checks, recognising the low conservation risk that that trade has. They also govern how someone might be able to move a piece of rosewood furniture when a family moves from one country to another.

This SI ensures that the Secretary of State has the necessary legislative powers to amend detailed provisions on key derogations in retained EU law. It corrects the drafting in a previous SI, the Environment and Wildlife (Legislative Functions) (EU Exit) Regulations 2019—henceforth referred to as SI 2019/473—which will in turn amend CITES-related retained EU law on exit day. SI 2019/473 provides for the Secretary of State to carry out functions currently performed by the European Commission and for her to set out the detailed provisions on the relevant article 7 derogations “in writing”.

This proposed SI makes two amendments. The first corrects a drafting error, so that the Secretary of State can set out the regulatory detail of the derogations “in regulations”, as opposed to “in writing”. That will ensure that the Secretary of State has the legislative power to amend the retained EU law provisions after exit. This ensures that we can, for example, amend the detailed derogation provisions to strengthen the controls that we have in line with our oft-stated policy aims. The second amendment provides that regulations made by the Secretary of State in respect of these derogations will be subject to parliamentary scrutiny under the negative resolution procedure.

The Government have made it clear that the intention is to raise the bar for environmental standards when we leave the European Union. This includes our efforts to protect endangered species and our commitment to CITES.

Jim Shannon (Strangford) (DUP): When Ministers are outlining what is going to happen in the House, it is also important that the regional devolved Administrations, whether they are in Northern Ireland, Scotland or Wales, are under the same rules and regulations. Will the Minister confirm that that is the case—that what he is bringing before the House tonight on environmental protection will also apply to Northern Ireland, which I represent?

Zac Goldsmith: I thank the hon. Gentleman for his intervention. This instrument deals with entirely reserved matters. A draft of it has been shared with the devolved Administrations, but for information, the answer is that it will apply across the board.

These changes have been made because they are necessary to make it clear that the Secretary of State has the power not simply to take administrative action, but to legislate and amend retained EU law in respect of these key derogations. This will ensure that retained EU law is operable on exit.

In conclusion, I reiterate that this instrument will ensure that the Secretary of State can amend detailed provisions on key derogations in the regime implementing CITES. It provides for regulations made by the Secretary of State in respect of those derogations to be subject to parliamentary scrutiny under the negative resolution procedure. This instrument is thus necessary to ensure the full operability of retained EU law after we leave the EU. For those reasons, I commend this legislation to the House.

4.29 pm

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): I am afraid we are here again, for the second SI in a row, correcting mistakes in previous statutory instruments that the Government rushed through. Just as before, the Opposition will not oppose this SI, because there was a mistake in a previous SI that the Government pushed through, but we did at the time highlight that there could be errors, given the speed.

I welcome the new Minister to his place in the main Chamber, having already done so in a debate in Westminster Hall. I am grateful to him for setting out that this SI corrects the drafting in a previous SI. The rest of his speech was very nice, but it concerned an SI we have already passed. The only thing this SI does is allow the Minister to make regulations. In error, the previous SI said he could only make them in writing, which meant administrative actions which do not carry the same weight as regulatory actions in relation to CITES and other wildlife protection legislation.

There is cross-party agreement that that legislation is very important, and some of the interventions the Minister took were on topics that were also very important, if nothing to do with the SI. The only thing this SI does is correct the mistake of the Minister’s predecessor. I do feel for him a wee bit in that respect because he had to say a lot of nice words before he got to the meat of it, which was: “Here’s another mistake we’ve made, and we’re going to correct it.”
I am grateful to the Whips for putting this in the main Chamber, rather than a Committee. Had it been in Committee, no one would have known that the Government had yet again made a mistake in their statutory instruments. Instead, they have given us a platform for all the countless people who like watching SIs on parliamentlive.tv to watch one in the Chamber.

I have high hopes for the Minister. I hope that his insurgent and provocative manner on the Back Benches to drive change from the Government on animal welfare in particular will pay dividends. In the past, we have had lots of soundbites, promises and consultations, but very little action—[Interjection.] And many Ministers, as my hon. Friend the Member for Ipswich (Sandy Martin) says, I have high hopes that he will not accept the rape deal that his predecessors were putting out.

As with the Minister in the previous debate, I know that this Minister will be robust in this regard, and I hope this will be the last time that either has to come to the House to correct an SI that has been pushed through too fast without proper scrutiny or work. I suspect other errors will be found, however, particularly in the surge of SIs around February and March. This is not the first, the second or the third time the House has had to correct a drafting error in an SI.

I politely say to the Minister that a piece of work could usefully be done by DEFRA officials, who, to be fair, have had the most SIs to get through. Though no blame is being attached to them, the speed at which the SIs were reviewed will inevitably have let through some gremlins, such as this one. This was an important one to catch because the powers in article 7 that he set out are important. We need to make sure the Secretary of State has the ability to correct and make regulations, rather than just make administrative pronouncements.

I encourage the Minister not to accept any such errors and to make sure there is a robust process in place, because I suspect that this will not be the last time he has to stand at the Dispatch Box to correct an SI that has gone wrong. That said, I also encourage him to carry on fighting the good fight, because there is lots to carry on fighting for animal welfare and climate change in his Department. The Opposition wish him well in that.

How ridiculous it is that Chamber time is again being taken up by discussion of what are largely technical amendments. It is simply a demonstration of how chaotic the Government have become and of the ongoing uncertainty that the Tory party has caused across the UK to individuals, families, small and medium-sized enterprises and larger businesses alike. This is a shameful state of affairs.

Let me say, as a member of the very effective Environmental Audit Committee, that our eyes were opened to the variety and the range of invasive species from which we are at risk. One of the greatest threats to biodiversity worldwide is posed by invasive non-native species, and that threat is particularly pronounced in relation to fragile island ecosystems.

Scotland has led the way in the UK and is often praised at our Committee meetings. Indeed, no less a person than the Chancellor of the Duchy of Lancaster, the former Secretary of State for Environment, Food and Rural Affairs, said:

“I have to be honest, there are things that both the Scottish and Welsh Administrations have done that have been admirable and in advance of what has been done in England, so they have set the standard for the UK.”

Is it any wonder therefore that Scotland takes the environment very seriously and that we as a country remain concerned about any power grab back to Westminster and the threat of any deterioration in standards?

The EU created a statutory framework to prevent the introduction and spread of non-native species. The European Union’s 2015 regulation to address the problem on an EU scale will help to protect the British Isles from the introduction of invasive species, including those from mainland Europe, and will thus contribute to our efforts to adhere to the internationally adopted approach to non-native species, which prioritises the prevention of introduction over intervention post-introduction. It is very much a case of an ounce of prevention being better than a pound of cure.

Imposing a UK-wide framework for the environment risks undermining the significant progress that Scotland has made. We have grave concerns about the UK Government’s Brexit power grab, particularly in relation to environmental protections. We are not opposed to UK-wide frameworks when they are in Scotland’s interests, but they must be agreed and not imposed. That must also happen in a manner that respects and recognises devolution. The First Minister has made it clear that any threat to Scotland’s distinctive and ambitious approach to environmental standards and climate change is completely unacceptable.

Imposing UK frameworks could do substantial damage to work done by the Scottish Government. For instance, we used EU rules to ban genetically modified crops in Scotland to protect our environment and to support Scottish agriculture. There is no such ban in England. A UK-wide framework could see the ban lifted, threatening Scotland’s clean, green brand and placing the future of its £14 billion food and drink sector under a needless and avoidable threat.

Scotland has gained international recognition for our work on climate change and the circular economy, and no mistake: that worldwide recognition will be protected by Scottish National party MPs. Scotland has already halved emissions. Net zero emissions will require different and more difficult choices than have been
made to date, but we will make those difficult decisions and have those difficult conversations. Furthermore, in direct response to the Paris agreement, the Scottish Government’s climate change Bill will maintain our legislation as the most stringent in the world.

It seems appropriate for me to end by quoting what was said by a Minister in the Scottish Government about frameworks. We should be mindful of her words.

She said:

“Imposing a UK-wide framework for the environment risks undermining the significant progress Scotland has made, which has seen us win international recognition for our work on climate change and the circular economy.

We are not opposed in principle to UK-wide frameworks in certain areas but this must be through agreement—not imposition.

Protecting devolution will allow us to drive forward our ambitious work to reduce greenhouse gas emissions, enhance environmental standards and create a cleaner, greener Scotland for everyone.”

4.40 pm

Sir John Hayes (South Holland and The Deepings) (Con): I had not intended to contribute to this brief debate until I heard the contribution from the hon. Member for Falkirk (John McNally). I simply wish to point out, partly for his benefit and partly for the House’s edification, the two fundamental contradictions in his argument. The first was that he felt that this matter should not be debated on the Floor of the House. Yet, time and again, we hear Opposition speakers argue—the shadow Minister, the hon. Member for Plymouth, Sutton and Devonport (Luke Pollard), was happy enough to acknowledge this—that we should be debating things on the Floor of the House, that they should not be debated upstairs in a Committee Room and that they should be debated in a way that allows as many Members as possible to participate.

The second irony at the heart of the hon. Gentleman’s argument was that he made a case for devolution of power to Scotland on the grounds of particularity, yet he does not seem to want devolution from the European Union to here, which is what these regulations are about. The regulations are clear that they transfer powers currently held by the European Commission to this House, allowing us to make more sensitive decisions in tune with the needs of this kingdom—this country. I thought it extraordinarily ironic that the hon. Gentleman should make a case for the very particularity that these regulations afford this House and this Government.

My brief contribution was designed to help the hon. Gentleman to refine his future contributions. I know that he will welcome that help.

4.41 pm

Zac Goldsmith: I will be quick, because there is an important debate coming up.

I thank right hon. and hon. Members who have contributed to this afternoon’s debate. I particularly thank the hon. Member for Plymouth, Sutton and Devonport (Luke Pollard) for the tone of his contribution. I have no doubt—and indeed, I know—that he is very serious about taking on the challenges that we have been discussing today. I appreciate the manner in which he engages on this issue. I note his comments and absolutely accept his challenge. The insurgency will continue.

I also thank the hon. Member for Falkirk (John McNally). I believe that his concerns about standards dropping after Brexit are unfounded. With every week that passes and every piece of legislation that the Government introduce, we will demonstrate that he is wrong. No doubt, he will be happy to be proven wrong on that point.

The UK remains committed to effectively regulating trade in endangered species to ensure that that trade does not threaten the survival of those species in the wild. These regulations will ensure the operability of retained EU law implementing CITES after we leave the EU, specifically by ensuring that detailed provisions on key derogations can be amended by the Secretary of State.

Question put and agreed to.

BUSINESS OF THE HOUSE (PROROGATION)

Resolved.

That, at this day’s sitting, the Speaker shall not adjourn the House until a message has been received from the Lords Commissioners.—(Colin Clark.)

Andrew Percy (Brigg and Goole) (Con): On a point of order, Madam Deputy Speaker. We have just agreed to a Prorogation, which will take place later this evening. I wonder whether you could give us some assurance that, this time when we prorogue, Government Members will not be subjected to the sort of abuse that we were subjected to at the last Prorogation ceremony. I sat here, but in the end walked out, so disgusted was I to see Opposition Members on their feet screaming, “Shame!” at hon. Members, pointing, jabbing their fingers and making some awful hand gestures in the direction of Black Rod as she approached, and to hear foul language besides. Perhaps people will not have had quite so much to drink this time—it will not be at 1 o’clock in the morning—but we were offered no protection on that day from the Chair. Can you assure us, however, that if we see the same sort of bullying and hectoring behaviour this evening, we will be protected by the Chair this time?

Madam Deputy Speaker (Dame Rosie Winterton): I thank the hon. Gentleman for that point of order.

Valerie Vaz (Walsall South) (Lab): Further to that point of order, Madam Deputy Speaker. The previous Prorogation was unlawful. This Prorogation is not unlawful.

Madam Deputy Speaker: I thank the hon. Lady for that point of order. I hope that, in this House, we will all respect each other and that we can conduct proceedings in a polite and respectful manner. The hon. Gentleman has put his feelings on the record, as has the hon. Lady. I suggest that we now move on.

Martin Vickers (Cleethorpes) (Con): Further to that point of order, Madam Deputy Speaker.

Madam Deputy Speaker: I hope that this will not be too prolonged.

Martin Vickers: Following the ruling of the Supreme Court, Parliament returned early from Prorogation, and we have spent a fortnight now in effect going through action replays of what has already taken place.
Has any assessment been made of the cost to the taxpayer of Parliament being here and serving no useful purpose?

Madam Deputy Speaker: I thank the hon. Gentleman for that point of order. Perhaps I should point out, however, that I am sure we would all agree that the debates that take place in our Parliament are always worth while, that the debates over the past few weeks were conducted in the proper fashion on excellent subjects and that all Members who spoke made marvellous contributions. We should now move on to the general debate on baby loss awareness.

Baby Loss Awareness Week

4.46 pm

The Minister for Care (Caroline Dinenage): I beg to move,

That this House has considered baby loss awareness week.

This is the fourth Baby Loss Awareness Week debate, and it is incredibly heartening to see how this has become an annual event in the House. It helps to send a clear signal outside this place about the importance of this subject in the Chamber, in the Department of Health and Social Care and in the national health service.

Over the years, many Members of Parliament have been brave enough to share their personal and painful accounts of baby loss, which, while heartbreaking to hear, have done so much to raise the profile of this important issue and to start vital conversations about it. It is absolutely right and fundamentally important that we continue to raise awareness of both the devastating impact of baby loss and the support that bereaved parents need through the grieving process to help them adjust to their loss. I do not think people ever fully heal or get over the loss of a much loved and much wanted child, but with the right care and support they might be able slowly to move forward with their lives.

Mr Jim Cunningham (Coventry South) (Lab): I identify with everything the Minister has said so far. One point about these debates for members of the public who have not experienced baby loss, and for some Members here, is what we learn about the heartbreak and, in some instances, the lack of support. In general terms, it has been very good to have these debates—even if we do have them annually—because they educate the public about an issue that has too often been shoved under the carpet, for want of a better term. It is better that people now understand what other people go through in life, so I do appreciate the Minister’s opening remarks.

Caroline Dinenage: I thank the hon. Gentleman so much for that intervention. He is absolutely right. In this place, we have a unique opportunity to raise subjects that people find it difficult to talk about out there. In doing so, we shine a light on those subjects, and we are able to really begin to move the dial and to change practice.

With that in mind, I would like to pay tribute to the hon. Member for Eddisbury (Antoinette Sandbach) and my hon. Friend the Member for Colchester (Will Quince), who is desperate to speak, although, being a Minister, he is prevented from doing so, so we will have to restrain him. However, in a late-night Adjournment debate back in 2015, they began to raise awareness of the variation in care for families bereaved by baby loss. It was an incredibly moving debate—I remember listening to it at the time—and it really made such a magnificent difference. It was followed by the Baby Loss Awareness Week 2016 debate, which was about bringing the subject to light and challenging the idea that baby loss is an uncomfortable topic that we do not like to talk about. I am grateful to the Members from across this House who shared their personal experiences on that day back in 2016 and have done since.
International Baby Loss Awareness Week begins tomorrow and finishes next Tuesday. This year, the focus is on the need for specialist psychological support for bereaved parents who need it. The Baby Loss Awareness Alliance group of charities will be publishing a report highlighting that some parents need that kind of support as part of their bereavement care.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): I wholeheartedly support the thrust of this debate and what the Minister is saying. I am not going to make a speech today—I did that last year—but when a child is lost, which as Members know has affected my family, counselling and gynaecological advice are hugely important. However, my constituents are over 100 miles from the nearest hospital where someone can give birth. I just want to put it on the record that a 200-mile round trip from Caithness to Inverness makes getting the counselling and gynaecological advice so difficult. My constituents are losing out on that front, and I wish that Caithness general hospital in Wick could be used for such purposes.

Caroline Dinenage: I am grateful to the hon. Gentleman for raising that. The situation is particularly difficult in rural communities where people live a very long way from services. As we set out in the NHS long-term plan, maternity outreach clinics are going to start to integrate maternity, reproductive health and psychological therapy for women experiencing mental health difficulties arising from or related to maternity experience, and we must keep in mind those living in very remote communities when we talk about those outreach facilities.

Andrew Percy (Brigg and Goole) (Con): This is such an important topic. While the Minister is on the subject of outreach clinics, may I also emphasise to her the need for maternity bereavement suites within maternity suites? I am proud to have helped secure £22,500 for the new facility at Scunthorpe hospital that opened over the summer, and I pay tribute to the Health Tree Foundation for securing that £175,000 project. It took years but we now have a bereavement suite where parents who have had a stillbirth can spend time with their other children and with their baby on the ward in that maternity suite, just as other young mums and dads do. It is a really important part of the healing process. Frankly, that should be the norm throughout all our maternity suites. As we mark Baby Loss Awareness Week, perhaps the Government could consider such a system for the country as a whole.

Caroline Dinenage: I am grateful to my hon. Friend for raising that point. He is absolutely right that we need to give that area a lot more attention. Having that ability to spend time together will be an incredibly valuable and important part of the process of grieving and coming to terms with the unbelievably tragic death of a baby.

Tim Loughton (East Worthing and Shoreham) (Con): On the question of raising awareness, a job that was so ably started by my hon. Friend, the Minister will be aware of my Civil Partnerships, Marriages and Deaths (Registration etc) Act 2019, which became law in May, two parts of which relate to stillbirth. One gives the Secretary of State the power to have coroners investigate stillbirths and the other sets up a review by the Secretary of State to look into the registration of pre-24-week stillbirths. That review body has not met for over a year, so can the Minister update us on when the legislation will be laid so that, for the first time, coroners will have the power and ability to investigate stillbirths where they see fit to do so?

Caroline Dinenage: I am grateful to my hon. Friend for raising that matter, because he brought forward a really important private Member’s Bill. The consultation concluded on 18 June after receiving over 350 responses. Officials are currently analysing all those responses and will report as soon as possible.

Much has been achieved since 2015 to improve the quality of bereavement care for parents, and I put on record the efforts of the all-party parliamentary group on baby loss, ably led by my hon. Friend the Member for Eddisbury with support from Members on both sides of the House. I will speak more about developments in bereavement care in a moment, but first I would like to talk about some of the progress made by the NHS on improving safety and reducing baby loss in maternity and neonatal services.

I cannot continue any further without putting on record my enormous thanks and gratitude to my right hon. Friend the Member for South West Surrey (Mr Hunt), who has done more than anybody to further the cause of patient safety and to investigate the untimely deaths of babies, and across the NHS. I thank him from all of us for his incredible work in that space.

Members will be aware of the Government’s ambition to halve the rates of stillbirths and neonatal deaths by 2025, with an interim ambition to achieve a 20% reduction in those rates by 2020. The ambition includes similar reductions in maternal mortality and serious brain injuries in babies during or soon after birth, and a 25% reduction in the pre-term birth rate from the current 8% to 6% by 2025.

This ambition was set in November 2015, when the Lancet stillbirth series ranked the UK 33rd out of 35 high-income countries for stillbirths. Case reviews of stillbirths and neonatal deaths suggest that many such deaths might have been prevented by better clinical care, and the Morecambe Bay investigation report made 44 recommendations for improving the safety of maternity services.

In 2016-17, the Department of Health launched a range of initiatives that are being delivered by the NHS under the auspices of the maternity transformation programme, and I would like to mention a few of those achievements. Every NHS trust with maternity services now has a board that includes obstetric and midwifery safety champions to lead the development of an organisational safety culture. Every trust has received a share of the £8.1 million maternity safety training fund, and 30,945 training places for multidisciplinary teams were delivered in 2018-19, with courses focusing on training for childbirth emergencies in labour wards and in the community, as well as on leadership, communication and resilience.

Evaluation of the “Saving Babies’ Lives” care bundle found that clinical improvements such as better monitoring of a baby’s growth and movement in pregnancy, as well as better monitoring in labour, mean that maternity staff have helped to save more than 160 babies’ lives...
Across 19 maternity units, an estimated 600 stillbirths could be prevented annually if all maternity units adopted national best practice. A revised version of the care bundle is currently being rolled out across England, and it includes elements to reduce the number of pre-term births and to optimise care where pre-term delivery cannot be prevented.

Andrew Jones (Harrogate and Knaresborough) (Con): I associate myself with the Minister’s positive words about my right hon. Friend. The Member for South West Surrey (Mr Hunt) and all he did to improve patient safety in the NHS. It was a fantastic piece of work.

Mr and Mrs Pickup of Knaresborough have suffered significant personal loss but are seeking to drive change to ensure that no other family have to face the same tragedy. The issue is with the automatic sharing of medical records between trusts. The process used within the NHS to ensure that that happens has not always worked very smoothly, so will my hon. Friend please consider this matter as she works to improve patient safety across the NHS?

Caroline Dinenage: My hon. Friend is right to raise that matter. When a tragedy could have been avoided by something as simple as sharing patient records, there is no option but to embrace the technology we need to make that a reality. Both the previous and the current Secretary of State for Health and Social Care are in favour of that.

Every trust is now using the perinatal mortality review tool to review stillbirths and neonatal deaths to make sure lessons are learned so that other families do not have to suffer in the same way. The first annual PMRT report is due for publication later this week, and it will provide an analysis of the first 1,500 cases. Overall, a review has been completed on 96% of stillbirths and 86% of neonatal deaths since the tool was launched.

Jamie Stone: The Minister talks about safety advice and safety good practice, so may I ask her and the UK Government to share that advice with NHS Highland and indeed the Scottish Government, who have never in my two years or so here given me a straight answer on the safety of pregnant women? Some of those women, who might be in labour, are being transported more than 100 miles from Caithness to Raigmore Hospital in Inverness, in the middle of winter, when the A9 can be blocked. I think lives are in danger.

Caroline Dinenage: My hon. Friend is right to join me in paying tribute to midwives, obstetricians and other members of multi-disciplinary maternity and neonatal teams across the NHS for embracing the maternity safety ambition that we set, and for their incredible hard work in achieving this milestone two years ahead of target—that is remarkable. However, there is no room for any complacency, because there is so much more to do.

Many Members will be aware that the neonatal mortality rate in 2017 was only 4.6% lower than it was in 2010, and that headline figure hides the fact that the ONS data show that the number of live births at very low gestational ages, most of whom die soon after birth, increased significantly between 2014 and 2017. In fact, the neonatal mortality rate in babies born at term—that is, after at least 37 weeks’ gestation—decreased by 19% and the stillbirth rate in term babies decreased by 31.6% between 2010 and 2018. The pre-term birth rate remains 8%.

Gareth Thomas (Harrow West) (Lab/Co-op): I apologise to the Minister and to the House for missing the early part of her remarks. On the statistics she has just
commented on, is it not the case that we are going backwards in our progress on neonatal deaths? Is it not also true that there is a marked difference in more socially deprived areas since 2014? Does that not suggest that significantly more investment in this policy area is needed urgently, particularly in those areas where social deprivation is most stark?

Caroline Dinenage: The hon. Gentleman is right. We are still going forwards, although nowhere near as quickly as we would want to be going, but there have been some backward steps along the way. A lot of the changes that we have introduced have not yet had the opportunity to take full effect, and I am hopeful that as we move forward we will begin to see neonatal death rates reduce. As I just mentioned, when babies are born at or close to full term, the rate has dropped significantly. It is pre-term births that are causing a lot of concern for us, which is why we are putting continued effort into this issue.

In the long-term plan that was published in January, the NHS committed to accelerate action to achieve the national maternity safety ambition. Maternity services will be supported to implement fully an expanded “Saving Babies’ Lives” care bundle across every maternity unit in England by 2020. The development of specialist pre-term birth clinics will be encouraged in England, which should help very much.

NHS England and NHS Improvement will continue to work with midwives, mothers and families to implement the continuity of carer model, so that by March 2021 most women will have a named individual caring for them during pregnancy and birth and postnatally. That will help to reduce pre-term births, hospital admissions and the need for intervention during labour. It will also improve women’s experience of care.

Let me return to bereavement care. Members will be aware that for three years the Department of Health and Social Care has provided funding to the charity Sands for it to work collaboratively with other baby loss charities and the NHS to develop and pilot the roll-out of a standardised national bereavement care pathway for parents who have experienced baby loss, whether through miscarriage, termination after receiving a diagnosis of foetal abnormality, stillbirth, neonatal death or, indeed, sudden infant death. The pathway sets out nine standards for good bereavement care and has so far been adopted by 40 trusts. I hope that many more will follow.

Sarah Champion (Rotherham) (Lab): I was contacted by one of my constituents, whose baby died in July at 26 days. She still, now, has been unable to get counselling support. Will the Minister look into giving clear guidance to clinical commissioning groups to make sure that the National Institute for Health and Care Excellence guidance on bereavement is there for everyone?

Caroline Dinenage: Yes. That guidance is there. My heart goes out to the hon. Lady’s constituent. If she wants to get in touch with us about any lack of access to care and support, we will almost certainly be able to help and look into it for her.

Bereaved parents need time to grieve. I take this opportunity to congratulate my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake)—I do not think he is present—who last year had a fantastic private Member’s Bill. As a result, from 2020 the Parental Bereavement (Leave and Pay) Act 2018 will give all employed parents a day-one right to two weeks’ leave if they lose a child who is under the age of 18 or suffer a stillbirth from 24 weeks of pregnancy.

Finally, the NHS commits in the long-term plan to improve access to and the quality of perinatal mental healthcare for mothers, their partners and children, by increasing access to evidence-based care for women with moderate to severe perinatal mental health difficulties and personality disorder diagnosis. We also want to increase access to evidence-based psychological support and therapy, including digital options in a maternity setting; the development of maternity outreach clinics, as I have already mentioned, that will integrate maternity and reproductive health; and psychological therapy for women experiencing mental health difficulties directly arising from or related to their maternity experience.

In conclusion, the Government and NHS are fully committed to reducing the number of babies who die during pregnancy or in the neonatal period, and to providing that absolutely fundamental and much-needed support for bereaved families.

As a mum and a grandma, I can say that anyone who has ever known the joy of conceiving and giving birth to a child and the joy of watching that child grow and thrive knows how precious it is, and the very thought of losing that is something too painful even to contemplate. The fact is that, every single day, there are 650 miscarriages in the UK, which means that every single day, 650 women and their partners and families experience the most devastating loss. Every day in the UK, nine babies are stillborn, which means that 3,168 mums-to-be a year never get to keep the child that they have carried and loved for nine months. For every 1,000 babies born, between two and three will die before they are 28 days old. That is the equivalent of 2,131 babies every year. Somehow those parents have to find a way to go on. Baby Loss Awareness Week is about raising awareness of their suffering, and it is so important. It is also about finding ways to provide support and about highlighting the need for good care following a bereavement or miscarriage.

This week, bereaved parents and their families and friends will unite with each other and others across the world to commemorate the lives of babies who died during pregnancy, at or soon after birth and in infancy. I want to pay tribute to members of the Baby Loss Awareness Alliance. There are too many to mention individually, but those incredible charities and organisations are working together for change and tangible improvements in policy, research, bereavement care and support for anyone affected by the death of a baby at any stage.
[Julie Cooper]

I want to thank them for the work that they do, and for reminding us that, first and foremost, this week is about remembrance.

The campaign to break the silence is crucial because miscarriage, stillbirth and infant death must not somehow become a guilty secret never to be told. The memories are painful, but precious, and the sharing of experiences with others is important. Many parents affected describe feelings of isolation, extreme sadness, anger and sometimes guilt. They need their experience to be listened to and acknowledged, because a loss of life matters and will always matter.

This week is also about raising awareness about pregnancy and baby loss in the UK and, crucially, it is a call for action. I want to commend the excellent “Out of Sight, Out of Mind” report published today. It is a call for mental health care for bereaved parents. Too often, they fall through the gaps in provision. The report illustrates a system that is at best insensitive and at worst totally inadequate. It is really hard to believe that anyone could ever think that it was appropriate for psychological support to be offered to a parent who has lost a baby on a neonatal ward with other people’s babies present. I was staggered to read also in the report of a bereaved parent turned away from bereavement counselling because they had not lost a loved one. We must do better.

A survey carried out this year found that 60% of bereaved parents felt they needed specialist psychological support for their mental health, but were not able to access it on the NHS. It has long been recognised that women who experience a stillbirth or neonatal death are four times more likely to have depression and seven times more likely to have post-traumatic stress disorder, yet currently, while there are pockets of good practice, provision is too often inadequate and reliant on a postcode lottery, and parents in need are falling through the gaps. This report is a call for the UK Government to act to ensure that all parents who experience pregnancy and baby loss and who need specialist psychological support can access it at a time and place that is right for them—free of charge, wherever they live.

I thank Members on both sides of the House who have on other occasions shared their very personal and painful experiences of loss. I also recognise the sterling work of the all-party parliamentary group on baby loss. Finally, but by no means least, I thank my hon. Friend the Member for Swansea East (Carolyn Harris) for her powerful campaign that led to the establishment of the children’s funeral fund.

I hope that Members on both sides of the House can together acknowledge today that we have heard the call for action and that, most importantly, we guarantee that we will act. In 2020, I want to be standing here and thanking the Government for their achievements in this field.

5.15 pm

Mr Jeremy Hunt (South West Surrey) (Con): It is a great privilege to speak from the Back Benches for the first time in over a decade following two extremely powerful speeches from both Front Benches. I thank the Minister of State and the shadow Minister for two extremely compassionate and understanding speeches in which they spoke about the sheer pain felt by so many families up and down the country.

I also thank the many hon. Members on all sides—my hon. Friends the Members for Eddisbury (Antoinette Sandbach), for Colchester (Will Quince) and for Banbury (Victoria Prentis), the hon. Member for Washington and Sunderland West (Mrs Hodgson) and the many others— who have spoken so powerfully on this matter. I cannot possibly compete with the power of their words because there is nothing that anyone can suffer more than the loss of a child. I just want to make one observation from my many years—some would say too many—as Health Secretary with respect to this issue, and that observation is about the impact on professionals.

When you go around hospitals up and down the country, and ask the doctors, nurses and midwives, “What is the most traumatic thing that has ever happened to you in your professional career?”, almost invariably they will say that it is when they lose a baby. We often talk about the trauma for the families, who of course are the primary victims in this situation, but we must never forget the people who are sometimes called the second victims: the doctors, nurses, midwives and other professionals who have to go home, worrying that if they had done something differently that baby might still be alive, and who have to come back to work the next day and struggle on, dealing with that incredible trauma.

In that situation, those professionals want nothing more than to be completely open, transparent and honest with the families and with their colleagues about what happened to ensure that lessons are learned and that that tragedy is never repeated again. But in the NHS today, we make that practically impossible. People are terrified of the Nursing and Midwifery Council, the General Medical Council, the Care Quality Commission and their trust. They are worried about being fired and they are worried about all sorts of consequences, so the one thing that should happen—the one thing that everyone in that situation wants to happen more than anything else, which is that lessons are learned from that tragedy—is often the one thing that never happens at all.

Let us remember that there are 1,400 neonatal deaths every year, as the shadow Minister said. That is about four every single day across the NHS. The great tragedy—not just in the NHS but in hospitals all over the world—is the fact that a tragedy can happen in Blackpool one day, and a month later exactly the same tragedy can happen in Cornwall. There has not been enough effort to try to share the learnings from such tragedies. I commend the efforts of the Government and my successor Ministers for doing everything they possibly can to put this right and to ensure that we really do become a learning organisation. In truth, though, this is a big job that will take a long time, because it is about changing culture.

The NHS needs to look at other industries that have successfully changed from having a blame culture to having a learning culture. The airline industry is the most famous example, but there are also the nuclear and oil industries. That job of changing culture will be our central responsibility if we are to reduce the agony for parents and the professionals involved in the care of babies.

The most powerful way to change culture is to shout out loud and clear those human stories of the terrible loss involved, because that is what promotes change.
I finish by commending everyone involved in Baby Loss Awareness Week—the brave Members of this House who have spoken out, and given many others hope that they are not alone; the many brave members of the public who have relived their own tragedies over and over again to try to promote change in this area; and the Ministers concerned, who have a heavy responsibility when it comes to this agenda, and who I know take that responsibility with the utmost seriousness.

5.20 pm

Patricia Gibson (North Ayrshire and Arran) (SNP): I begin by thanking the hon. Member for Eddisbury (Antoinette Sandbach) for bringing forward this debate. She and I and other Members of the House share a particular interest in this issue. I can hardly believe that another year has passed and we are once again reflecting on Baby Loss Awareness Week, which culminates in Baby Loss Awareness Day on 15 October. Once again, I wish to say that that day is particularly special to me, not just because it is international Baby Loss Awareness Day, but because it was on that day that my son was born stillborn at full term in 2009. He would now have been 10—a baby no more. I think of him every day; in that respect, I am no different from any other parent who has gone through this terrible trauma.

Every single bereaved parent who has lost a baby feels exactly the same the about their baby whose life was ended before it could properly begin. That is why I have used my position as an MP, as far as I can, to raise awareness of this issue and help break the taboo around this awful experience. Many Members across this House have done the same. Baby Loss Awareness Day and this week are important. Sadly, every year more people are drawn into the appalling statistics of those who have lost their baby in whatever circumstances.

The theme of this year’s reflection is access to mental health support for those who need it in the wake of baby loss. Who could argue with that? Indeed, only last week some of us were in this very Chamber discussing women’s mental health. Access to mental health support in the wake of baby loss is important not just for mums, but for dads, too, and indeed extended family members struggling with the loss of a baby whom they had expected to be welcoming to the family. Today, more families will have suffered a stillbirth and will somehow have to try to cope with this appalling trauma.

Mental health support is very important for bereaved parents who need it, not just from a compassionate or moral point of view, although those are important, but from a practical, social and economic point of view. In past debates on the issue, I and others have spoken about the fog of grief that comes from having to bury your baby—the bewildering sense of the world being turned completely on its head. While 50% of marriages end in divorce, parents who suffer the loss of a child are eight times more likely again to separate and divorce, heaping heartbreak on top of heartache. Easier and more prompt access to the correct mental health support could help mitigate that awful statistic, and perhaps help parents who are struggling with grief to stay married, return to the world of work, and remain economically active, which can in time prevent the isolation that grief brings with it too often.

Sarah Champion (Rotherham) (Lab): Before this job, I ran a children’s hospice. We were able to provide wraparound care to the whole family. We worked with hundreds of families in my time there, and I am really proud to say that because of that care, not one family separated.

Patricia Gibson: I thank the hon. Lady for her intervention. That is the kind of support we need to put in place, and I am about to talk about wraparound care.

We know that bereaved parents are more likely to develop depression and other mental health issues, perhaps turning to drink or other forms of self-medication, because we know that those who experience stillbirth or baby loss are at a higher risk of mental health challenges. Given what we know, there is really no excuse not to have measures in place in this awful eventuality for those affected by baby loss. The aftermath of baby loss is no more or less traumatic for those affected than living through the immediate experience and the years following it.

Gareth Thomas: I thank the hon. Lady for giving way. She is making a powerful speech, and I strongly support her call for better access to mental health support. I think of the difference that the four-hour target made to quality of care and access to accident and emergency doctors and nurses where needed, and I wonder whether we need a similar target in place, to ensure that trusts and the NHS in general can be accountable for whether access to mental health support is given quickly enough to people who are bereaved in these circumstances.

Patricia Gibson: I thank the hon. Gentleman for his intervention. The point I am trying to make is that because we know that these mental health challenges very often arise following baby loss, there is no reason why the infrastructure should not be in place for when these issues arise. Sometimes the demand is immediate, and sometimes it is months or years after. Sometimes people will choose not to call on these services, but the infrastructure needs to be there to ensure that people have access to it in a timely fashion.

Someone pointed out to me today a comment on social media from a chap who spoke about “awareness day fatigue”, but he also acknowledged the importance of those with lived experience feeling able and willing to speak about their experience of baby loss, because this can encourage others to talk of their own loss and perhaps seek the support and help they need. We with lived experience who choose to talk about it can also prevent others from going through the awful experience we had by raising that awareness, to stop other people joining the terrible club of which no one would ever wish to be a member.

Raising awareness is very important. It is not and must not ever become some trite stock phrase, although it may sometimes sound so. It is important because every day I wish to God that I had had some more awareness of pre-eclampsia and HELLP syndrome. I may then have been in a better position—I am sure many mothers would say the same—to articulate what was happening to me, instead of being told by the Southern General Hospital that I was wasting their time when I turned up on the day I was due to deliver my baby and that the terrible pain I was in was normal.
What did I expect? It wasn’t labour—go home and lie down. Could I not see they were busy? Had I known more about pre-eclampsia, I would have been able to ask to be checked specifically for that condition, because I was not tested for it. I would have been more assertive, instead of being made to feel like an hysterical older expectant mother.

Raising awareness really does matter. Information matters because it can make a difference between life and death. We know that, too often, mothers are not listened to. Raising awareness cannot be seen as a trite phrase or a box-ticking exercise, and I know that many who have lived with the loss of their baby would say exactly the same.

The chap commenting on these matters on social media is right to say that the lack of mental health support must be addressed. We cannot be discharging mums to send them home to their partners and families and leave them to get on with it. They must have the mental health support they need to help them navigate as best they can the biggest loss and the most appalling experience it is possible for them to have.

We have, over the years, come a distance in the realms of baby loss. We have, with some success, shone a light on it and worked to remove the taboo, but we still need to do more to ensure that the isolation of grief does not swallow up those affected by this loss, which goes against everything that nature would suggest. We need to continue to work to break down the isolation, and we can do that with the proper mental health support to help those affected to find their way back to some semblance of normality and find a path through their fog of grief, so that they can rebuild their lives, albeit around the loss that they have suffered.

It is shocking to learn that the majority of bereaved parents who need help cannot access it in an appropriate place and at an appropriate time. This is because perinatal mental health services are focused on women who are pregnant or have a live baby. Last week in the debate on women’s mental health, many of us spoke about new mums needing mental health support—and that is true: they do—but this need not mean and must not mean that those mums whose babies have died are forgotten. They must not be forgotten; they must be given the support they need because we know that they are at risk of developing mental health challenges. We need to do more to ensure that the mental health infrastructure they need is in place to support them. Women who have experienced stillbirth, miscarriage or ectopic pregnancy are at a higher risk of post-traumatic stress disorder, anxiety and depression than those who have not. They also display clinically significant levels of post-traumatic stress symptoms from five to 18 years after stillbirth.

As I was reading some of the testimony from the Lullaby Trust in preparation for this debate, from women who had suffered stillbirth and described walking out of the hospital with no further contact about the support they might need. I recognised that because that, too, was my experience. I did not feel able to discuss my experience or participate in counselling, but that was just as well because it was never offered. In my case, the hospital was trying to dodge questions and withhold information about how my baby died.

In response to the point made by the hon. Member for East Worthing and Shoreham (Tim Loughton), who is no longer in his place, the demand for coroners’ inquests—or, in Scotland, fatal accident inquiries—into stillbirths, where they are deemed to be in the public interest, has risen only because of hospital trusts and health boards pulling down the shutters when things go wrong. That is where that demand comes from, and that has to stop: it has to change. Parents do not want to consult a lawyer when their baby dies; they just want to know what went wrong and how it can be avoided. That is something health boards and health trusts really need to do more to get their head around.

I am pleased that in Scotland there has been new investment in perinatal mental health to ensure that there is support for bereaved parents prior to discharge and that there is appropriate signposting to third sector services that can provide bereavement and other mental health support. We can no longer turn a blind eye to or overlook those who fall through the gaps in our health system. There must be psychological support for those affected by the death of a baby if they need it.

Alison Thewliss (Glasgow Central) (SNP): My hon. Friend is making an excellent speech, and I commend her bravery in speaking up on this again; I know how hard that is for her. Does she agree with me that there needs to be support for women entering a subsequent pregnancy after that as well? That could be quite retraumatising for some women and quite challenging to deal with, and they need special support for that as well.

Patricia Gibson: I thank my hon. Friend, and I think she has made an excellent point. The shadow of a stillbirth will hang over any subsequent pregnancy, should it take place, and we need to be mindful of that.

Carolyn Harris (Swansea East) (Lab): Will the hon. Lady join me in this poignant debate in saying how dreadfully sorry we all are that, on 27 September in Bronzefield women’s prison, a baby was born and died? We know no more than that at the moment, but it seems appropriate in this debate that we pay our respects to that baby and their mam.

Patricia Gibson: Absolutely. I absolutely share the hon. Lady’s sentiments. I think the important thing for all the people affected by that terrible loss is that they get the answers they need. We cannot turn back time, but what parents want are answers and explanations. To know that their baby mattered and that their loss is not going to be swept under the carpet is extremely important at those times.

I know there might be awareness day fatigue, but this particular awareness day does matter to those affected by baby loss. It is a week of remembrance, culminating in International Baby Loss Remembrance Day on 15 October. It is a space—a day—where we can collectively remember our babies, comforted by the knowledge that others have also experienced this indescribable loss and can understand the pain we feel. When you have experienced this, it really is easy to feel that no one could ever comprehend the scale of such a loss, but of course others who have gone through it do.

This day is not just about remembrance of our lost babies, although that is extremely important; it is a reminder that those who live with this are not on their own.
Sadly, thousands of people in the UK and millions worldwide have suffered this loss. There are many who do understand, and more and more of us are willing to speak out. If we can take some of the isolation out of the grief for our lost babies and if we can give better aftercare to the parents who have suffered this loss, perhaps we could all have better mental health, despite suffering a loss of such huge magnitude in our lives.

5.34 pm

Antoinette Sandbach (Eddisbury) (Ind): It is always a pleasure to follow the hon. Member for North Ayshire and Arran (Patricia Gibson), who has been a real support on the all-party parliamentary group on baby loss and who always speaks incredibly powerfully not only about her own experiences but about what needs to change. I am grateful, too, to the Leader of the House, who provided time for this debate, and to the hon. Member for Banbury (Victoria Prentis), who helped with a pincer movement to encourage him to table the debate.

I thank the hon. Member for Colchester (Will Quince), who used to co-chair the APPG with me, and I give thanks particularly to the right hon. Member for South West Surrey (Mr Hunt), whose support for this issue when he was Health Secretary provided the political will to drive through the change that we have seen in the past few years, which has been incredibly important. It is an important testament and legacy that he has left, particularly given the reduction in numbers. There is a need for cultural change, and there is a need, too, for cultural change around mental health support, as seeking such support often had a stigma attached to it.

The right hon. Member for Runnymede and Weybridge (Mr Hammond), the former Chancellor, allocated £1.4 million of LIBOR funding to Alder Hey Children’s Hospital so that it could build a brand-new bereavement counselling centre. I recently went to see that centre, and it will be an exceptional resource in the north-west. Any parent who has lost a child, no matter how long ago, can go to Alder Hey and receive free support and counselling. I would like to make sure that people are aware of that. Alder Hey also operates a hotline that can signpost parents towards help. The Government can be really proud of the steps that they have taken to tackle some of the deep-rooted issues in maternity provision, stillbirth rates and neonatal deaths.

Progress achieved on the national bereavement care pathway should be celebrated. An alliance between the third sector and the national health service has achieved real change. Evaluation of the pathway showed that 92% of parents who had been on the pathway felt that they had been treated with respect; 89% felt that they had been communicated with sensitively; and 87% were offered access to ongoing emotional support after they left hospital. Trusts that have taken up the pathway have seen a real improvement in the care that has been offered to parents.

Further to the point made by the right hon. Member for South West Surrey, clinicians using the national bereavement care pathway felt that they were better prepared to communicate with bereaved parents, and the proportion had increased to 92%. The proportion of professionals who felt capable of discussing bad news with bereaved parents increased from 66% to 72%. There are other excellent results from the evaluation, but I will not go into them here.

Sarah Champion: Does the hon. Lady share my concern that that is not the case across all health trusts and that we need to make statutory provision?

Antoinette Sandbach: I absolutely do, and I shall come on to that. Having been through the system in Wales, where absolutely no bereavement care at all was offered to me—a charity set up by a former Member of Parliament paid for me to have counselling from Alder Hey—I am as aware as anyone of the issues around access to support. Some 130 NHS trusts have expressed an interest in using the bereavement care pathway, and they should be encouraged to take up best practice.

It is not all good news, however. The reality is that while many hospital trusts are now putting that support in place, the gap in provision comes when parents go back into the community. It is there that the issues need to be tackled. The information gathered by the Baby Loss Awareness Alliance showed that there was a clear need for specialist psychological support for parents. A freedom of information request sent out by Sands in July 2019 painted a picture of very patchy support, with commissioners in over 86% of areas across the UK telling us that they do not commission specialist therapies to support bereaved parents. That is quite scandalous when we look at the good progress that has been made in the acute sector. That is where the gap is present.

Less than 40% of commissioners said that that support was available for both parents, so when it was available, it was only available for one parent. That is completely wrong, for all the reasons my hon. Friend the Member for Colchester has outlined. It should not matter whether someone is a mum or dad; they should be able to access specialist psychological support if it is needed. Why is that important? Some 60% of bereaved parents said that, in the end, they did feel that they needed psychological support. Certainly, I did not want to talk to a load of volunteers; I wanted to talk to a professional who could give me the tools and the understanding to cope with the loss of my daughter and to be able to go back to work and start functioning in a normal way.

It is right to acknowledge that women who experience stillbirth, miscarriage or ectopic pregnancy are at high risk of post-traumatic stress disorder, anxiety and depression. I remember giving a speech to a City law firm, where I was told that it was extremely common that mothers never went back to work having lost a child, because of the impact of that loss on them. By investing in that support, we encourage the family to stay together and to get to a place where it is possible to live with loss and still contribute to society.

Where there has been a sudden or unexpected death, 39% of women three months after suffering an early pregnancy loss met the criteria for probable to moderate post-traumatic stress disorder. Some 68% of mothers and 44% of partners reported four or more negative psychological symptoms at 10 days. The important Bill brought forward by my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake), which allowed some paid bereavement leave for parents, allows some time for parents to come to terms with the issues they face and, very importantly, to find the services that will help them to deal with the loss they have suffered.

I encourage Ministers to read the “Life after Loss” report, which was published last week by the Centre for Mental Health. I support the Minister in the ambition
to roll out national centres that will permit parents to access support locally, working with commissioners and the third sector, which can very often have expertise in this area. Support can be commissioned locally without the need for infrastructure, because there is already a third sector organisation. I am thinking of the Petals Charity, for example, which provides counselling. However, its services are not provided all over the UK.

There is another really good example in Wales: 2 Wish Upon A Star. This charity is proactive and not reactive in its approach. It contacts parents within hours of them leaving hospital to discuss their loss and to see what support they need. It can then put a counsellor in a car and on the way to the bereaved parents within hours, rather than them having to wait weeks or months for a referral. If we could roll out that kind of service, delivered by the third sector but supported by the national health service, in areas where there are gaps in provision, that would make a huge difference to parents’ lives.

As chair of the all-party group on baby loss, I said that I would not only celebrate success but hold feet to the fire, so I ask the Government to undertake a review of the current provision, including the evaluation of the models of best practice involving parents and professionals, and to develop quality standards and national guidance to support those planning, funding and delivering specialist psychological support—that must be delivered at CCG physical health services, this is an area that needs addressing. There is more work to do, and with the previous commitment really committed to pushing forward this agenda. However, cross-party working with a Government who have been done in this House and that is achieved through advantage of not proroguing—at the beginning of Baby Loss Awareness Week. It shows the valuable work that is done in this area. Support can be commissioned locally without the need for infrastructure, because there is already a third sector organisation. I am thinking of the Petals Charity, for example, which provides counselling. However, its services are not provided all over the UK.

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It is a real pleasure that we can speak in this debate—an advantage of not proroguing—at the beginning of Baby Loss Awareness Week. It shows the valuable work that is done in this House and that is achieved through cross-party working with a Government who have been really committed to pushing forward this agenda. However, there is more work to do, and with the previous commitment to try to put mental health services on a par with physical health services, this is an area that needs addressing so that that support is put in place.

5.46 pm

Justin Madders (Ellesmere Port and Neston) (Lab): It is a privilege to follow the hon. Member for Eddisbury (Antoinette Sandbach), who speaks from personal experience on this matter. Every year, she identifies the main issues that we still need to improve on. She is absolutely right to talk about the evaluation that shows where things are getting better, but it is also fair to say that the good practice is not consistently felt across the board, and that is what we need to aim for. She also spoke about the need to change the culture, which is really important. The right hon. Member for South West Surrey (Mr Hunt) also referred to that, and I welcome him to the Back Benches—I know that we had our disagreements as Front Benchers, but on this issue, there was a great deal of unanimity, and that is the spirit that we should carry forward. Both spoke about the need to change the culture and the length of time that that will take, but that is absolutely the right approach, because with all tragedies in the health service, most of the time people just want to know why something happened and how it can be stopped from happening again. The more that we can move away from the blame culture and get into a proper analysis of why things have happened and how we can prevent them from happening in future, the better the experience will be for everyone.

When I first spoke in a baby loss awareness debate back in 2016, I expressed the hope that this would become an annual fixture, and I am pleased to see that we have managed to do that despite the unpredictable timing of Parliament at the moment. This gives us a real opportunity to take stock of where we are and hopefully to set some benchmarks for future progress, because, as we know, every year there are thousands of tragedies. Tommy’s estimates that a quarter of pregnancies end in miscarriage. The Ectopic Pregnancy Trust tells us that one in 80 pregnancies is ectopic and Sands tells us, as we have heard, that 15 babies are stillborn or die shortly after birth every day. Those charities are just some of the 60-plus charities that collaborate to support this extremely important week. I echo the comments of hon. Members who have praised their work in this vital area, not just how they support people who have experienced their own personal tragedies, but how they work across the board to secure better outcomes for everyone. They not only raise awareness of baby loss, but work with health professionals to improve services and bereavement care and, critically, to reduce the number of preventable deaths.

Like others, I want to focus on bereaved parents and mental health support. As we all know from meeting bereaved parents, the feelings of loss and isolation are understandably overwhelming, and nothing can take away from that, but that does not mean that we cannot do more to ensure that the right care and support are in place at the right time so that those people can come to terms with their loss as best they can. We know from the evidence that good bereavement care can make a difference to parents and families and their experiences at this tragic time.

The sooner we can support more healthcare professionals in delivering good-quality care, the better. I welcome the roll-out of the pathway, but I urge the Government to redouble their efforts to ensure that all trusts and health boards adopt the pathway and ensure that all our healthcare professionals feel properly equipped to deal with bereaved parents, so that everyone across the board gets the correct and best level of support, which is what they truly deserve.

Not all bereaved parents will develop a mental health problem, but we must ensure that those who do can access specialist psychological support, that they can access it as soon as possible and at a time and place that is right for them, and of course that it is freely available to them. Sadly, as we know, not all parents can do that at the moment. Parents have told me that they are often not aware of the services available. Many leave hospital with no information about where they can seek support. Some are given information but then find that the support is not available for them at the time they need it—because of course there is a waiting list.

A survey by Sands earlier this year found that nearly two thirds of bereaved parents felt that, although they needed specialist psychological services, they could not
access them on the NHS. This is equally a challenge for those who seek bereavement counselling for adult deaths, urgent referrals for which can take up to six months to process, which is far too long. I think we would all agree. In the words of one mother who contacted me: “we weren’t offered any specialist help in terms of bereavement support. I visited my GP on a number of occasions and was advised I could see a counsellor but there was a waiting list. I was prescribed antidepressants which I refused to take as I was grieving, I wasn’t depressed”.

Many listening to this debate will recognise that experience. I hope we can learn that it is vital that the right support and treatments are available at the right time.

A new report from the Baby Loss Awareness Alliance reveals that nearly nine out of 10 clinical commissioning groups do not commission talking therapies specifically for parents, and where the services do exist, they are mostly for mothers only, meaning that the needs of fathers are often overlooked, as the hon. Member for Colchester (Will Quince) has spoken about in the past.

There is of course much good practice out there, but it is sometimes reliant on charitable grants and third parties, meaning that the provision is patchy and at risk from wider funding decisions. I therefore support a call for a review of the current provision, including an evaluation of the models of best practice, involving parents and professionals in those conversations. We know that the need for psychological support following pregnancy loss is far too long. That is recognised in the NICE guidance and that the “Better Births” report, the maternity transformation programme and the NHS long-term plan all highlight the need to improve perinatal mental health care. These plans must translate into action to ensure that the needs of bereaved parents are explicitly addressed in quality standards and national guidance, in the training for the relevant healthcare professionals and in guidance and support for local services.

Beyond the major transformational strategies we have been talking about, we can also make simple, small changes that will make a difference to parents’ experiences. In the words of another constituent after her own experiences:

“That moment, I know myself, stays with you as much as the birth and most of us end up lumping into other new parents carrying their bundles home on the way out. I feel a support worker or midwife could do with walking the parents out, helping the transition into the hands of family or friends so more smoothly would be extremely beneficial. Most of us are left with not even so much as a leaflet of where to turn to in crisis. Most of us haven’t had a follow up with a midwife or healthcare professional even though we have given birth and these unfortunate administrative errors occur far too often. I suppose support is the key issue.”

Those comments show that some simple, straightforward things can be done that need not cost the earth or require massive national strategies, but actually just need a bit more thought and organisation. I think we can all recognise the difficulty that that mother must have experienced.

Having participated in debates on this subject over the last three years, I know that Members have shown a great deal of personal courage by speaking about their own experiences. Three years on, we have shown that the message is going out to people that they are not alone. I pay tribute to my hon. Friends the Members for Lewisham, Deptford (Vicky Foxcroft) and for Washington and Sunderland West (Mrs Hodgson), and to the hon. Members for Eddisbury, for Colchester and for Banbury (Victoria Prentis), for their work and for the way in which they have spoken about their own experiences. That contributes greatly to increasing awareness of Baby Loss Awareness Week, which has itself led to some local groups getting together. Next Tuesday my constituents will take part in the Wave of Light outside Ellesmere Port civic hall, which I think is a very good way of encouraging more people to come and talk about what they have been through. The more people who engage in that dialogue, the better.

I should like to be with those constituents next week, but I suspect that I shall be here, although my thoughts will be with them. I think that what we can show them today is that when the House puts its mind to it, we can work across parties and make things better for our constituents. Anyone who has heard the debate today will understand why it is so important that we do that.

5.56 pm

Andrew Percy (Brigg and Goole) (Con): I obviously associate myself with many of the comments that have been made today, particularly those of my hon. Friend the Member for Eddisbury (Antoinette Sandbach) and the hon. Member for North Ayrshire and Arran (Patricia Gibson), who talked very movingly about their personal experiences.

I suppose that not many of us necessarily think about this issue if we have not experienced it, or think about the support that is available. I must confess that I had not considered the issue in any great depth, because I had had no personal family experience of it, and of course one assumes that all the services will be there to support people at this most vulnerable of times. It was not until someone came to talk to me about the project that I described in an intervention on the Minister’s speech—at that early stage, I was not sure whether I would have an opportunity to speak myself—that I gave any thought to the experience of bereaved parents in a maternity suite.

That brilliant project was initiated by the Health Tree Foundation in north Lincolnshire, which is the hospital charity for the North Lincolnshire and Goole NHS Foundation Trust. I pay particular tribute to the member of my staff who raised the subject with me, Julie Reed, who is my community support manager. She tasks herself with going out and supporting local good causes, and as a result has managed to write funding bids and bring in more than £1 million. This was a cause that she took on up on my behalf, and, through her brilliant ability to write funding bids, she helped to secure £22,500 towards the £175,000 project. A lot of people did a lot of work, particularly, as I have said, the Health Tree Foundation, and the maternity suite itself.

Let me say a little about what the suite does and what it means. It opened in July, and is known as the Cherished suite. When the experience was described to me of being in a maternity suite and being bereaved, it struck me that there were two things that a bereaved parent might not want to do. First, they might not want to go home very quickly; and secondly, they might want to be in the suite, but not necessarily surrounded by people whose children are being delivered and who are experiencing that most joyous of moments. The brilliant job that the midwives and all the professional staff do to support those parents was not in doubt. Rather, it was about the ability of bereaved parents to have a safe and quiet
private space on the maternity suite, like every other parent, where they can enjoy that important time with their baby and bring their family in; a space where they will not be rushed out, but where they can stay for as long as they require. That is exactly what the Cherished suite, which is now open at Scunthorpe central maternity suite, is providing. It is on the maternity suite, but in a private, quiet area.

I want to quote the experience of one set of parents, who sadly lost their daughter Alicia in 2017, before the suite was opened, who have talked about what it would have meant for them:

“When we lost our daughter, we were in the middle of the delivery suite, surrounded by people doing their jobs and delivering newborn babies. Other couples were walking out with babies and it felt like we had been stabbed in the heart.”

Other parents who have experienced the same have described to me how they felt that they had in some way failed, which is a terrible thing to hear. Those parents continued:

“We didn’t have the opportunity to use a place like this to heal and recover from the heartbreak. It would have helped tremendously—it’s quiet and you couldn’t hear anyone outside the room.”

a safe space for them to spend that time with their baby.

I am so proud that the Health Tree Foundation has been able to deliver that service for our area, because the suite is a place where parents can spend time with their baby, but also where memories are made. The Health Tree Foundation provides memory makers, who do prints of baby’s hands, and even casts of legs and arms, and make teddy bears from the clothes that the babies would have worn. I hope that we can look at that idea, whether in the design of new maternity suites or in providing support for existing maternity suites, to ensure a place where bereaved parents can spend time with baby in privacy on the maternity suite, with the support of every other parent there, but in a way that is sensitive to their particular needs.

I should add that the suite of course provides all the necessary support and information that is so often required for ongoing mental health needs. I particularly associate myself with the comments of the hon. Member for Ellesmere Port and Neston (Justin Madders) about the vital role that can be played by talking therapies, which is something that I have more personal experience of. Talking therapies are so undervalued. They can be used in so many ways, but this is one area where parents need to have absolutely guaranteed access to them.

I do not want to say anything more, other than to thank the health foundation in northern Lincolnshire and Goole for providing that service. I also thank the maternity staff, who were doing a brilliant job anyway in supporting bereaved parents, but who have got behind the project so enthusiastically and now have a special private place, as people walk into the suite, where they can do even more to support bereaved parents. We are of course not the only place where something like that happens, but I found it striking that it does not happen automatically and that there is not such a space everywhere. I agree with so much that has been said today and pay tribute to all those who have done so much in this area, both here and outside this place.

Anna Soubry (Broxtowe) (IGC): It is a real pleasure to follow the hon. Member for Brigg and Goole (Andrew Percy). My contribution to the debate will touch on a lot of what he said about the situation, which is undoubtedly true. It struck me again because of two constituents in particular who came to see me. I had my children at the Queen’s Medical Centre in Nottingham. My constituents went in there expecting, as most of us do when we go into hospital to give birth, that they would be taking their baby home after a safe delivery. Emily was their second child, and she died—she was a stillborn baby. That was at the end of 2013.

Until I met Richard and Michelle Daniels, I had not appreciated some of the issues we are talking about. When I gave birth to my babies, I had two wonderful deliveries, although they were very painful. However, I do not talk too much about the great pleasure, joy and magic I experienced in becoming a mother on those two occasions. I felt real shock when Richard and Michelle came to tell me that, although they got the most terrific care, love and support from the remarkable staff at the QMC when Emily was born dead, there was no facility at all, as the hon. Member for Brigg and Goole described.

It is true that there is nothing worse that could happen to any of us than to lose a child, but it must be even more heartbreaking to lose a child and then to be surrounded by people experiencing all the wonderful joy and celebration of a new birth and of having a new member of their family, but not to have somewhere to be able to say goodbye properly or to have quiet time. People also need the opportunity to bring in other members of the family so that they, too, can say goodbye. I was just blown away in my shock and horror when I heard that, in Nottingham, we had no such suite at all in the QMC or the City Hospital. That had been going on for many years, and one can only imagine how many people have suffered in that way, given all the touching speeches that hon. Members have made.

In early 2014, Richard and Michelle Daniels set up a charity called Forever Stars. They poured all their remarkable energy and dedication into making a great success of it, and they have raised over £400,000. Their first project was to install a serenity suite at the QMC—a place where a couple can go in the event of an unsuccessful delivery and the loss of a child. They can say goodbye properly, in the way that has been described, and siblings and other members of the family can come along. In due course, there was another serenity suite, at the City Hospital in Nottingham—again thanks to the Forever Stars charity that Richard and Michelle set up. That is now in operation.

By a remarkable coincidence, the hon. Members for Eddisbury (Antoinette Sandbach) and for Colchester (Will Quince) set up their all-party group in this place in 2015, and we had that first debate. I remember it distinctly. There were so many appalling stories that there was not a dry eye in this place, and that included your good self, Madam Deputy Speaker. All us were filled with a mixture of grief, horror and disbelief that so many people suffered baby loss with none of the proper facilities that they should have.

It is full credit to the Government of the time and to the former Secretary of State for Health, the right hon. Member for South West Surrey (Mr Hunt), that they did not mess about. They took up the campaign, and
huge progress has undoubtedly been made. It is thanks to a lot of cross-party working and the considerable efforts of the former Secretary of State and his team, as well as those two hon. Members and others, that we have seen such marked progress.

The work of Forever Stars continues. As you can see, Madam Deputy Speaker, I am wearing pink and blue. That was not necessarily my first choice to put on this morning. It was a bit of a bet with Mr Richard Daniels that I would do it. However, I wanted to do it because Forever Stars is painting Nottingham, and indeed Broxtowe, pink and blue. Like so many other charities that have come out of so much tragedy and that are doing great work, Forever Stars is raising awareness, on top of the other work that it does. We have heard why that is so important.

I, too, join the calls in the report that the Baby Loss Awareness Alliance put out today—“Out of Sight, Out of Mind”—for specific work to be done to make sure we cater for grieving parents, siblings and other members of the family. I may one day be a grandparent, and it must be terrible for grandparents to see their own child and son-in-law or daughter-in-law suffer in the way that we know people do. We also know the effect these things have on siblings; we often forget them and how one explains things to them, and they often need support.

Forever Stars tells me that, in just the last 24 hours, it has had four calls from parents who have suffered a baby loss and who would very much like to be referred to the counselling or the psychological, and sometimes psychiatric, services that they desperately need. It is really important to ensure that those services are in place. I am told not only that 60% of parents surveyed want those services, but that nine out of 10 CCGs do not commission the talking therapies that the hon. Member for Ellesmere Port and Neston (Justin Madders) rightly spoke about.

Forever Stars continues in its great work and is now raising funds to create a serenity garden for parents in Nottingham. There will be a service every quarter when parents and, of course, other family members can go along to say goodbye again to a child or baby they have lost.

It is really important to recognise that this place does some terrific work when it comes together in this way. The APPG has done that terrific work when it comes together in this way. It is all too easy in the current political climate for people to criticise Parliament and set it up against the people, but that would be wrong in many ways. This is an example of why that is just not true, because this place can do genuinely great work that touches the lives of real people.

Madam Deputy Speaker (Dame Eleanor Laing): The right hon. Lady is absolutely correct. When this House comes together and works properly, we do achieve what those who send us here expect us to achieve and hope that we will achieve. It is just such a pity that more people do not watch the proceedings on days like this instead of on days when the Chamber is crowded.

This is a debate in which we love to hate participating. It is not a pleasurable experience for anyone who has lost a child, and I know that some Members across the House feel exactly as I do when speaking in this debate. Nevertheless, I am grateful for the opportunity to lay my annual asks on the table.

First, I must give an enormous amount of thanks to the previous Secretary of State for Health and Social Care, my right hon. Friend the Member for South West Surrey (Mr Hunt), whose speech I am really looking forward to watching on catch-up tonight. I am tremendously grateful, as are all of us who have been involved in this area for many years, for all that he did. It must be counted as one of his major achievements as Secretary of State that there has been a 19% reduction in stillbirths and an 8% reduction in maternal mortality since 2010. Those are really good figures, and I hope that he will look back on his career in many years when he retires—

Mr Hunt: I can retire now. [Laughter.]

Victoria Prentis (Banbury) (Con): As ever, I am grateful to be called to speak, Madam Deputy Speaker, although I was not anticipating it because I was not here at the beginning of the debate. I can only apologise for that, but I was elsewhere on unavoidable duties.

Victoria Prentis: I hope that my right hon. Friend will count that among his most important achievements. I expect that he said, as did the hon. Member for Ellesmere Port and Neston (Justin Madders), that blame is probably not the way to go, and that we need a cultural shift in the NHS, so my ask this year is that we should make maternal death a never event. Luckily, maternal deaths are rare—I was almost one of them myself—but making them a never event, with the definition and the muscle that that provides, would be very helpful.

With my prison service background, I should add that a child or, indeed, a mother dying in custody should also probably be a never event, with all the chain of investigations that should flow from that. I know that the recent death in custody is being very well investigated, and there is no need to comment further on that case now. The never event definition is helpful, because it sets in train a course of investigations that need not be blamed-filled but which are helpful for learning.

Sadly, the situation elsewhere is not as helpful as in this country. A baby dies every 11 seconds worldwide, and many maternal deaths are completely preventable. I am pleased that the Secretary of State for International Development has chosen to make maternity a priority for the Department for International Trade. He wrote an excellent article about it in The Times last week, and I encourage hon. Members to read that article.

The Secretary of State for International Development is helping members of the Royal College of Midwives to provide training in rural Bangladesh, and he is resourcing organisations that work with women who have had female genital mutilation performed on them and who have dreadful maternal complications as a result. He is working to provide vaccinations, which are so helpful in preventing the death of newborn babies. Across the board, the fact that maternity is now a priority for DFID is really helpful.

I close by thanking you, Madam Deputy Speaker, for your support in this area and for allowing me to say a few brief words this afternoon, and by advertising the baby loss service at St Mary’s, Banbury at 6 o’clock this Sunday. It is an extraordinary event, and we have been doing it for only a few years. People came to that church in the first year who had never talked about their loss, and it is overwhelming.
[Victoria Prentis]

Such services are taking place all over the country, as the hon. Member for Ellesmere Port and Neston said. Unfortunately we have not organised one in Parliament this year, as we normally do, because we are not sitting, but I am sure we will organise one in future years. I thank everybody who has taken part in this debate, which I think is now annual. I am thrilled that we have Government time, and I hope we have it again in future.

6.16 pm

Sarah Champion (Rotherham) (Lab): I have a couple of points for the Minister. First, there is a lack of trained paediatric nurses, particularly in palliative care, and anything she can do to encourage people to train in that vital specialism would be hugely appreciated.

The other point is that children’s hospices are wonderful, remarkable places, but virtually all their money comes from the public through fundraising. Again, if there is anything the Minister can do to give them just a base coverage of funding on a statutory basis, year in year out, that would make such a difference to their being able to commit to those services.

Finally, drawing on my privileged experience of running a children’s hospice and meeting hundreds of families, the one thing that strikes me most is that all those families say that what they liked best about and what they got most from the hospice was being able to talk about their child who had passed. I had not realised that most people out there do not do that. They said that friends would cross the street to avoid talking to them, not because they were being mean but because they did not want to burden them. They did not want them to cry or to crumble. Actually, the one thing those families want more than anything is to talk about their child, because that is what keeps them alive in their heart.

This debate is so important to everybody involved, and I make this plea to everyone watching: please, just talk to that person and celebrate their child. However brief their life was, it was an important life that we need to recognise.

6.18 pm

Jim Shannon (Strangford) (DUP): I thank the Minister for Care, the hon. Member for Gosport (Caroline Dinenage), in her absence, for moving the motion. I am a member of many organisations, one of which is the Royal Black Preceptory. We helped the father of a young child who was lost with a charity event at the bowling club in Ballywater to raise money for this issue, and we raised some £1,000.

Paul Girvan (South Antrim) (DUP): On the number of people who have had difficulties, the problem we have perhaps relates to the level of focus on care, aftercare and counselling. I am not saying this is inevitable and will always be the case, but we do not have the necessary focus on counselling for the individuals and families who have gone through this traumatic experience.

Unfortunately the fear of what they have been through sometimes means that they do not want to have another child and go through this again, so they are denied the opportunity to have a family because of what they have experienced; a lack of counselling means that that can sometimes be a fear.

Jim Shannon: I thank my hon. Friend for that intervention and I can relate it to my constituency and the people I have spoken to. The thing that sustained my sister, my mother and my PPS was their faith, which is why I come back to the importance of having faith, as I said to the hon. Member for Colchester (Will Quince). In our debates in this House they have told us their personal stories and have helped us to understand exactly what it means to lose a child. One thing that came out of those Adjournment debates and those contributions in this House was the need to have a separate room in hospital where people can grieve and have privacy, and the hon. Member for Brigg and Goole (Andrew Percy) talked about the one in his constituency. [ Interruption. ] I hope Members excuse me; I have a bit of a chest infection and am trying to keep it off if I can.

I mentioned the next thing to the hon. Member for Rotherham—he can probably remember it—the importance of having faith involved, as people can use that to help get to the other side of the grieving process. Where there are rooms where people can have privacy, it is important that they can call upon someone of faith to come to give support. The hon. Member for Rotherham spoke about how important it is to have someone to speak to, to relate to and understand.

Most miscarriages happen in the first 12 weeks, which is known as “early pregnancy”, and an estimated one in four pregnancies ends in miscarriage—it is one in five if we only count women who realise and report the miscarriage. About 11 in 1,000 pregnancies are ectopic. About one in 100 women in the UK experience recurrent miscarriages—three or more in a row—and more than six in 10 women who have a recurrent miscarriage go on to have a successful pregnancy. The risk of miscarriage greatly reduces in the second trimester—miscarriages then are called “late miscarriage”. My mother miscarried on three occasions, and seven in our family have had this happen; my sister also miscarried on three occasions. The girl who is, in effect, my Parliamentary Private Secretary and writes my speeches in this House—she is a very busy girl, as people would understand, given the contributions that are made—has also had two miscarriages.

Paul Girvan (South Antrim) (DUP): On the number of people who have had difficulties, the problem we have perhaps relates to the level of focus on care, aftercare and counselling. I am not saying this is inevitable and will always be the case, but we do not have the necessary focus on counselling for the individuals and families who have gone through this traumatic experience.

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Jim Shannon: I thank my hon. Friend for that intervention and I can relate it to my constituency and the people I have spoken to. The thing that sustained my sister, my mother and my PPS was their faith, which is why I come back to the importance of having faith, as I said to the hon. Member for Colchester. In the past year, I have known of two women in my constituency who knew that their baby would not live for more than a couple of hours after the birth yet they carried their baby to its full nine months and enjoyed those few hours together. I am a member of many organisations, one of which is the Royal Black Preceptory. We helped the father of a young child who was lost with a charity event at the bowling club in Ballywater to raise money for this issue, and we raised some £1,000.
I wanted to say all that because it is important, as everyone deals with things in their own way. About one in four women have a miscarriage in the second trimester. According to one study, once a pregnancy gets past six to seven weeks and there is a heartbeat, the risk of having a miscarriage drops to about 10%. Those are the facts and they are worthy of noting, but they cannot begin to deal with the process of grief that is suffered. It may sound comforting for people to understand that one in four pregnancies ends in a loss and so they are not alone, but, as one lady said, “I don’t want to be the one in four, I want to be the three who live their life as normal and don’t have this emptiness inside.”

It is important to note the facts, but it is more important to acknowledge the grief and the right to grieve. Long gone are the days of, “Just don’t talk about your loss.” We have learned that for those who wish to express themselves it is healing to do so. Some people need to talk about it, but some decide that they may not. Of course many women will never talk of their loss, and that too is part of their process and is to be respected. For others, the symbolism of a balloon release or the lighting of a candle is a way of acknowledging a life that did not blossom but was most definitely there.

We do not understand why many miscarriages take place, but with an NHS under such pressure—I say that gently, because we have a wonderful NHS that does great work—we do not investigate until the third miscarriage. That in itself is incredibly difficult. I know of one lady whose parents, after encouragement by the midwife after her second miscarriage, paid for private care and for private tests and all the rest, to learn that taking baby aspirin would increase her chance of keeping the next little one. A baby aspirin once a day saw her have a beautiful baby girl. There could well have been another miscarriage had she not been able to seek private advice. When it comes to that example of how that lady dealt with a miscarriage and then had a child, I wonder whether the necessary advice is there in the system and how it must simply be one point or give me some idea of where we are.

Perhaps the Minister will be able to respond to that point or give me some idea of where we are. This debate cannot solve the issue of baby loss and grief, but it can validate the fact that a miscarriage was a loss. It happened and should be remembered, and we as a nation should mourn. The fact that a death certificate cannot be issued until 24 weeks must be reviewed. I find that quite incredible. It does not mean that it is not widely understood that someone has suffered through a death. And it is not simply the mother who suffers, but the father and the would-be grandparents, too. The hon. Member for Edisbury referred to it, and although the hon. Member for Colchester has not spoken today, I remember his previous contributions. The wider family suffer as well. It is like throwing a stone into a pond: the ripples go right to the edge—they touch everyone in the family circle and all the friends. Everyone should remember that.

We must do more to recognise and support those who suffer from a miscarriage. A pamphlet in a cold, sterile procedure room is not enough. I read a little quote that touched my heart. This lady said:

“I carried you for every second of your life—and I will love you for every second of mine... Let sweet Jesus hold you until mummy and daddy can hold you”—[Interruption.]
The hon. Member for North Ayrshire and Arran (Patricia Gibson) spoke so powerfully about her own experience and, once again, showed great bravery. She also discussed how important it is that we are all aware of, and that we empower others to learn about, pre-eclampsia. We also heard from the hon. Member for Caithness, Sutherland and Easter Ross (Jamie Stone) and from the hon. Member for Strangford (Jim Shannon) who gave us a very, very moving speech. I thank him very much once again for his incredible bravery.

All the charities that come together to collaborate on this commemorative event do amazing work supporting bereaved families. There are now more than 60 charities involved, and they have a huge impact on raising awareness nationally, and each organisation should be incredibly proud of everything they do and everything they have achieved in driving this agenda forward.

As well as using today’s debate to raise awareness, this is an opportunity to reassess the progress that is being made and to highlight the fact that, although excellent care is available in the country, it is not available to everyone everywhere. Every year, thousands of people experience the loss of a baby in pregnancy, at or soon after birth, and in infancy.

Unfortunately, it is not a rare event, and, as too many of us here know, it can happen to anyone. The Miscarriage Association has invited women to share their experiences, and the bravery of these women in sharing their stories is commendable. Angela has spoken about how her mental health deteriorated after her second and third miscarriages. She said:

“My mental health deteriorated after those two losses. I needed medication to get through my periods when they returned. I couldn’t go to the GP or the hospital without having a panic attack. I had horrible flashbacks of the miscarriages themselves. And although these subsided over time, I can still have a panic attack at the GPs without warning. It also started to affect me at work and in my personal life, because my self-esteem and self-confidence plummeted and I lost the ability to believe that I could do anything right. It was almost like when I lost the babies, I also lost some of myself.”

She has also spoken of the difficulty in talking about miscarriage and mental health, but the importance of doing so. She went on:

“I have also confided in a few close friends and that helps too. I still struggle asking for help, it is not something that comes easily to me, but when I do, I am always grateful that I tried. It’s hard to break the silence around miscarriage and even harder to break it around mental health and miscarriage combined but I think we should try. Even if it just helps one person feel a little less alone.”

Unfortunately, there remains a tremendous taboo around miscarriage and mental health, and that can lead to an isolation and a disconnection from others, which means that parents can end up trapped by their own grief.

There is work to be done to break down the unacceptable stigma and, too often, feelings of shame that can surround baby loss. Whatever the circumstances around the loss of a baby, every single woman deserves respectful and dignified care that acknowledges her loss, supports her mental health and empowers her to make future decisions about having a child.

The care that bereaved families receive from health and other professionals following pregnancy loss or the death of their baby can have long-lasting effects. Good care cannot remove parents’ pain and grief, but it can help them through such a devastating time. In contrast, poor care can significantly add to their distress. Unfortunately, the standard of care in the UK varies between regions and even within settings, depending on the stage at which a loss occurs—from early pregnancy through to infancy. Although there is excellent care available in this country, it is not available to everyone. In England alone, there is still a 25% variation in the stillbirths rate and, as a result, many parents do not receive the good-quality bereavement support that they so desperately need after pregnancy or baby loss, and we have heard this afternoon what a difference that can make.

We need to ensure that there is learning from every single miscarriage and stillbirth. Although we can rightly say that we are beginning to improve the approach to those dealing with the consequences of baby loss, it seems like we still have a way to go in understanding and really tackling its causes. According to The Lancet, the annual rate of stillbirth reduction in the UK has been slower than in the vast majority of comparable high-income countries.

It is also important that all parents who experience pregnancy and baby loss and need specialist psychological support can access it and can do so in a timely fashion. Too often, people who experience a psychiatric illness after their loss do not receive the support they need. I am proud that Labour supported this year’s Parental Bereavement (Leave and Pay) Act 2018. However, I know that many parents and caregivers entitled to bereavement support do not have access to appropriate mental health support. Right now, most mental health support is only available to mothers, and is focused on women who are pregnant or who already have a baby. This support often takes place in neonatal units, which understandably—as we heard earlier from the hon. Member for Briggs and Goole—can add to trauma.

Mental health support for those who have lost a baby must take place in appropriate places and must be available for the entire family unit including fathers, siblings, grandparents and so on. Coping with grief over the loss of a baby is something that all family members will need time and space for. Men and women may grieve differently, and it needs to be acknowledged that fathers can be forgotten in this experience, particularly as they may express less emotion, which can be misunderstood as indifference to the loss of their baby. Dad Keith has talked to the charity Tommy’s about the stillbirth of his second born, a son named Owen. He said:

“I had to go back to work straight away. It was a good distraction. I ran a lot and I kept doing that. I signed up for marathons. Running got me away for a few hours at a time and gave me a way to switch off. I wasn’t right for at least six months after. I was functioning but I was on autopilot. I wasn’t myself. People might not have noticed too much.”

I urge the Government to develop a national standard with guidance to support the planning, funding and delivery of specialist services with psychological support for those going through the loss of a baby. It is also important that bereavement-trained midwives or gynaecological counsellors are available in every hospital—not part-time, but full-time—whenever parents need them. Let us not forget that many stillbirths and neonatal deaths are sudden and unexpected. It is a hugely traumatic experience and people need support immediately, so trained individuals are so important.
I would like to end by saying a few words about the national bereavement care pathway. The final independent evaluation of the national bereavement care pathway wave of two pilot sites was published in May 2019 and provides evidence that the NBCP has improved bereavement care received by parents after the loss of a baby. It is commendable that both the former Prime Minister and the former Health Minister, the hon. Member for Thurrock (Jackie Doyle-Price), both endorsed the roll-out of the programme. The NBCP is increasingly attracting interest from NHS trusts across the country, and I hope that many more adopt this approach.

In conclusion, the debates that we have had over the past few years and again this evening underline the importance of the work undertaken by hon. Members and the many charities in this sector. It means that the silence that Members have spoken about today is now beginning to end. I cannot overstate how courageous those who have spoken out about their personal experiences are, or how influential those interventions are proving to be. I hope that those who have spoken out continue to have the courage to talk about what we need to do to improve care and support for bereaved families.

6.38 pm

The Parliamentary Under-Secretary of State for Health and Social Care (Ms Nadine Dorries): What an important debate this has been, and that is of course thanks to the efforts of my hon. Friend the Member for Eddisbury (Antoinette Sandbach) and the Under-Secretary of State for Work and Pensions, my hon. Friend the Member for Colchester (Will Quince), who has been sitting next to me throughout the debate. In fact, I believe that my hon. Friend the Member for Eddisbury still chairs the APPG on baby loss. This is the fourth year that the House has had this debate, and I hope that my hon. Friends continue to push for it to be held every year, forever. It is such an important time not only to focus on the areas that people feel we should be concentrating on, but also to focus on the achievements and to hear stories from so many people.

In the 10 minutes that I have, I would like to respond to some of the points made. I begin with my right hon. Friend the Member for South West Surrey (Mr Hunt), the former Secretary of State, who, in his usual modest way, omitted to mention the incredible contribution he has made in this area. He spoke passionately about changing from a culture of blame to one of learning; he made in this area. He spoke passionately about changing from a culture of blame to one of learning; he spoke about testing for pre-eclampsia. In April, NHS England announced that it will make the placental growth factor blood test available across the country, in the light of evidence that the test speeds up the diagnosis of pre-eclampsia. I urge her to push for parity in Scotland, so that the same test given to mothers in England is made available to mothers in Scotland. I am sure that other Members will call for that in this place. I know that other Members in this House have suffered loss through pre-eclampsia. It is a dreadful condition. Our objective should be to do all we can to ensure that no mother has to go through that.

Stephen Gethins (North East Fife) (SNP): The Minister makes a very good point. I pay enormous tribute to my hon. Friend the Member for North Ayrshire and Arran (Patricia Gibson), who has done phenomenal work in bringing her experiences to the Chamber. I thank the Minister for her remarks. We may not always see eye to eye, but on this issue, it would be great if her Department and the Scottish Government worked closely together.

Ms Dorries: I have already sent a message to my team asking why the test is not being done in Scotland and what we can do to ensure that it is rolled out across the UK. If I can have those conversations with the devolved Administration, I certainly will, and I will certainly push that from my end and in my Department.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): I share the sentiments of the hon. Member for North East Fife (Stephen Gethins): collaboration is critical. One of my constituents raised with me concerns about the fact that there was no peer-to-peer support provided by the medical profession. She was dealing with her GP, but she relied for support on the charity SiMBA—Simpson’s Memory Box Appeal—a friend having referred her. Maximum co-operation and support are critical. Hopefully, we can share as much information as possible, so that we avoid people feeling that they are alone, or not being given the support that they need. I was shocked to hear what happened to my constituent. I would be keen to ensure co-operation and to promote it as much as I can.

Ms Dorries: I thank the hon. Gentleman for his contribution, but I only have a few minutes left, so I have to move on.

My hon. Friend the Member for Eddisbury asked what we are doing to eliminate the stigma around mental health. As the Minister for Mental Health, I can say that we are doing a huge amount. I do not know whether anybody in the Chamber has managed to see it yet, but a campaign video was released this week called “Every Mind Matters”, which the royals kindly voiced over. It was written by Richard Curtis and features many celebrities, including Davina McCall. It is all about people who everybody knows and recognises...
talking about their own mental health issues, to break down the stigma. That is just one of the many campaigns that are taking place.

As I said in the debate on women’s mental health last week, when somebody breaks their leg, we put a plaster cast on the leg, and that is fine. When someone has a mental health issue, they do not want to talk about it. I hope that the stigma is reducing and that there is parity and equality between mental health and physical health. Campaigns like “Every Mind Matters” are getting us there.

Antoinette Sandbach: I am grateful to the Minister for giving way. The really good evidence that was disclosed in the debate about the way in which maternal loss of babies can cause PTSD shows that there needs to be concrete mental health support for parents who have gone through this experience.

Ms Dorries: What I will say to my hon. Friend in response is that, in the long-term plan, the NHS commits to “improve access to and the quality of perinatal mental health care for mothers, their partners and children”.

We have committed in the long-term plan that an additional 24,000 women will have access to specialist perinatal mental health support, including more support for fathers and partners. That is part of the £2.3 billion investment in mental health that this Government recently announced. I will say it again: £2.3 billion. That is over half the annual prisons budget. Of course, some of that money has to be directed towards mothers in this situation.

My hon. Friend the Member for Banbury (Victoria Prentis) made an important point about infant mortality in other countries around the world. The Secretary of State for International Development announced a £600 million reproductive health supplies programme to help end preventable deaths of mothers, newborn babies and children in the developing world by 2030. It will give 20 million women and girls access to family planning, prevent 5 million unintended pregnancies each year up to 2025 and focus on the most vulnerable women, including FGM survivors. We are committed to working with Gavi, the Vaccines Alliance, to vaccinate a further 300 million children in the world’s poorest countries by 2025.

My hon. Friend also talked about making maternal mortality a never event. I am not sure that that will be an achievable objective, but NHS England is supporting the establishment of maternal medicine networks, which ensure that women with acute and chronic medical problems have timely access to special advice and care at all stages of their pregnancy.

The hon. Member for Ellesmere Port and Neston (Justin Madders) spoke about grief. Grief, for me, is the last taboo; it is the one thing that people still do not talk about. People still do not talk about how grief affects them, and I hope that some of the investment we are putting into mental health services and community services will help people to address grief.

My hon. Friend the Member for Brigg and Goole (Andrew Percy) spoke about somebody who works in his office who has raised funds for the Cherished suite, and the right hon. Member for Broxtowe (Anna Soubry) spoke about the serenity suite. Over 50% of hospitals now have such suites, which are so important. I do not want to reiterate what anybody has said, but the fact that babies are born in a part of a hospital that is traditionally filled with joy is incredibly difficult. My hon. Friend the Member for Colchester has told me that it makes such a difference if people have somewhere to go and even to stay overnight with their baby, and where the family can go. Over 50% of hospitals in the UK have these suites, and I am going to ask that these suites are made available in the maternity areas at all the 40 new hospitals that are being built. [HON. MEMBERS: “Hear, hear.”] I will ask; I will certainly push.

I want to continue with the points raised, and please pull me up if I miss anybody out. The hon. Member for Strangford (Jim Shannon) spoke so passionately—thank you. I know he has spoken in every baby loss debate we have had, and he has also spoken in the past about the important role that chaplains play in such situations. I would like to thank him for his incredible contribution. He asked about the pregnancy loss review. It is currently working with key partners to make recommendations to the Government about improving the care and support that women and families receive who experience a pre-24 week gestation baby loss. We are hoping the report will be published in due course and not too long from now.

I would like to speak about an area that I have particularly focused on, which is group B strep support. I have spoken about this many times, and I had my own Adjournment debate on it before I was a Minister. When I arrived in the Department, I set five key priorities, and this is No. 1 in the key priority areas because this in itself will prevent infant mortality. Group B strep is a leading cause of bacterial infection in newborn babies—just to put that on the record. I fully support the review that is taking place, and I hope that it has some further information so that we can make progress on this in, I hope, the not-too-distant future.

The hon. Member for Rotherham (Sarah Champion) spoke about hospices. I have Keech Hospice in my own constituency. I think hospices and their role is slightly outside the debate, bearing in mind the level of investment that we are putting into mental health over the next few years. They deliver important counselling services. Somebody mentioned improving access to psychological therapies and the importance of talking therapies. I hope that any mother or family who needs mental health counselling as a result of baby loss will in future be able to access those services. I will write to her about the role of hospices in this particular area.

I appreciate the support from Members on both sides of the House in relation to the maternity safety ambition. I echo your words, Madam Deputy Speaker, about the tone of this House in such important debates. One of the most important things to come out of the debate today is the importance of learning for improvement and what we are beginning to learn through the perinatal mortality review tool and the Healthcare Safety Investigation Branch, which I have mentioned, that was introduced by the former Secretary of State.

I would like to remind Members that the NHS is still, and the NHS in the UK is still—the safest place in the world to have a baby. 0.7% of all births result in a stillbirth or a neonatal death. Having said that, on a day like today, 12 babies in England and 15 across the UK will be stillborn or die soon after birth, and many more families will lose a baby through miscarriage, ectopic...
pregnancy and other causes. We are, however, making progress: in 2015, the figure was 17 babies a day. Maternity and neonatal safety initiatives are beginning to improve outcomes, with most of the anticipated impacts still to be realised, as safety improvements are embedded in maternity and neonatal services and as we learn more from research and investigations about which babies die and why.

Finally, as we have discussed, the theme of Baby Loss Awareness Week 2019 is psychological support for those bereaved parents who need it. I understand that a working group is being convened to support the development of maternity outreach clinics that will integrate maternity reproductive health and psychological therapy for women experiencing mental health difficulties arising from and directly related to the maternity experience. I will undertake to ask this working group if it could consider extending the maternity experience to those who have lost a child in pregnancy, during labour and childbirth in the neonatal period.

I would like to finish by thanking all the midwives, doctors and healthcare support workers who do such a fantastic job in delivering more than 600,000 babies successfully every year and in helping the parents who, sadly, do not experience the happiness of a healthy baby.

Madam Deputy Speaker (Dame Eleanor Laing): Thank you. What an excellent, calm and constructive debate.

Question put and agreed to.

Resolved.

That this House has considered baby loss awareness week.

Business without Debate

JOINT COMMITTEE ON STATUTORY INSTRUMENTS

Ordered,

That Julia Lopez be discharged from the Joint Committee on Statutory Instruments and Maria Caulfield be added.—(Bill Wiggin, on behalf of the Selection Committee.)

Madam Deputy Speaker (Dame Eleanor Laing): The sitting is now suspended until approximately 7.30 pm. The annunciator will carry further information about the likely timing at which the sitting will resume. Shortly before it does so, Mr Speaker shall cause the Division bells to be sounded.

6.55 pm

Sitting suspended (Order, this day).

MESSAGE TO ATTEND THE LORDS COMMISSIONERS

8.2 pm

Message to attend the Lords Commissioners delivered by the Lady Usher of the Black Rod.

The Speaker, with the House, went up to hear Her Majesty’s Commission; on their return, the Speaker sat in the Clerk’s place at the Table.

ROYAL ASSENT

Mr Speaker: I have to acquaint the House that the House has been to the House of Peers, where a Commission under the Great Seal was read, authorising the Royal Assent to the following Acts:

Parliamentary Buildings (Restoration and Renewal) Act 2019

Census (Return Particulars and Removal of Penalties) Act 2019
Her Majesty's Most Gracious Speech

Mr Speaker: I have further to acquaint the House that the Leader of the House of Lords, one of the Lords Commissioners, delivered Her Majesty's most gracious speech to both Houses of Parliament, in pursuance of Her Majesty's Command. For greater accuracy, I have obtained a copy and also directed that the terms of the speech be printed in the Journal of this House. Copies are being made available in the Vote Office.

The Speech was as follows:

My Lords and Members of the House of Commons

My Government's legislative programme has laid the foundations for the United Kingdom's departure from the European Union while pursuing wide-ranging domestic reform.

Landmark legislation was passed, and has now been commenced, to repeal the European Communities Act. Other laws are in place to enable the United Kingdom's smooth exit from the European Union, establishing new arrangements on international sanctions, nuclear safeguards, customs, and reciprocal healthcare arrangements. Over 600 Statutory Instruments have been made to ensure a functioning statute book following the United Kingdom's departure from the European Union.

The stability and strength of the union that joins England, Scotland, Wales and Northern Ireland has been at the forefront of my Government's agenda. Preserving and promoting the social, economic and cultural bonds that unite this nation remains of the utmost importance to my Government. My Government continues to work to ensure that locally-accountable politicians can take decisions in Northern Ireland at the earliest opportunity.

It has been an enduring focus of my Government to strengthen the economy to support the creation of jobs and to generate the tax revenues needed to invest in the National Health Service, schools and other public services. Improving public finances, while keeping taxes low, has been a priority for my Government. Legislation passed this session has provided one hundred per cent relief from business rates for agricultural nurseries and, for a period of five years from April 2017, properties used for the purpose of new fibre infrastructure.

My Government has set out a programme of work to improve productivity and help businesses create high quality, well paid jobs across the United Kingdom. In 2019, more than a million workers benefited from the largest increase to the National Living Wage since it was first introduced. My ministers have worked to attract investment in infrastructure to support economic growth. Legislation has been passed to ensure that the United Kingdom remains a world leader in new industries, including electric cars and commercial satellites.

My Government has continued to support international action against climate change, including implementation of the Paris agreement. Recognising the need for bold steps to protect the planet, a commitment to reach net zero carbon emissions by 2050 was enshrined in law, making the United Kingdom the first major economy to do so.

Draft legislation was published which will establish a new body to ensure the United Kingdom's high environmental standards are maintained and to protect and improve the environment for future generations. My Government has legislated to protect animals, including bans on the sale of ivory, puppies and kittens by commercial third parties and the use of wild animals in travelling circuses in England.

Voyeurism offences have been recognised as the crimes that they are and legislation has been passed to ensure the courts have powers to take swift action to protect children who are identified as at risk of female genital mutilation.

In presenting the long-term plan for the National Health Service in England, my Government strengthened its commitment to ensuring there is a world-class health system that supports everyone from birth, through the challenges that life brings, and into old age. My Government is committed to ensuring mental health support is available to all who need it and to protecting the fundamental human rights of the most vulnerable in society. Legislation enacted this session will increase access to protections and put in place robust safeguards for those who are deprived of their liberty.

In recognition of the need to make renting fairer and more affordable, and to promote fairness and transparency in the housing market, legislation has been enacted to reduce costs at the outset of, and throughout a tenancy, by banning most letting fees paid by tenants in England.

My Government has taken steps to ensure fairer markets and to protect consumers from unfair practices and financial losses. Legislation has been passed to ensure people have access to free and impartial financial guidance and debt advice and to introduce a ban on nuisance calls in relation to pensions. Measures have been enacted to reduce insurance costs for motorists by tackling the high number and cost of whiplash claims.

The security of the nation and its citizens remains of the highest importance to my Government. In this session, legislation has been passed to ensure the police and security services have the powers they need to keep the population safe in the face of evolving threats of terrorism.

Legislation passed this session marks a significant step towards my Government's commitment to tackle serious violence on the streets of the United Kingdom. Laws are now in place to prevent young people from purchasing dangerous weapons and to prosecute those who possess such items, or sell them without imposing rigorous age verification.

The defence of the Realm remains an utmost priority for my Government, which it has supported through investment in our gallant Armed Forces.

As a leading member of the international coalition against Daesh, the United Kingdom played a critical role in the military defeat of Daesh's so-called caliphate in March of this year. While the Middle East continues to suffer from serious conflict, my Government has played a leading role in de-escalating regional tensions. My Government has also played a key role in international efforts to protect the United Kingdom and its allies from hostile threats, including in response to the chemical weapon attack in Salisbury.

As a permanent member of the United Nations Security Council, my Government has provided political and diplomatic support to peace efforts in Yemen, Libya and Syria, as well as mitigating the human cost of these tragedies through the provision of substantial humanitarian assistance.

Prince Philip and I were pleased to welcome Their Majesties King Felipe and Queen Letizia of Spain and we also welcomed King Willem-Alexander and Queen Maxima
of the Kingdom of the Netherlands, and the President and First Lady of the United States of America, on State Visits.

Prince Charles and I were delighted to attend a national commemorative event to honour and remember the heroism, courage and sacrifice of the many servicemen and women who participated in the D-Day Landings.

Members Of The House Of Commons

I thank you for the provisions which you have made for the work and dignity of the Crown and for the public services.

My Lords And Members Of The House Of Commons

I pray that the blessing of Almighty God may rest upon your counsels.

PROROGATION

Mr Speaker: The Commission was also read for proroguing this present Parliament, and the Leader of the House of Lords said:

“My Lords and Members of the House of Commons:

By virtue of Her Majesty’s Commission which has now been read, we do, in Her Majesty’s name, and in obedience to Her Majesty’s Commands, prorogue this Parliament to Monday the fourteenth day of this October to be then here holden, and this Parliament is accordingly prorogued to Monday the fourteenth day of October.”

End of the First Session (opened on 13 June 2017) of the Fifty-Seventh Parliament of the United Kingdom of Great Britain and Northern Ireland in the Sixty-Eighth Year of the Reign of Her Majesty Queen Elizabeth the Second.
Westminster Hall

Tuesday 3 September 2019

[Mr Peter Bone in the Chair]

EU Settlement Scheme: Looked-after Children and Care Leavers

11.30 am

Steve McCabe (Birmingham, Selly Oak) (Lab): I beg to move,

That this House has considered the EU Settlement Scheme and looked-after children and care leavers.

Good morning, Mr Bone. It is nice to be back and a pleasure to see you in the Chair. May I take this opportunity also to welcome the Minister to her post?

I want to raise today an issue that has the potential to become a serious immigration problem, but one that there is still plenty of time to avoid. The EU settlement scheme is the largest registration programme that the UK has ever known and poses the challenge of regularising the status of about 3.7 million people, including about 700,000 children, 74,000 of whom live in the west midlands.

The quarterly EU settlement scheme statistics show that only 12% of the applications to the scheme received by the end of June 2019 came from children under 16. I am sure that we all want to prevent vulnerable children from falling foul of problems associated with these plans as we prepare to leave the EU. I believe that there is significant cross-party support in both Houses on this issue, and I hope that today the Minister can provide some reassurance.

The Government have estimated that there are currently about 5,000 EU children in the British care system and perhaps a further 4,000 care leavers across the UK. We do not know the exact figure, because local authorities do not record that information, so I am relying on Government estimates. The figure does not include children classified as “in need” and therefore in receipt of considerable support from children’s services, but where the Department has not assumed parental rights.

The Minister will be aware, I am sure, that there is a problem and why we are raising it. As Members of Parliament, we have a duty to ensure that the most vulnerable in our communities are protected and that children for whom the state is responsible receive the highest levels of protection.

It seems to me that the issue is not just documentation; there are several challenges with the proposals. It is extremely doubtful that social workers will have the time, expertise or legal knowledge to deal with other charities, has repeatedly highlighted the problems in the process. The Children’s Society, along with other charities, has repeatedly highlighted the problems in the process. The Children’s Society, along with other charities, has repeatedly highlighted the problems in the process. The Children’s Society, along with other charities, has repeatedly highlighted the problems in the process.

Steve McCabe: I entirely agree with the points that my hon. Friend has raised. That was part of the purpose of calling this debate: I do not think that the scheme as currently designed will cope with these difficulties. As my hon. Friend rightly says, the pilots demonstrated the difficulties of obtaining documentation—particularly birth certificates, on which the Home Office puts a very high premium when determining these cases. Like her, I am concerned that many children and young people will not be able to access these documents and, as a result, will be wrongly denied settled status.

The Minister’s predecessor, the right hon. Member for Romsey and Southampton North (Caroline Nokes), did indicate that the Home Office planned to show a degree of leniency in this respect, but unfortunately she did not spell out what she had in mind. I do not know whether the Minister is in a position to enlighten us today. No doubt she will tell us that in these cases the children will be eligible for pre-settled status, but what that actually means is that they will get temporary rights and be denied their legitimate legal rights. That is why there is a problem and why we are raising it. As Members of Parliament, we have a duty to ensure that the most vulnerable in our communities are protected and that children for whom the state is responsible receive the highest levels of protection.

Mr Jim Cunningham (Coventry South) (Lab): I congratulate my hon. Friend on securing the debate. His comments raise a number of questions. The first is the final status of these children—ultimately—because we have seen problems in that regard before, but in addition, because of a lack of social workers, it will always be difficult for local authorities to get the accurate documentation that is needed. The lack of social workers and of funding for local authorities has been raised many times in the House. Does my hon. Friend think it is about time that central Government showed a bit of humanity and did something about that?

Steve McCabe: I thank my hon. Friend for those remarks. I hope that, in the course of this debate, it will be possible to demonstrate that this is not scaremongering, that these are real issues and that there are solutions, but that does require the Government to recognise the problems that my hon. Friend has raised and to agree to act on them.

As I was saying, it seems unlikely that social workers will have the time, expertise or legal knowledge to deal with these issues, particularly if they begin to encounter problems in the process. The Children’s Society, along with other charities, has repeatedly highlighted the problems that this group of children is facing and the challenges that exist in trying to process an EUS application. There is no evidence that I am aware of that additional support will be made available to local authorities—the point that my hon. Friend the Member for Coventry South (Mr Cunningham) raises.
During the pilot phase, every application that Coram Children’s Legal Centre made on behalf of a child in care or a care leaver included detailed nationality advice—nationality advice that requires expert legal advice and understanding—and social workers had to be supported at each stage during the process. That is the evidence from the pilots.

Kate Green (Stretford and Urmston) (Lab): I congratulate my hon. Friend on the case that he is making. The Greater Manchester Immigration Aid Unit has been working with directors of children’s services in Greater Manchester to try to offer the support to which my hon. Friend refers. Does he agree with me that we urgently need the Government to get the resolution currently before the House on extending legal aid to children in immigration cases through the House and on to the statute book? If the Government did that, social workers would be absolutely clear that legal aid was available for these cases and that they would not have to rely just on the chances of getting exceptional case funding.

Steve McCabe: My understanding is that that is an outstanding Government promise; as my hon. Friend says, there is a resolution to that effect. If there are any plans to curtail the time that we will spend here in the coming days, one good use of the time here would be in dealing with this simple issue. That would certainly raise the prospects of our being able to deal with the whole issue in a much more satisfactory manner, and I would certainly support it.

The current guidance states that local authorities can make applications on behalf of children where they have full parental responsibility, but, as I mentioned earlier, for care leavers or children in care under a section 20 order they are instructed simply to raise awareness or to signpost those young people to the scheme. Children in care under section 20 orders include children with disabilities, the children of prisoners, children involved in the criminal justice system and victims of child trafficking. It seems unrealistic to think that those children will be able to gather the correct documentation, make the application for themselves and challenge any incorrect decision the Home Office might arrive at.

Looked-after children are starkly over-represented in the criminal justice system, as I am sure the Minister knows. Around half of children currently in custody in England and Wales have been in care at some point. The Government have provided no clarity as to how these children will be treated when they apply for the scheme and, if they are offending, whether that will be used against them, as in the adult scheme. I raise that point because in this country we normally take the view that juvenile criminal behaviour should be treated differently from adult criminal behaviour.

Many looked-after children and care leavers may be eligible for British citizenship, but the social worker will need to know the law in order to recognise that. Local authorities would have to pay the application fee, which is currently £1,012 per child. That is a significant disincentive for cash-strapped local authorities. As I said earlier, we are working on estimates because local authorities do not record EU nationals who are in their care or classed as children in need, but the Government estimate that around 5,000 EU children are currently in care, and there are perhaps a further 4,000 care leavers across the UK, who need to be registered. At the present time, it is virtually impossible to estimate the number of children in need, which is a broader group.

Stella Creasy: My hon. Friend raised the important issue of citizenship fees. I hope the Minister has seen the fantastic work done by Citizens UK, particularly Anne-Marie Canning, who is my constituent in Walthamstow. We deal very closely with those children and having documentation opens up doors for some of them, but I am worried about cases where they do not have it.

If we have done the right thing as corporate parents, helped these children to achieve new goals and dealt with some of the damage that led to them being in care, then watching them be denied access to university or further education colleges because they cannot sort out their status would be a horrific blow. These are some of the most vulnerable children in our country.

Does my hon. Friend agree that this is about not just these children’s status, but their future, and that is why it is so important that the Government recognise that this particular group of vulnerable young people needs a specific scheme?

Steve McCabe: That is absolutely the point. If we do not deal with this now, there will be a whole host of young people wandering around this country, sleeping on streets and unable to get jobs or to travel. That is what we will be subjecting them to for the next few years. That is why it is important that we get on top of this and deal with it now.

I checked the figures kept by Birmingham Children’s Trust. It has around 50 children whom it believes are EU citizens and will need to apply for some kind of settled status. It also has about 24 care leavers, who also fall into that category. However, at this point, the trust has not made any applications and it was not entirely clear about how the process should operate. That is in the second largest city in the country; if that trust is not sure how to operate the scheme, what will happen elsewhere?

As my hon. Friend the Member for Walthamstow (Stella Creasy) indicated, there are many future problems to consider, but there will also be some simple problems for children in the care system in the months ahead. Will they be able to go on school trips abroad with their peers after 31 October, or will they be stigmatised and refused that opportunity because they will not have access to proper travel rights? As my hon. Friend asked, what will happen to them when they are seeking housing, benefits and other support? They will be denied that support. We see enough problems on our streets at the present time; we certainly do not need to add to them by ignoring children for whose care we have taken responsibility. That seems the worst possible thing that any group of MPs could do.

The simplest and most cost-effective solution to these problems would be to grant automatic settled status to all looked-after children and care leavers. I do not think the number is so massive that it would impose great strains on the immigration system. However, it would tidy up one straightforward issue with one straightforward group of children. At the very least, the Government
ought to extend the deadline for applying for the settled status scheme until we have really understood how some of these issues will operate in practice and what kinds of problems will arise.

If the Home Office is not willing to make changes of that order itself, it needs to instruct all local authorities to ensure that all eligible looked-after children are supported to make an application, not just children under a section 31 care order. If the Home Office is really serious about making this work, it will not leave those children exposed to such risks.

As my hon. Friend the Member for Stretford and Urmston (Kate Green) said, the Government urgently need to bring forward parliamentary time for the amendment allowing looked-after children to have access to legal aid. That seems to be essential, if there is to be any sincerity to this process. The Government must communicate to all local authorities exactly how this legal aid will be accessed. It is not enough to place an obligation on the local authorities and then leave them with all the difficulties—we have seen that happen all too often in recent times; it is not good enough. The Home Office should also consider waiving the fee for citizenship applications for those children who qualify. As I said, the current fee is £1,012. That is a disincentive to local authorities. If the children are eligible and already in care, we should agree to waive that fee.

This issue has all the signs of a disaster in the making. Of all the people we are concerned about, I cannot believe that I am here talking about children in the care system—we have seen that happen all too often; it is not good enough. The Home Office should also consider waiving the fee for citizenship applications for those children who qualify. As I said, the current fee is £1,012. That is a disincentive to local authorities. If the children are eligible and already in care, we should agree to waive that fee.

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11.49 am

Tim Loughton (East Worthing and Shoreham) (Con): Thank you very much, Mr Bone, for calling me to speak. It is a pleasure to be back and to serve under your chairmanship.

This debate is on a subject that I fear might be slightly overshadowed by other events in Parliament today and for the rest of the week, but it is no less important in the impact that it could have on a small group of very vulnerable children, and it is absolutely right that we should be considering it. I congratulate my co-applicant for this debate, the hon. Member for Birmingham, Selly Oak (Steve McCabe), on the way he set out the case and I am grateful to the Backbench Business Committee for granting time for this debate on the first day back.

I welcome the new Minister, the Under-Secretary of State for the Home Department, my hon. Friend the Member for South Ribble (Seema Kennedy), and I hope that we will have as positive an engagement with her on these sorts of issues as we had with her predecessors. In the past, I had many discussions with those predecessors, and they recognised some of the practical implications of immigration policy on some of the most vulnerable children to whom we provide a home in this country. I am sure that dialogue will continue with the new Minister and I look forward to that.

In this country we have a great tradition of looking after children in the care system. There has been gradual progress on improving outcomes, but we need to go an awful lot further. Nevertheless, this is something that we in this country do well. One only has to go to a number of other countries that just do not have the sort of sophisticated and advanced children’s social care system that we take for granted, even with all the problems that we hear about, to realise that it is still one of the best such systems in the world.

Of course, we also have a great and proud record of giving safe refuge to vulnerable families and children from overseas, particularly unaccompanied minors fleeing from the most unimaginable danger, and it is absolutely right that we should continue to do that. Our recent record of helping those very vulnerable children from Syria and other conflict zones who have lost family, which includes participation in the family reunion schemes that I will allude to shortly, is certainly one that we should be very proud of.

I will just refer to the correspondence that the Home Affairs Committee had with the previous Home Secretary, now the Chancellor of the Exchequer. I do not think we take credit for this enough, but under the Dublin scheme there has been a significant increase in recent years in the number of children arriving in the UK to be reunited with members of their family who are already here. In 2015, just 24 children arrived in the UK under articles 8.1 and 8.2 of the Dublin regulation, but by 2018—that last year—that figure had risen to 159.

It is also important that we are looking after those children appropriately, so I was pleased to hear from the Home Secretary that the Home Office, in partnership with the Department for Education, had developed and adapted its processes to ensure that Dublin transfers are conducted in a safe and secure way, and that there are new processes in place now that were not there just a few years ago.

Stella Creasy: The hon. Gentleman is right that Dublin has helped us to support some of the most vulnerable children in our communities. Does he share my grave concern about the reports that if there is a no-deal Brexit, that scheme will be abandoned, and about what that means for the children we already have in this country and indeed for some of the vulnerable children who we know may try to get safe passage to this country? Does he agree that it is important to protect Dublin and the principles that it espouses in terms of our ability to safeguard children in our own country?

Tim Loughton: I appreciate that very important point. It has been the subject of some of the discussions we have had with previous Home Secretaries. We have discussed not only what happens if there is a no-deal scenario but what happens if there is an agreement. If there is an agreement, the terms that should apply to children seeking to be reunited with families need to be at least as generous as those under the Dublin scheme, because under our domestic terms a range of family members are not included. We need to overhaul our own laws and increase the flexibility with which we can take on unaccompanied children who seek to be reunited with relatives who are often distant relatives but are nevertheless the only remaining members of their family, such has been the danger and the terror that they have had to escape from.
So, whatever happens in the next few weeks and months and goodness knows when, this issue needs to be looked at separately. As I say, I have had very positive discussions. When I and my right hon. Friend the Secretary of State for Digital, Culture, Media and Sport have approached the Home Secretary before, having been on trips to Greece with UNICEF to see some of the children who are applying for these schemes, we have had a very positive response and I very much hope that that will continue under new Ministers within the Home Office. But the hon. Member for Walthamstow (Stella Creasy) makes a very pertinent point. Therefore, whatever happens, we need clarification under Dublin.

However, there is a problem closer to home, which is what we are discussing today, as a direct result of Brexit. It has not received the level of attention that many other aspects of the immigration scheme have, and it is a cause for concern. I have an interest in it, both as a former children's Minister, and as the chair of the all-party parliamentary group for children and vice-chair of the all-party parliamentary group for looked-after children and care leavers, which the hon. Member for Birmingham, Selly Oak very admirably chairs. These sorts of issues come up with the children who we see.

As we know, the EU settlement registration scheme aims to establish the immigration status of EU citizens legally residing in the UK after we have left the EU. It grants settled or pre-settled status, with rights to work, travel, use public services, access public benefits and so on. As the hon. Gentleman said, it is the largest registration system ever planned in the UK. It has been a huge challenge and not without its problems, certainly early on. It needs to progress smoothly, to avoid another Windrush scandal, which has been mentioned. It has been subject to a lot of scrutiny and some criticism by the Home Affairs Committee, which I sit on. We produced a report in May on the scheme. In fact, we will take evidence again tomorrow—with the hon. Member for Stretford and Urmston (Kate Green) there, too—on how our preparedness for Brexit has hopefully improved since we last heard from witnesses on this subject.

Over a million people have now registered under that scheme; I gather that nobody has been refused. I myself have had just one complaint from constituents about the scheme; I gather that nobody has been refused. I myself have had very positive discussions. When I and my right hon. Friend the Secretary of State for Digital, Culture, Media and Sport have approached the Home Secretary before, having been on trips to Greece with UNICEF to see some of the children who are applying for these schemes, we have had a very positive response and I very much hope that that will continue under new Ministers within the Home Office. But the hon. Member for Walthamstow (Stella Creasy) makes a very pertinent point. Therefore, whatever happens, we need clarification under Dublin.

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Over a million people have now registered under that scheme; I gather that nobody has been refused. I myself have had just one complaint from constituents about the way it works, so things are better, if still not ideal.

Kate Green: I agree with the hon. Gentleman that many people have been able to access the scheme successfully and it has been very helpful that the Home Office has begun to publish the data on the number of people going through the scheme. However, does he agree that we need one particular piece of data to be disentangled, which is in relation to 16 to 18-year-olds going through the scheme? Currently, they are being included in the number of adults going through the scheme, but nowhere in our law is a 16 or 17-year-old treated as an adult.

Tim Loughton: The hon. Lady is absolutely right; in fact, she has pre-empted what I will now not bother to say later. As she says, 16 and 17-year-olds have been assimilated with adults, but children in this country are those under the age of 18. So, it is absolutely essential that that definition is applied to all children, not least those most vulnerable of children. And as a result of schemes such as Staying Put, what is effectively the definition of the children who come within that remit will expand to include those aged up to 21, 23 and even 25 in the case of some, including those children with disabilities. Therefore, those figures that she referred to absolutely need to be disassembled, because these children are probably the largest group within the cohort that we are talking about today.

The Children’s Society has been very vociferous on the issue that we are considering today and it has done a lot of work on it; I pay tribute to that work, and the Children’s Society has also helped us to prepare for this debate. It has made a calculation—it is not about children in care, but it allows us to put things in context—that between the end of August 2018 and the end of June this year, 107,110 children under the age of 16 applied to the EU settlement scheme. So far, 86% of those children have had a conclusion to their application; 65% have got settled status and 35% have got pre-settled status; 180 applications were withdrawn, or were void or invalid; and no applications have been refused. However, that still leaves 14,510 children, who are presumably waiting for their applications to be concluded. So there is also a group of children coming through the normal scheme who are slightly in limbo.

Again, the whole point about the 16 and 17-year-olds is that we do not know how that group is broken down. So I repeat the call from the Children’s Society to see the ages of applicants broken down further, so that under-18s—as well as 18 to 25-year-olds, who are another potentially vulnerable subset of children not of “child age” but who are equally important and vulnerable—can be properly identified and, as a result, supported.

The Children’s Society also says:

“Additionally, only 12% of the applications to the EU Settlement Scheme have come from children aged under 16. But analysis from the Migration Observatory suggests that there were 700,000 EU children under 18 in the UK in 2018, meaning hundreds of thousands of children may still need to apply for settled status or secure British citizenship. If they do not, they risk being left without a lawful status in the UK which means being unable to access education, employment, healthcare, housing and other vital services.”

Therefore, this is still a big problem for those children in the care system and for those who, though not looked after, are unaccounted for in the applications that have come through so far. There is still an awful lot of work to do.

That group of up to about 5,000 looked-after children who will need to apply to the EU settlement scheme does not include care leavers—some of whom may be subject to “staying put” arrangements and other special support measures—or children who are classified as in need and who receive support services and vital help from local authority children’s services departments. That figure represents something like 6% of all children in care in this country—five years ago it was 3%, so there has been a rapid increase. Those individuals are an important part of the looked-after children estate and potentially some of the most problematic children to identify, support and register.

As the hon. Member for Birmingham, Selly Oak mentioned, it is a sad fact of life that children in the care system are still too disproportionately represented in the youth justice system. Many are victims of people traffickers, many have English as a second language, and many rely on being able to access benefits and other
support that we take for granted. Our children’s services departments are hugely overstretched, and the all-party parliamentary group for children has recently produced a number of reports on the issue.

I welcome hugely the announcement of an additional £14 billion for schools. I hope it will be confirmed tomorrow in the comprehensive spending review, although goodness knows what will happen tomorrow. It will be very well received, particularly in my part of the world of Sussex and other shire counties, but I want to ensure that children’s social care services are not excluded. Those services are within the remit of the Department for Education and have faced huge funding challenges, yet it is the local authority departments that provide them that will be responsible for looking out for these children, for identifying and registering them, and for the legal expertise for cases that are not as straightforward as those involving other children. For example, if children are here with a French or German family, they will be able to make the application on their behalf.

Luke Graham (Ochil and South Perthshire) (Con): My hon. Friend is making a fantastic and well-informed speech. Of the £14 billion going to education, £2 billion is due to go to Scotland, where the issue is devolved. I am concerned about how central Government will work with devolved and local government to ensure that no EU citizen, and certainly no child in care, is left behind, and I hope the Minister will clarify that in her closing speech. Scotland has only about 8% of the UK population but about 14% of the UK’s children in care, in care. That is a problem for us, and every single level of government needs to work together to ensure that no one is left behind.

Tim Loughton: My hon. Friend makes an important point. Although we are talking primarily about the looked-after children population in England and Wales, there is a particular issue in Scotland. I had not realised that the proportion was that high. It is really important that money going into education, which is also for the wider benefit of children in the social care system, is targeted at those children who need it most. If the issue is not dealt with, the problem in Scotland could be greater even than that in England and Wales. I hope that the Minister and the Scottish Administration are listening to my hon. Friend’s case.

Many of the children in this potentially most problematic group will have come here in difficult circumstances and gone into care, and it is highly likely that they lack birth certificates and passports and will find it difficult to prove their length of stay in the UK. They may have been moved around the whole system, as so often happens. Yet these children—I repeat that they are children—are expected to produce documentation in order to qualify under the scheme, even though they may not have that documentation. Moreover, the local authorities responsible for them could face huge challenges and detective work, requiring their buying in legal expertise and acting as advocates at a time when they are already hard pressed to look after the record number of children from the indigenous population who have recently entered the care system.

The hon. Member for Birmingham, Selly Oak preempted what I was going to say about the citizenship fees, which have been flagged up by the Select Committee on Home Affairs. The increase in fees over recent years, at all levels, has been extravagant, to put it mildly—the fees go well beyond recovering the cost of the service offered. In the past, it was always the principle that the charge should be equivalent to the cost of recovery, not that it should exceed it in order to subsidise services elsewhere in the Home Office. It is difficult to justify the high fee of £1,012 for a child to whom we have given safety and refuge. In most cases the cost will come out of local authority budgets—namely, children’s social care budgets, which are already greatly pressed—meaning less money to spend on social workers and on care placings for other children. Mr Bone, I should have mentioned my entry in the Register of Members’ Financial Interests.

Before I conclude with my asks, I wish to reinforce what the hon. Member for Birmingham, Selly Oak said about the situation of children coming over from France. There has been recent correspondence between the previous Home Secretary—my right hon. Friend the Member for Bromsgrove (Sajid Javid) and the Home Affairs Committee, because we were concerned about what was happening to children in very vulnerable and dangerous situations in some of the camps in France, in particular those with a claim to come to the UK through the family reunion and other schemes. Mr Bone, I should have mentioned my entry in the Register of Members’ Financial Interests.

The previous Home Secretary provided some reassurance in his letter:

“I am pleased to confirm that the vast majority of the cases involving children in France awaiting transfer to the UK have been resolved, with many of the children having already transferred, under either the Dublin III Regulation…or section 67 of the Immigration Act 2016, or shortly about to; others are pursuing their asylum claim in France.”

These are some of the most vulnerable children and, frankly, if they were in camps outside Dover our local authority children’s services departments and our Government would have taken care of them. It is extraordinary that that has not happened in other countries. I am pleased that we have now accelerated the process to ensure that those who qualify are brought to a place of safety.

In conclusion, I have two asks. The first is that automatic settled status be granted to all looked-after children and care leavers. The very fact that those children are being looked after by local authorities in what are recognised as legitimate placements, paid for by the United Kingdom taxpayer and the local council tax payer, is an endorsement of their legitimacy and of our responsibility to look after them in the first place. Surely, therefore, the assumption should be that they absolutely have a rightful place in this country. If there is a problem with that, we should argue the toss later on, but let us give them protection at the outset.

Secondly, the issue of fees needs to be looked at—an all-party Home Affairs Committee to the previous Immigration Minister, the right hon. Member for Romsey and Southampton North (Caroline Nokes). It is such a complicated system, as the Windrush issue threw up, with many different avenues to qualifying for citizenship.
It is a complete minefield that needs to be simplified and the charges need to be reduced. The complicated nature of the system also makes it very expensive. For goodness’ sake, on behalf of this small but vulnerable group of looked-after children and care leavers, I urge the Government to waive their fees for citizenship applications. That is essential, whether or not we have a deal to come out of the EU—which matters not a jot to those children. They need our help and support. This country has recognised their need and has provided support. Let us not let bureaucracy stand in the way of continuing to do the right thing by those children, as we have a proud record of doing.

Mr Peter Bone (in the Chair): It might be useful for the House to know that the wind-up speeches will have to start no later than 12.30. I have two Members trying to catch my eye, so perhaps they will bear that in mind.

12.11 pm

Kate Green (Stretford and Urmston) (Lab): I am grateful for the chance to contribute, Mr Bone. It is a pleasure to speak under your chairmanship. I welcome the Minister to her post and congratulate my hon. Friend the Member for Birmingham, Selly Oak (Steve McCabe) on securing this debate.

I share the concerns that have been expressed today. It is estimated that in the north-west there are around 700 looked-after children of European economic area or Swiss nationality, but we do not know the numbers for sure. It is vital that we gather the data, so I was pleased to see in a written answer to Lord Russell on 9 July that the Home Office will survey local authorities to benchmark the current uptake of the scheme and to baseline cohorts of EEA citizen looked-after children and care leavers, and that the survey will take place at set intervals throughout the lifetime of the European Union settled status scheme.

Is the Minister able to update us about progress on gathering the survey data? Will she confirm that it will include children in need—a vulnerable group not encompassed by the provisions of the settled status scheme and special help from local authorities, as my hon. Friend pointed out? Will she also confirm that there will be an opportunity to disentangle data from the statistics in relation to 16 and 17-year-olds?

As others have said, we are talking about the most vulnerable children in the country who may have suffered appalling abuse or neglect. As we have also heard, securing status for those children is absolutely vital for them to thrive and maximise their potential in adult life. I share the concerns expressed about local authorities only being required to ensure that applications are made for children under section 31 care orders. I invite the Minister to explain why other children looked after in the ambit of section 20—or those, for example, who are privately fostered or care leavers—are not also included within the obligation on local authorities: they, too, are very vulnerable young people and children.

The Government intended the application process for settled status to be straightforward and simple. However, as we have heard, that will not be the case for many looked-after children because of the difficulties they might have in accessing documentation to support their applications, because their carers might not understand the need for them to apply or because local authorities might be overstretched and not able to give them the support that they need to do so.

As I have said, many such children will be reliant on legal aid to support them in making a sufficiently strong application. Social workers do not have the expertise, training, capacity, or indeed the legal right to give advice on immigration matters; they would be in breach of immigration law if they tried to. So it is vital that the Government, having finally tabled, after a year, the order to bring immigration cases for looked-after children within the ambit of the Legal Aid, Sentencing and Punishment of Offenders Act 2012, get the order put through in good time before 31 October. I hope the Minister will be able to commit today that the Government will ensure that that happens.

I want to mention a couple of other points: first, the issue of children’s best interests. I recognise that the Children Act 2004 requires that local authorities discharge their functions having regard to the welfare of children, and I also recognise that section 55 of the Borders, Citizenship and Immigration Act 2009 requires immigration authorities to take into account the need to safeguard and promote the welfare of children in the UK. However, the lack of systems and processes to embed children’s best interests into the settled status decision-making process means that those issues might not be properly addressed. What guarantees can the Minister give us that the EU settled status scheme will operate so that children’s best interests are always paramount? Will it be made explicit in the settled status scheme, and will she undertake to carry out a child rights impact assessment of the operation of the scheme?

I, too, want to highlight particular concerns in relation to EEA and Swiss national looked-after children in the criminal justice system. As we have heard, looked-after children are disproportionately represented in the criminal justice system. Half of children in custody have been in care. As with local authorities, there is a dearth of data on the nationality and status of children in the criminal justice system. Will the Government put in place arrangements to collect centrally nationality data for children in youth offending services and in detention as a matter of urgency, so that where applications need to be expedited for those children, that can take place?

As my hon. Friend the Member for Birmingham, Selly Oak has said, our criminal justice system recognises the difference between childhood and adult offending, for example, in sentencing or in the time that it takes for a conviction to become spent. However, that difference is not clearly recognised in the EU settled status scheme. Any child or young person over the age of criminal responsibility—in other words, over the age of 10—will be subject to criminality checks. Where checks reveal “serious or persistent” offending, a referral will be made to immigration enforcement for a case-by-case determination as to whether an applicant should be refused status on the basis of “suitability”. I recognise that the Government have stated that those under 18 will not be required to answer questions relating to suitability and that children under 18 will be deported only on imperative grounds of public security, but there is no single definition of what kinds of offences are likely to be captured in that exception. It would be useful if Ministers could guarantee to set out the higher threshold
that will apply in guidance, and also confirm that both the non-disclosure requirements and the higher threshold applying to under-18s will continue after 31 October, even in the event of no deal.

The settled status scheme also fails to differentiate between adults and children in relation to the continuous residence criteria: the general caseworker guidance makes no distinction between adults and children in terms of resetting the clock on residence following a period of imprisonment or detention. Will the Government look at amending the scheme to ensure that a custodial sentence imposed on a child does not impact on the calculation of their continuous residence for the purpose of making an application for settled status?

Finally, may I invite the Government to publish specific guidance on children and young people applying to the settled status scheme from within the secure estate or the wider criminal justice scheme? Will the Government consider granting settled status to all children irrespective of their criminal history? I echo the calls made in this Chamber this morning and invite the Government to supply settled status to all looked-after children and children in care. We risk those children being left in a limbo that will affect them all through their adult lives if we do not make their status absolutely clear and safe now. As we have heard, those children have experienced trauma: they have been denied their right to our protection. We cannot afford to let them down as a result of a decision to leave the European Union, which was in no way any of their making.

12.19 pm

Jim Shannon (Strangford) (DUP): It is a pleasure to follow the hon. Member for Stretford and Urmston (Kate Green). I thank her for her contribution. I give a special thanks to the hon. Member for East Worthing and Shoreham (Tim Loughton) and also the hon. Member for Birmingham, Selly Oak (Steve McCabe), who secured the debate and set the scene so well. All their contributions have been excellent and I congratulate them. It is also nice to see the Minister in her place. She has had a tour of many ministerial positions over the last while, and I look forward to her response to this debate. If it follows in line with responses that she has given when holding responsibility for other portfolios, it will be a good one.

I was happy to support the application for today's debate, and spoke to the hon. Member for Birmingham, Selly Oak about it beforehand. I have been contacted by many people in relation to this issue; I will specifically mention The Children's Society, which has real concerns that we must seek to address in this place, whether there is a deal—I sincerely hope there will be—or there is not a deal, which, speaking as a Brexiteer, will not be a disappointment either. The fact is that we are leaving Europe, and we must do the business for those looked-after children. We cannot ignore that. Whether we are in or out of Europe, this issue has to be addressed; everyone has said so, but it is important that we put it on the record. That is the reason for today's debate.

An email sent to me by The Children's Society expressed a very clear concern:

"the estimated 700,000 EU national children living in the UK are lost within public debate about the EUSS. The quarterly immigration statistics show that only 12% of the applications to the EU Settlement Scheme received by the end of June 2019 came from children under 16, meaning an estimated 600,000 EU national children still need to regularise their status before the deadline."

Some of the background information that we have been given endorses that. The Migration Observatory's report on settled status suggested that upwards of 661,000 non-Irish EU citizen children could be living in the UK, which indicates that at least half a million children who could be eligible to apply to the EU settlement scheme are yet to make an application. I ask the Minister what has been done to address that figure in relation to those who have not applied. That clearly needs to be looked at.

I also ask the Minister how many of those children are in local authority care. Among the European population, there will be thousands of children and young people who are currently looked after by local authorities. Although those children make up a fraction of the overall population, I believe that we owe that fraction a special set of responsibilities, so I endorse what The Children's Society has said. There is a real concern that we are not meeting our obligations to that admittedly small number of children; another purpose of today's debate is to highlight that issue to the Minister and hopefully receive a response that addresses some of our concerns. I am sure that she is aware of the issue and that her Department is working on it—perhaps the Minister will indicate the contrary—but I am anxious to hear how it is being taken care of. I am sure that the Minister will be happy to outline that detail in her response.

Again from the background information about British citizenship, some concerns have been raised that although it might be more advantageous for eligible looked-after children to apply for British citizenship instead of settled status, they could be unaware of their rights or face difficulty paying the fee. The hon. Member for Birmingham, Selly Oak referred to the £1,012 that it takes to register a child as a British citizen, and under the present system it is not clear how those who may automatically be British will be identified. There are likely to be significant numbers of European national children and young people who could fall under those nationality provisions, but who do not know their rights. Again, I look to the Minister for a response.

I hope that looked-after children are not completing settlement scheme applications on their own, without legal advice. However, it is quite possible that they are, and if so, they will not be fully aware of their options. That could result in an incorrect grant of pre-settled status, or their being refused outright or potentially missing another legal avenue available to them, such as applying for British citizenship. We must make sure that applicants have all the help they need to fill in those applications. Again, it is so important that we address these issues.

As Members know, I am a firm Brexiteer. I remain of that opinion, but that does not in any way diminish the sense of compassion or obligation that I have as an individual, or this Parliament should have. Although I do not agree with many parliamentary colleagues regarding the merits of staying in Europe, I sincerely agree that we must do what we can to ensure that those who need special status are able to access it, especially those who are children and not aware of what all this Brexit talk actually means for them. It may be lost on them.

Combined data from the four nations highlights that there were over 95,000 looked-after children in UK local authorities in 2017—a figure that has probably increased over the past couple of years. Although the Government do not currently collect and publish data centrally about
looked-after children’s nationality, only their ethnicity, a recent parliamentary response highlighted that the Home Office has estimated that some 5,000 EU children are currently in care in the UK, not including care leavers or children classified as in need.

We must ensure that those children’s social workers are crystal clear about the steps that must be taken to ensure their place here post 31 October. Social workers have a key role, and it is important that they are enabled to carry out their responsibility on behalf of those young people. Again, there is no centrally collected and publicly available data about European national care leavers, although the Government estimate that 4,000 care leavers to age 25 are in scope. I believe that steps could be taken to ensure that this group of people are made aware of anything that they must do to ensure they remain post 31 October.

I have another quick question about care leavers, whom the hon. Member for Birmingham, Selly Oak referred to in his introduction, and others have referred to as well. Figures from across the whole of the United Kingdom of Great Britain and Northern Ireland are clear that in the year ending 31 March 2018, local authorities were in touch with 88% of 19 to 21-year-old care leavers. To be counted as “in touch”, there should be contact between the local authority and the young person about three months before, and one month after, the young person’s birthday. Local authorities therefore do not necessarily maintain contact with all care leavers, and it is possible that some will fall between the cracks. I ask the Minister, honestly and respectfully, what has been done to make sure those young people do not fall between the cracks; to address the 12% who have not been contacted; and to ensure that those young care leavers do not find themselves without the opportunity to advance their applications.

I ask the Minister to outline in her response what the current situation is in relation to the questions that I and others have asked, and whether she believes that more can reasonably be done to ensure that all the support that those vulnerable children and young adults need is available. To me, it is important that those who need help get it and that those who need support get that support. It is part of my responsibility as a Member of Parliament, and a collective responsibility of all of us in this House, to ensure that this issue is addressed. We look to the Minister for a response.

12.27 pm

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): It is a pleasure to serve under your chairmanship, Mr Bone. I pay tribute to the hon. Member for Birmingham, Selly Oak (Steve McCabe) and for East Worthing and Shoreham (Tim Loughton) for pursuing this issue and securing this debate via the Backbench Business Committee. I also pay tribute to all hon. Members who have contributed today; a tremendous amount of work and resource into it—hundreds of thousands of EU citizens or their family members will almost certainly not apply for or achieve settled status, or even pre-settled status, by the deadline. As we have heard, for some, that will be due to a lack of awareness or to legal complexities that mean that they do not understand that they need to apply; for others, there will be barriers in relation to the evidence that needs to be sent in.

On the settled status scheme, as the hon. Member for Birmingham, Selly Oak said, even though the Home Office is pulling out all the stops—I appreciate it is putting a lot of work and resource into it—hundreds of thousands of EU citizens or their family members will almost certainly not apply for or achieve settled status, or even pre-settled status, by the deadline. As we have heard, for some, that will be due to a lack of awareness or to legal complexities that mean that they do not understand that they need to apply; for others, there will be barriers in relation to the evidence that needs to be sent in.

Looked-after children, care leavers and other vulnerable persons will be over-represented in those groups and the consequences for them of failing to apply in time will be dire, as they will be for everyone affected. Overnight, they will be deemed to be in the country illegally and the full weight of the hostile environment will kick in: university, education, some healthcare, bank accounts, driving licences, employment and social security will all be put out of reach.

What can we do to stop that? From my party’s point of view, the solution is to keep the free movement of people by abandoning Brexit altogether or by securing a deal that includes retaining all the advantages of free movement. It would be brave and surprising if the new Minister were to announce that she accepted that proposition, so if that is not possible, the Prime Minister should do what he, the new Home Secretary and the new Chancellor of the Duchy of Lancaster promised during the referendum campaign, which is to enshrine the rights of EU citizens in law.
In a declaratory system, EU nationals would not be required to apply to retain their right to live here, but would be granted that right in an Act of Parliament. They would have to apply to the settled status scheme: simply for a document to prove their position in future. Professor Stijn Smismans and the 3 million have worked extensively on proposals about how to do that; the Home Office should engage with them.

It is not a perfect solution because, of course, after the deadline, hundreds of thousands of people would still not have applied for the necessary evidence of their settled or pre-settled status. However, the simple truth is that they would have the right to be here, and would therefore still be able to provide proof of that right and to secure the necessary documents or other means of proof as soon as it became apparent to them that they were required to do that.

The Home Office’s refusal to listen or understand that simple fact is infuriating. It has made various nonsensical arguments about a declaratory system being responsible for the Windrush fiasco, but that is not what a single inquiry into that horrible episode has determined—it is simply not true. Under a declaratory system, those who missed the deadline would have a chance to rectify their position. Under the Home Office system as established, hundreds of thousands of people—thousands of whom might be looked-after children, care leavers and other vulnerable citizens—will be left here without legal status, which would be an absolute disaster. I call for a declaratory system for everyone, but if that is not possible, I absolutely join other hon. Members in calling for a declaratory system for looked-after children and care leavers. I hope that the Home Office will think about changing paths now.

In the meantime, has the Minister or the Department made any attempt to estimate how many people they expect not to apply before the deadline? Will she make it clear today what will happen to those who miss the deadline, including looked-after children and care leavers? How will they be treated? There has been an incredible lack of clarity on that. If the Home Office will not change it clear today what will happen to those who miss the deadline, hundreds of thousands of people—thousands of whom might be looked-after children, care leavers and other vulnerable citizens—will be left here without legal status, which would be an absolute disaster. I call for a declaratory system for everyone, but if that is not possible, I absolutely join other hon. Members in calling for a declaratory system for looked-after children and care leavers. I hope that the Home Office will think about changing paths now.

Regardless of whether the Home Office chooses to change its fundamental approach, or, more likely, is forced to by legislation or whether it presses ahead with its current model, hon. Members have raised other issues to address and actions to pursue. The Home Office must ensure that there is sufficient funding for awareness-raising programmes, with a particular focus on making sure that local authorities have a clear understanding of what is required of them in relation to looked-after children and care leavers, and the resources to ensure that those groups can obtain all the advice and support they need.

As has been said, the position of many of those youngsters is incredibly complicated. For a child, choosing the right to be a citizen is not just whether to make an application at all, or knowing whether they might have a right to citizenship, is hugely complicated but has profound implications. We cannot support social workers to do all that. All those young people must have access to specialist legal advice and support, which should be funded by the Home Office.

The duty of local authorities must be to do everything possible to secure that expert advice, not to provide makeshift alternative advice that they are not qualified to deliver. As other hon. Members have said, that duty must extend to all looked-after children and care leavers, not just those for whom the local authorities have parental responsibility.

I echo the comments of the hon. Member for Stretford and Urmston (Kate Green) about legal aid. The announcement in July 2018 that legal aid for separated children with immigration issues would be reintroduced, including for children who need advice and support to secure EU settled status or understand their right to British citizenship, is yet to be implemented. It is essential that we know what will happen to that proposed change, given that Parliament may not be sitting for much longer. More broadly, immigration and citizenship should be brought within the scope of legal aid, as they are in Scotland.

The distinct issue of citizenship is relevant to many care leavers and looked-after children, because a significant number of them will be entitled to register as British citizens. The key barriers are, again, a lack of awareness and the exorbitant cost of vindicating those rights via the registration process, as other hon. Members have said. I repeat, therefore, that we need measures to ensure access to legal advice and to address the outrageous fees being charged by the Home Office. For example, when he was Home Secretary, acknowledged that the £1,000 fee was a huge sum of money to charge children; I would say it is disgraceful, particularly when we are talking about looked-after children and care leavers.

At the end of the day, those kids are every bit as entitled to citizenship as anybody in this Chamber and they should not be prevented from obtaining it by extraordinary fees. I urge the Minister not to do what other Immigration Ministers have done, which is to conflate the issue with migration fees or the adult naturalisation processes—they are completely different. We are talking about a group of children for whom Parliament expressly protected the right of citizenship when it ended the general provision of citizenship by birth in 1981. If Home Office officials demanded £1,000 from every mother leaving the maternity ward to secure their kid’s citizenship, there would rightly be outrage, but to charge those kids for theirs is as morally reprehensible.

In the case of looked-after children and care leavers, at least, the Home Office must see how outrageous its position has been up to this point and act accordingly.

In conclusion, I congratulate the hon. Members for Birmingham, Selly Oak (Steve McCabe) and East Worthing and Shoreham and for Birmingham, Selly Oak on securing the debate. I support them in what they are trying to achieve and will happily work with them to attempt to persuade the Home Office to listen.

12.37 pm

Afzal Khan (Manchester, Gorton) (Lab): It is a pleasure to serve under your chairmanship, Mr Bone. I, too, congratulate the Minister on her post and look forward to working constructively with her. I thank my hon. Friend the Member for Birmingham, Selly Oak (Steve McCabe) for securing this important debate and bringing this
serious issue to the fore. I also thank The Children’s Society, the Refugee and Migrant Children’s Consortium and the Greater Manchester Immigration Aid Unit for their comprehensive briefings.

As we head ever closer to a disastrous no-deal Brexit, the rights of the 3.8 million EU nationals living in the UK are still in jeopardy. By a conservative estimate, 5,000 EU children live in care in the UK and a further 4,000 care leavers will be affected by the EU settlement scheme. Across the UK, our already stretched local authorities are now responsible for safeguarding the rights of thousands of European looked-after children and care leavers.

If that already vulnerable group of children does not secure their rights after Brexit, we could easily double the number of undocumented children living in the UK, which is a situation that none of us want to see, as I am sure the Minister agrees. Those undocumented children and young people would then be subjected to all the Government’s hostile environment policies: they will be unable to work, drive or open a bank account, and they will effectively be barred from college, university and secondary healthcare.

That is why Labour supports a declaratory scheme, as opposed to the Government’s constitutive scheme. A declaratory scheme would ensure that all EU citizens living in the UK automatically retained their rights after Brexit. I had many discussions with the previous Minister about the issue and I hope that the new ministerial team will look again at the proposal. Without reforming the system entirely, it is imperative that the Government look again at the problems faced by children in care and care leavers in applying for settled status.

I want to outline my three most pressing concerns about children in local authority care and care leavers who need to secure settled status. A number of other Members have also touched on these points.

First, many looked-after children and care leavers lack the documentation necessary to complete their application under the settlement scheme. Many children in care will not have the identity documents that the Home Office requires for settled status. If a child is born in the UK, they will more than likely not have a passport or identity card to prove their nationality. It is estimated that more than half a million children fall into this category.

As the largest-scale registration programme the Home Office has ever embarked on, the settlement scheme has brought into stark relief how little we know about the immigration status of the children in the care of the state. Does the Minister agree that we must ensure that these children do not fall through the gaps just because they are unable to prove their nationality?

My second concern is the lack of information available to local authorities. The Government have spent the last 10 years slashing local authority budgets and now they expect these cash-strapped councils to take responsibility for registering the thousands of EU national children in their care. Earlier in the year, following the roll-out of the settlement scheme, the Government issued guidance to all local authorities on how they should be supporting children in their care and care leavers, which stated that there is no general duty on local authorities to ensure that immigration status is secured for looked-after children. Does the Minister not consider securing a looked-after child’s immigration status to be a fundamental part of the state’s corporate parenting responsibilities?

Thirdly, I am concerned about the legal advice being offered to looked-after children. There is potential for children with the right to apply for British citizenship being advised to pursue settled status in the rush to ensure they are protected. Does the Minister agree that only those with sufficient expertise should be giving immigration advice to children in care and care leavers?

All looked-after children have the right to seek legal aid in applying for their settled status. What steps is the Minister taking to make local authorities aware of their right to apply for exceptional immigration case funding for children in their care? Will the Minister also guarantee parliamentary time in what remains of this Session for the amendment to the Legal Aid, Sentencing and Punishment of Offenders Act 2012 that would cement that right in legislation? Labour is committed to providing early legal advice for all immigration cases. Legal aid is not just a force for good, but could also save the Treasury millions in the long run.

As we all know, there are a multitude of problems at every stage in the immigration process for children in care, and for just about all other vulnerable groups in our society. That includes the cost of citizenship applications, the time it takes to apply and the hostile environment.

There are many issues I have not had time to touch on today. I hope the Minister will answer the questions we have raised. It is vital that no vulnerable child or young person is allowed to fall through the gaps of the settled status scheme.

12.43 pm

The Parliamentary Under-Secretary of State for the Home Department (Seema Kennedy): It is a pleasure to serve under your chairmanship, Mr Bone. I thank the hon. Member for Birmingham, Selly Oak (Steve McCabe), my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) and the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald) for securing this extremely important debate on the EU settlement scheme and looked-after children and care leavers. The co-chairs of the all-party parliamentary group are great champions for children and it is right to discuss this issue today.

The EU settlement scheme is designed to deliver on the Government’s aim that EU citizens can obtain their rights of residence quickly and easily. The principle behind it is the presumption of granting status. The Prime Minister has made it clear that EU citizens living in this country will have the absolute certainty of the right to live and remain in this country. Ensuring that those who are most vulnerable, such as looked-after children, are supported to obtain status has always been and continues to be a core element in the delivery of the scheme, and I want to assure all Members who have spoken today, including those who have left their places, that that is a cross-departmental priority for the Government.

My Department has engaged widely, including with the Department for Education, the Local Government Association—my predecessor spoke at its conference, addressing this point—and the Association of Directors of Children’s Services, as well as their equivalents in the devolved Administrations and in Northern Ireland,
to understand and address the needs of looked-after children and care leavers and to ensure that they are supported. Guidance has been issued regarding the role and responsibilities of local authorities for making or supporting applications for looked-after children.

The scheme was first rolled out in the spring of this year. One million people have been granted status already—that is the figure from August. If we are in a deal situation, the scheme will be open until the middle of 2021. In a no-deal situation, people will have until 31 December next year to apply.

Members have rightly raised a lot of points about the scheme in general and about the specific cohort of children. I understand the point made by the hon. Member for Birmingham, Selly Oak—he has great experience both from his work in this place and from before that—on the different strata of children that we are discussing.

The system has been designed to make sure that a successor of mine who stands here in 40 years’ time will not be dealing with a system where people do not have their status. That is why we have registration—so that EU citizens, particularly children and vulnerable people who have built their lives in this country—

Stuart C. McDonald: Will the Minister give way?

Seema Kennedy: Can I just finish this point? Then I will give way, to either an angry or a helpful comment.

The registration scheme exists so that citizens, particularly children and vulnerable people who have built their lives in this country, do not have difficulty evidencing their rights to live and work here. That speaks to a point made by the hon. Member for Stretford and Urmston (Kate Green).

Stuart C. McDonald: The Minister speaks of her successor in a few years’ time being able to say that everyone has status, but only a declaratory system will do that. If we do not have a declaratory system, it is inevitable that tens of thousands—almost certainly hundreds of thousands—of EU citizens, including vulnerable people, will not have status. Does the Minister accept that? Does the Home Office have an estimate of how many people it expects not to go through the process in time?

Seema Kennedy: I profoundly disagree with that point. The registration scheme ensures that those EU citizens who are here will have settled status. If not, there will be differences, because people will not necessarily be able to prove whether they were here at that point.

Focusing specifically on the cohort under discussion, hon. Members have quite rightly referred to the fact that many of those children do not have the same documentation as most of us in this Chamber, because of the life situations they have experienced. We share those concerns. They might have no identity documents, as they might have had complex or chaotic lives.

It is absolutely right that local authorities and health and social care trusts in Northern Ireland should obtain the necessary identity documents for a child in care to ensure that they have uninterrupted access to services, but the Home Office guidance on this scheme makes it clear that applicants can apply without an identity document, as they might be unable to provide one because of family circumstances. As far as I am aware, local authorities vouching for the fact can be adequate documentation.

Stella Creasy: One of the critical lessons from the pilot schemes in my local authority was the difficulty in getting hold of documentation, because embassies in other countries want parents to be involved. It comes down to a very simple question: do we want social workers to be chasing up embassies and parents, or working with these kids? Is the Minister providing a guarantee that if my local authority simply said, “Yes, we believe this child is an EU citizen and therefore should be entitled to status in this country,” that will be enough? If she is not, she is asking social workers—who do not have a legal background—to go chasing information that they cannot get hold of, not because of rules in this country but because of rules in other countries, and that risks the children not getting the status they urgently need.

Seema Kennedy: We need to be very careful, because there are two issues—

Stella Creasy: Yes or no?

Seema Kennedy: May I please finish my point? For some of the children we are talking about, the local authority is the parent. A second group might be the parents of section 20 children, and another group includes children in need. The problem is that some children still have their parents, who, perhaps at a later point, might come back in order to make the application for them. We are talking about three distinct groups of children. It is important that we recognise that, although some children might temporarily be under a section 20 order, they might return to their parents afterwards.

Kate Green: Will the Minister give way?

Seema Kennedy: I must finish this point. I have asked officials to look at the hon. Lady’s point about the local authority giving the evidence, and I will write to her in more detail.

Kate Green: That was the point I was going to make.

Seema Kennedy: It is important to note that not all the children we are talking about have local authorities that are in loco parentis.

On the role of local authorities, a new burdens assessment has been made. It will take into account the important work of identifying the cohort of children and their parents. We have asked local authorities to return figures by the end of August—I think the hon. Lady referred to that—and we are currently co-ordinating those returns, which came in only a few days ago. That is how we are supporting local authorities.

We have given £9 million to 57 voluntary and community sector organisations across the country, to help us reach an estimated 200,000 vulnerable or at-risk EU citizens and help them apply. Of course, it is not only children who might be in a vulnerable cohort; the Home Office is very aware of that. Additional support is available to people who do not have the appropriate access, skills or confidence to apply online. There are more than 300 assisted digital locations across the UK, and there is an opportunity for a paper application in some circumstances.
Stuart C. McDonald: I thank the Minister for giving way again—she is being very generous with her time. Charities are telling us that they do not have the resources to do all the work that is required. Has she put in a request to the new Chancellor for additional funding, so that we can leave absolutely no stone unturned in ensuring that we help each and every vulnerable person in this country who needs to apply?

Seema Kennedy: The scheme is not designed to require a lawyer or legal advice, so it is simple to use. I recognise that there might be complications in some of the cases involving vulnerable and non-EEA dependents. However, the fact that more than one third of the eligible people have already signed up in six months is a testament to its design as a simple system.

Steve McCabe: I am grateful to the Minister for giving way. She might be right to say that the overall scheme was designed not to require great legal expertise, but the evidence of the Coram pilot shows that that is exactly what was required for the group of children that this debate is about. Surely that is the point she needs to address.

Seema Kennedy: On the Coram report and the Department’s contact with all the important groups that assist vulnerable people, guidance has been published. Most importantly, guidance is being refreshed—this debate is part of that, to ensure the guidance is relevant. There has been a series of teleconferences for social workers and local authority staff, and they will continue monthly until next March. There is a designated telephone number for local authorities to call the Settlement Resolution Centre.

I will touch on an important issue that the hon. Member for Stretford and Urmston mentioned, namely legal aid. She has quite rightly mentioned the fact that the order has not been debated, and I will speak urgently to my colleagues at the Ministry of Justice in order to bring that forward. Until then, applicants can apply through the exceptional case funding scheme.

Luke Graham: The Minister is making earnest promises to work with local government to ensure that no child is left behind. Can she assure me and other colleagues that her Department will work with the devolved Administrations and local authorities in Scotland to ensure that all children are cared for, and that the opportunities provided in England are provided elsewhere in the UK?

Seema Kennedy: I am very committed to working with my counterparts in the devolved Administrations. It is a testament to the importance of this debate that hon. Members from all four nations are present—well, not the Welsh, unfortunately—which shows how strongly we feel about protecting vulnerable children in this situation.

Colleagues asked what would happen should children fail to make an application by the deadline, which, as I have said, will be either the end of December next year in a no-deal situation, or the summer of 2021 under the withdrawal agreement. The Government have a special responsibility for these children and care leavers. With these measures in place, I am confident that we will ensure that they secure a permanent status under the scheme.

I will touch on citizenship fees, because all hon. Members who have spoken have talked about them. Settled status gives indefinite leave to remain in the UK, but some countries do not allow dual citizenship. It is a personal choice; citizenship is not mandatory. However, we have committed to reviewing fees for child registration applications and will keep the House updated.

On the issue of asylum, which I think was raised by the hon. Member for East Worthing and Shoreham, the UK takes extremely seriously its responsibilities to unaccompanied children. As my hon. Friend mentioned, the numbers have been increasing. In the past 12 months, we gave protection to more than 7,000 children. Whether we have a deal or not, co-operation on asylum will continue with EU countries, which is why we have taken proactive action to ensure that, whatever the circumstances, Dublin requests that relate to family reunification and that have not been resolved on the date we leave the EU will continue to be considered under existing rules.

I will touch quickly on the issue of criminality thresholds. I, too, queried why there was a 16-to-18 gap. Applicants under 18 are now not asked about criminality, but a police national computer check is still conducted if they are aged over 10. Only serious criminality, which forms consideration of deportation, is taken into account—serious persistent offenders with extended custodial sentences.

This has been a very important debate. Highlighting the issue at this early stage of the EU settlement scheme is very pertinent, and I thank the hon. Member for Birmingham, Selly Oak for securing the debate. We will continue to engage with relevant stakeholders, to understand and address the needs of looked-after children in care. I reassure the House that the Government are absolutely committed to ensuring that we look after children and care leavers, and that they are supported to obtain their status under the EU settlement scheme.

12.58 pm

Steve McCabe: I thank everyone who has taken part in the debate. I thank the Minister for her comments. I hope she will appreciate, as I said at the outset, that this is a cross-party matter. The hon. Members raising it are the hon. Member for Stretford and Urmston or my hon. Friend the Member for East Worthing and Shoreham, the UK takes extremely seriously its responsibilities to unaccompanied children. As my hon. Friend mentioned, the numbers have been increasing. In the past 12 months, we gave protection to more than 7,000 children. Whether we have a deal or not, co-operation on asylum will continue with EU countries, which is why we have taken proactive action to ensure that, whatever the circumstances, Dublin requests that relate to family reunification and that have not been resolved on the date we leave the EU will continue to be considered under existing rules.

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Kettering General Hospital Urgent Care Hub

1 pm

Mr Philip Hollobone (Kettering) (Con): I beg to move.

That this House has considered the urgent care hub at Kettering General Hospital.

May I say what an unexpected pleasure it is to see you in the Chair, Mr Bone. I am sure that we will all benefit from your wise guidance and counsel. I thank the Speaker for granting me this debate and welcome the Minister to his place. We are joined today by Mr Simon Weldon, the outstanding chief executive of Kettering General Hospital, our very popular local hospital. Of course, you will know him as well as I do, Mr Bone.

Kettering General Hospital is an extremely popular and well-liked local hospital. It is 122 years old this year, and still occupies the site that it first occupied in 1897. There cannot be many hospitals in the country that are still based almost entirely in their original locations from more than a century ago.

Today, we are talking about the urgent need for an urgent care hub on the Kettering General Hospital site. We need the urgent care hub because the hospital is such a popular one that it simply cannot cope with the number of patients admitted to A&E at the moment. Everyone—all the local NHS professionals in every NHS organisation in Northamptonshire—agrees that the best solution to the challenges the hospital faces is £49 million for the development of an urgent care hub on the site, which the hospital needs.

An urgent care hub would basically be a one-stop shop for GP services and out-of-hours-care, an onsite pharmacy, a minor injuries unit, facilities for social services and mental health care, access to community care services for the frail elderly, and a replacement for our A&E department. The most crucial aspect of that is the A&E department, which was built 25 years ago in 1994 to cope with 40,000 attendances each year. Last year, 91,200 patients came through that very same A&E. This year, we are on track to pass the 100,000-mark for patient attendances, which is well over 150% of the department’s capacity. By 2045, 170,000 attendances are expected at the same site.

Jim Shannon (Strangford) (DUP): It is not only Kettering General Hospital—A&Es across many constituencies suffer from similar problems. Does the hon. Gentleman agree that we would all benefit if, in A&Es—particularly that of Kettering General Hospital, which the debate is about—there were better patient care and a better working environment for health professionals? In A&Es, it is important that health professionals are happy in their work and feel that they can move forward in what is possibly the most stressful specialty. In the long run, the investment to which the hon. Gentleman referred will pay for itself in better patient outcomes and better staffing capacity.

Mr Hollobone: I am most grateful for that unexpected contribution from Northern Ireland—it is always a delight to see the hon. Gentleman in his place, and I thank him for his support. Of course, I agree that A&E facilities across the country are under pressure, but that pressure is particularly acute in Kettering, not least due to the number of houses that are being built locally, the increase in the local population and the fact that—thank goodness—we are all living longer. In Northamptonshire, there has been a particular increase in the number of elderly patients who are served by the local hospital. I thank the hon. Gentleman for attending and for his support.

In 2016, Dr Kevin Reynard of the national NHS emergency care improvement programme visited Kettering’s A&E and concluded that:

“The current emergency department is the most cramped and limiting emergency department I have ever come across in the UK, USA, Australia or India. I cannot see how the team, irrespective of crowding, can deliver a safe, modern emergency medicine service within the current footprint.”

Simon Weldon is also extremely concerned about patient safety. He said to me that unless we get the situation sorted, sooner or later there would be a patient death in Kettering’s A&E.

An impact of the incredibly cramped department is that staff do not have clear lines of sight on some of the most unwell patients to monitor their conditions appropriately. Privacy and dignity for patients cannot be maintained due to overcrowding and cramped spaces. Patients wait longer than the national limits, as there is physically not enough space to treat the numbers coming through the door. Children have to wait in open corridors and go through adult areas to receive treatment. A lack of space to offload ambulances often results in long queues and inhibits ambulance response times to 999 calls. The A&E rooms do not comply with many current health building standards and there is a lack of natural daylight.

The Care Quality Commission and other inspections have consistently raised multiple concerns, for both adult and paediatric patients, about the size and limitations of the estate. Most importantly, as I have described, the number of patients has now reached a critical point and staff need to manage safety daily, patient by patient. For health professionals who take pride in their job, the challenges of working in Kettering A&E are becoming unbearable.

In the next 10 years, local population growth is expected to far exceed the national average and our catchment includes the fastest growing borough outside London, in our neighbouring constituency of Corby. In the last census, out of 348 districts across the country, Kettering was sixth for growth in the number of households and 31st for population increase, while Corby has the country’s highest birth rate. Our local area has been included as part of the Cambridge-Milton Keynes-Oxford corridor, in which there is a commitment to build 35,000 new homes in the next 10 years.

Kettering General Hospital expects a 21% increase in over-80s and 10,000 more A&E attendances in the next five years alone. Despite some temporary modifications over recent years, including moving other patient services off the hospital site to accommodate delivering safe emergency care, detailed surveys show that there now remain no further opportunities to extend the current department and that a new building is required on the site.

Following those safety reviews and surveys, the hospital has developed a business case for a fit-for-purpose emergency care facility that will meet local population growth for the next 30 years. It was developed with all health and social care partners across Northamptonshire,
so that patients can get a local urgent care service that meets all government guidance on good practice, ensuring that they get the care they need to keep them safely outside of hospital and that they are cared for by the right clinician at the right time, first time.

The urgent care hub would be a central cog in a whole-system approach to delivering urgent care services to meet the needs of the population, and it would work alongside GP, mental health, community and social care services. The hub continues to be identified as the highest clinical safety priority across the whole of the county by Northamptonshire sustainability and transformation partnership. It was also approved by the NHS Improvement midlands and east regional team as the highest priority submission for central capital funding.

We are talking about £49 million and about Northamptonshire being the only one of all 44 STP areas in the country not to receive any capital funding at all in the past four waves of such funding from the Department. Why is that the case? If the Minister were to agree to the urgent hub proposal, he would put that wrong right. The trust can access only £3.5 million annual capital through its own funding, and the county, Northamptonshire, has only £20 million, but that is used simply to maintain essential equipment and to repair heating and lighting systems. Kettering General Hospital therefore requires central funding or some form of private financing to build the facility.

A bid has been submitted as the highest clinical priority for funding across the whole of the NHS in Northamptonshire, and for NHS Improvement regionally, but Government capital allocation announcements over the past few weeks have not included the urgent care hub, nor any other moneys for Northampton or our local region. I simply do not understand why Kettering General Hospital has been missed off the list. The national NHS Improvement team has indicated that no further STP capital funding will be announced until spring 2020, although I understand that the Government are now reviewing all spending allocations across all Departments in the comprehensive spending review expected later this week. Local people will be very surprised if Kettering General Hospital is not included somewhere in that review.

Given the clear patient safety concerns at Kettering that have been recognised locally, regionally and nationally by NHS experts, what process did the Government follow to award schemes the central NHS capital allocations in recent weeks? Why was Kettering not included? Why were some awards made to areas with no apparent clear and worked-up business case, when Kettering has such a case? Given the lack of access to further NHS capital funding, what are the alternatives for Kettering General Hospital without a central grant of funding from the Department of Health? Furthermore, how are the Government correlating healthcare decisions with the locations of planned growth in housing?

I do my humble best as the local elected representative to express such concerns. The chief executive of the hospital, Simon Weldon, would have made a far better job in this debate than me, but I will quote some of the dedicated healthcare professionals in our local hospital. They will outline the challenges that they face far better than anyone else.

The head of children’s safeguarding at the hospital, Tabby Tantawi-Basra, said:

“Children have to wait in corridors alongside seriously unwell, drunk or mentally unwell adults. This causes a serious safeguarding concern as our staff are not always able to have line of sight on them.”

Sarah Parry, who is a nurse in end-of-life care at the hospital, said:

“When a patient is brought into A&E dying or already passed away, there is no space where relatives can sit quietly to receive the news and grieve. We can’t even make them a cup of tea—they have to share a facility with the staff room!”

Jacqui Barker, the head of adult safeguarding, said:

“We know from the Winterbourne View scandal that the lack of privacy and dignity for vulnerable adults seriously impacts their mental wellbeing. Sadly our facilities mean even our most vulnerable adults are looked after in very cramped conditions, sometimes next to disruptive or aggressive other adult patients.”

Claire Beattie, the head of nursing medicine at the hospital, said:

“Our staff work tirelessly to keep patients safe under the most difficult of conditions. The way the treatment areas are configured means they struggle to easily communicate or ask for help, and if patients are deteriorating then it isn’t always easy to see that quickly and give the urgent help they need.”

Leanne Hackshall, the director of nursing, said:

“Patients are so close together they can almost hold hands. And if someone is being sick or coughing badly in the next space then every other patient worries about who they are so close to.”

Polly Grimmett, the director of strategy, said:

“As Director on call in August, we had over 100 patients in the department for most of the night and it’s only safely meant to fit 40—there were 10 ambulances with patients queuing. This is meant to be our quietest month so who knows how bad it will be in December?”

Nicola Briggs, the director of finance, said:

“If we stopped spending any money at all on necessary things like replacing light bulbs or fixing equipment, then it would still take us nearly 15 years to save up enough money ourselves.”

The urgent care hub is, as far I am concerned, the No. 1 priority for local people in Kettering. The general hospital is much loved, and we need more investment to cope with the growth in the local population and to care for our increasingly aged population. I invite the Minister to visit the hospital and to see the A&E department for himself. If he does so, he will follow in the footsteps of two previous Ministers with responsibility for hospitals and the previous Secretary of State.

The problems are well known in the Department of Health, and I simply do not understand why £49 million—not very much in the context of the size of the whole NHS budget—cannot be allocated to fund the badly needed urgent care hub at Kettering General Hospital. All the local NHS bodies agrees that the hub is the answer to the difficulties and challenges faced by the hospital.

More patients are being treated at Kettering General Hospital than ever before. Their treatment is increasingly world-class, and I thank all the dedicated NHS professionals in our local hospital for their magnificent work. In order to help them face the challenges ahead, we urgently require £49 million from the Government for this badly needed urgent care hub facility.

1.16 pm

The Minister for Health (Chris Skidmore): It is an honour to serve under your chairmanship, Mr Bone, in my first debate as the new Minister of State for health.
I congratulate my hon. Friend the Member for Kettering (Mr Hollobone) on securing this debate on the proposed urgent care hub at Kettering General Hospital. This is an important issue for not only my hon. Friend but his constituents in the wider Kettering community, and it is one on which he campaigns tirelessly. I congratulate him on his diligence and determination to continue that, bringing it before the House today.

Kettering General Hospital, as my hon. Friend mentioned, has stood on the same site for nearly 122 years. It plays a vital role in the community, and he set out eloquently the importance of the hospital to that community. In January this year, my predecessor, my hon. Friend the Member for Wimbledon (Stephen Hammond), discussed the urgent care hub proposal with my hon. Friend the Member for Kettering and visited the hospital, following the foundation trust’s unsuccessful £45.7 million sustainability and transformation partnership bid in July 2018. My hon. Friend set out clearly the need to cope with rising demand, with which the urgent care hub could assist.

Given the unsuccessful bid, I am sure that my hon. Friend is aware that the sustainability and transformation partnership programme has been the main funding route for strategic capital development projects. Under that programme, capital has been allocated to more than 170 STP schemes since July 2017, which now amounts to about £3.3 billion. STP investments will modernise and transform NHS buildings and services across the country, including new urgent care centres, integrated care hubs that bring together primary and community services, and investment in new mental health facilities.

On 5 August this year, the Government announced a £1.8 billion increase in NHS capital spending, on top of the additional £3.9 billion announced in the 2017 spring and autumn budgets. Of the increase in NHS capital spending, £1 billion will allow existing upgrade programmes to proceed, to tackle the most urgent infrastructure projects. Some £850 million will allow 20 new hospital upgrades to start as soon as possible. Those hospitals were chosen because they applied for funding in tranche 4 of the sustainability and transformation partnerships, but narrowly missed out. I will set out the short process that we go through to designate the waves, whereby the 20 hospitals that narrowly missed out on upgrades previously will receive funding this time.

Mr Hollobone: Kettering General Hospital narrowly missed out on previous funding allocations. Northamptonshire is the only one of the 44 STPs in the country never to have received any capital funding in the four waves that have taken place. I find that staggering, given the overwhelming support from the local NHS for the urgent care hub proposals.

Mr Hollobone: I join the Minister in welcoming the £1.8 billion of extra capital funding for the NHS and the £1 billion wave of funding at the end of 2018. That is all very good news, but given there is almost £3 billion of extra capital injection, we simply cannot understand why £49 million of that could not find its way to Kettering, particularly as there is already a worked-up business case, to get the project up and running quickly.

Chris Skidmore: As a new Health Minister, I have found that the wave approach to the sustainability and transformation partnerships programme has highlighted a wider issue with NHS capital. My hon. Friend’s point about geographical distribution applies not just to bricks and mortar but to diagnostic equipment. We must make sure that our national health service is truly national, by giving every trust equal opportunities to apply for and receive funding. That is why the Secretary of State recently set out that, as a Government, we will establish a new health infrastructure plan. The plan will mean that we take a strategic approach when looking at hospitals that need upgrades, and how that will fit into a wider strategy that will be organised in the Department, taking into account local needs and NHS clinical requirements.

We will put in place a long-term strategy to upgrade and improve our NHS. That will deliver a major strategic hospital rebuilding programme that will provide the necessary health infrastructure across the country. I cannot go into any further detail, apart from to say that the shape of that will be confirmed in due course. To offer a comparison, the road investment strategy—RIS 1 and RIS 2—has a longer term process by which we can move away from a succession of waves. We have waves 1, 2, 3 and 4 of funding as part of the STP processes:
some of those projects are further along and more developed than others; some have more advanced business cases than others, as my hon. Friend mentioned. It is important to take a strategic approach for the future.

I understand that my hon. Friend was disappointed that Kettering General Hospital was not selected for funding this time. However, as he mentioned, the trust secured £6 million in emergency capital funding this year, to deal with safety-related estates work. In addition, between 2017-18 and 2018-19, the trust received more than £14 million in capital to fund improvements to the hospital, including £12 million to tackle the urgent capital backlog and other essential capital expenditure. It received £2.4 million for winter pressures and £820,000 for electronic prescribing. That does not make up for what my hon. Friend recognises as an important development and improvement to the estate, but in Kettering the trust has improved enormously and has made great strides in recent years.

I note that while the Care Quality Commission rated the hospital as “needs improvement” after its inspection earlier this year, the trust has been taken out of special measures for quality following the CQC report published in May 2019. I am pleased that, despite the rising demand, my hon. Friend mentioned, it is still providing patients with safe and good quality care and is focused on embedding a culture of continuous quality improvement. I am delighted that Kettering General Hospital is participating in a national urgent and emergency care standards pilot, and I await information and learnings on that this year.

Mr Hollobone: I am glad that the Minister highlights the huge improvements made at the hospital and the superb leadership we now have in place. Will he accept an invitation to visit the hospital and see the A&E department at first hand?

Chris Skidmore: I thank my hon. Friend for that invitation; I would be delighted to visit the hospital. I pay tribute to the staff at Kettering General Hospital, who continue to work hard and who contributed to the hospital’s receiving a good rating for care. I hope we will continue discussions during my visit.

I hope that, if my hon. Friend and the trust are willing, I can arrange the meeting to go through the criteria for STP wave 4 in finer detail. I hope that he understands that we are looking at setting up a new process by which capital infrastructure projects will be delivered. The Government have made significant investments in the NHS as part of their long-term plan. We recognise that we need to mirror that investment in NHS capital. I thank my hon. Friend for raising this important issue, and I look forward to working with him.

Question put and agreed to.

1.29 am

Sitting suspended.
Daniel Zeichner (Cambridge) (Lab): Does my hon. Friend agree—he probably does not—that although Norfolk faces a difficult situation, the situation in Cambridgeshire is even worse? Tony Davies, the headteacher of St Matthew’s Primary School, tells us that the school will run out of money at the end of this year so it, too, is seeking contributions from parents. How is it that fantastically successful schools are literally running out of money?

Clive Lewis: I thank my hon. Friend for his input. We have to accept that our schools are running out of money for the same reason that our public services are underfunded: because of a damaging political choice. I will come on to that, but let me add that one of the reasons I sought the debate was that, as I understood it, every school in Norfolk was potentially going to put in a cost-overrun budget—an illegal budget—because of the funding shortfall. That is happening across the eastern region, and definitely across Norfolk.

Only last week, a local trust in Norfolk announced that it had had to cut 35% of its teaching assistants. That means the ratio of children to staff is bigger, creating myriad potential risks and increasing exponentially the lost learning time for children who need extra help in the classroom.

Sandy Martin (Ipswich) (Lab): Does my hon. Friend agree that one of the biggest problems we have with underfunding in education, certainly in Suffolk, is that there are not enough facilities and not enough staff to cope with children with special educational needs, especially attention deficit hyperactivity disorder? Some children receive no more than one hour’s education a day and are losing all their self-respect. We are storing up problems for the future in those cases.

Clive Lewis: I will address that in detail shortly, but there is indeed a crisis in special educational needs teaching.

Every parent and teacher knows how vital teaching assistants are to aiding our young people’s learning, yet a briefing meant only for Ministers and officials at the Department for Education, which was leaked last week, was clear that the Government still intend to slash the number of teaching assistants. The briefing stated:

“We recommend we continue to push No 10 not to include this publicly.”

Can the Minister tell us whether that is true? If it is, why do the Government not recognise the value of support staff in helping our children to learn and thrive?

Headteachers across the country have not been able to balance the books. It is no wonder they have had to make cuts: the Institute for Fiscal Studies found that if it were not for the sudden promise of new funding, school funding would have been £1.7 billion lower in real terms in 2020 than in 2015. The newly promised figure is not additional funding; it is to plug a hole that appeared due to the fact that total school spending per pupil fell by 8% in real terms in 2017-18. Even if headteachers trust the Government’s motives, that funding will go only a small way towards repairing the damage caused by years of continued cuts. In the face of such damaging statistics, will the Government concede that the past nine years of austerity—a political choice by consecutive Conservative Governments—have crippled our schools?

The alleged new money for schools announced this week is something of a confession in itself. I happily acknowledge that that money—£14 billion over three years from 2020—was a significant and welcome change of direction. Finally, we can stop listening to Ministers continually claiming that schools have more funding than ever before. The centrepiece of the announcement was a one-off £2.8 billion cash injection, but I am sorry to say that that does not even come close to reversing the cuts made by the Conservatives over the course of this decade. The Institute for Fiscal Studies believes that to do that, £3.8 billion would need to be shared out among schools across the country every year.

This is where things seem to get even more controversial. Sadly, following the analysis in The Sunday Times this weekend, I am forced to question whether any schools in my constituency will receive any increase in funding at all. The supposed cash boost is nothing more than an election bribe, with the overwhelming majority to be spent on grammar schools and schools in Conservative MPs’ constituencies, helping the party target marginal seats as we build up to an almost inevitable general election in the coming weeks, months or perhaps even days.

Do the Government really believe that this is how our children’s future should be decided? Is this really the best way to educate the next generation and close the gap between rich and poor? From where I am standing, it simply plays into the same old Conservative rhetoric that sees inequality increase year on year. This is not sorting out our schools crisis; it is neutralising an electoral image problem. It is retrofitting policy to suit the polling objectives. Most of all, it is feigning concern while failing children.

Over this decade of cuts, our classrooms have been turned into the new frontline of the welfare state, with staff filling in for councils in financial collapse and for parents in precarious jobs or inadequate housing. Any serious attempt to fix our schools must be combined with money to rebuild our public services and our welfare state. I am afraid that the new Government do not seem interested in that.

To put the situation in perspective, a headteacher from my constituency recently told me that on top of the inescapable loss of teaching staff due to budget cuts, the school has had to cut back on support for students, reducing or removing core support in the form of counselling, behaviour support and mental health support. That, alongside the significant cuts to external support services such as child and adolescent mental health services, social services and special school support, has been disastrous for many vulnerable students in my constituency who have nowhere to turn for help. That, somewhat inevitably, has resulted in an increase in the number of permanent exclusions that schools have had to make, a pattern sadly replicated across the UK, leaving both students and parents desperate and with nowhere to turn.

Consider also the renewed focus of the new Government on headteachers being encouraged to use “reasonable force” on misbehaving students. Education officials caution that such a policy will “impact disproportionately on children in need of a social worker, children with special needs and... Black Caribbean Boys.”

In other words, as summarised by The Guardian,

“it will be state-led discrimination against minority groups. Ensuring that more kids are excluded will simply feed them into pupil referral units or lead to them getting schooled by gangs.”
So much so that police and crime commissioners worry about rates of exclusion driving knife crime even higher. I would say, “Don’t worry—the Home Office has a plan: anti-knife crime advertising on fried chicken boxes,” but we will not go into that. Is this really the big society that the Government want to create? Does the Minister really believe that these devastating cuts and archaic forms of punishment will impact positively on our children?

The Prime Minister recently stated that there should be no winners or losers when it comes to our children’s futures, but I find it hard to see how the decimation of state school funding and the services it pays for helps to level the playing field between students educated in our state schools and those who can afford to be educated at elite private schools such as Eton and Harrow.

I turn to an issue of huge local importance. The funding crisis in East Anglia has had huge knock-on implications for our children with special educational needs. In Norfolk alone, there are 21,000 children with special educational needs and disabilities. Of those, 15,000 children with SEND are in mainstream schools and only 6,000 have an education health and care plan. Only 1,000 referrals for EHCPs are received by Norfolk County Council each year, and 150 children with SEND are still waiting for a special school place. Nationally, that figure is 8,500, and only 3% of children in England have SEND statements or EHCPs.

I recently met a group of parents who have been severely affected by the lack of provision for their children. I have constituents whose children, despite having EHCPs that clearly state that they cannot cope with mainstream schools, still cannot be provided with places in specialised schools. Staff cuts in mainstream schools have had a significant impact on all pupils but particularly those with SEND. The cuts have seen a reduction in specialist teaching assistants, counsellors and speech and language therapists, all of whom pupils with SEND need. I have constituents whose children, despite having EHCPs that clearly state that they cannot cope, are still being denied the education they need.

I also know of children who have been forced to stay at home due to lack of staff and spaces in specialised settings, meaning that they are effectively excluded through no fault of their own. There is nowhere else they can go, and the impact on their families is catastrophic: parents have to give up work and livelihoods are lost. Sometimes, even homes are lost and marriages fail.

Specialised schools provide invaluable support and education that these children are legally entitled to, but, without sufficient money from central Government—I assure the Minister that the £700 million announced for SEND children is not sufficient—they cannot get that, and there is nothing that parents or teachers can do. More parents are taking Norfolk County Council to tribunal over SEND provisions, and winning, because they are right: their children are not getting the education they have a right to as set out in legislation. Does the Minister accept that unless there is a significant increase in high-needs funding, the Government will fail to deliver on the reforms they introduced in the Children and Families Act 2014? These devastating cuts have, to quote my hon. Friend the Member for Ashton-under-Lyne (Angela Rayner), brought services for children with special educational needs and disabilities to a “dangerous tipping point”.

Last year, I met headteachers at the Educate Norfolk annual conference, and some of the statistics they gave me were staggering. Eighty-two of our schools have reported that they have cut their support staff budgets and 39 had to reduce SEN support for no reason other than funding. In real terms, that means teachers having to administer medicines to children with medical needs and perform other tasks usually carried out by support staff. Can the Minister answer how those same staff can also adequately support children with special educational needs?

It is not just about provision for SEN. Overall, changes to the benefit system have resulted in a reduction in the number of households eligible for free school meals. That, in turn, reduces the amount of pupil premium funding that a school receives. Increases in staffing costs from increased national insurance and pension contributions and pay increases, which are not fully funded by central Government beyond 2020, come out of school budgets. That will get worse, with staff having to work longer and retire later.

This is completely unsustainable. We need a better strategy, based on inclusivity—not a theoretical idea of inclusivity—that ensures that there is more SEND training for teachers and non-teaching staff, so that staff, children and parents are properly supported. Labour pledges to deliver a strategy for children with special educational needs and disabilities, putting more money into those services while working more strategically with schools and SEND providers. We want to introduce a fairer funding formula that leaves no school worse off.

The years that children spend at school should not just be time that they must get through. They should be a wonderful time of learning. We know so much more about the psychology of childhood and what makes children thrive in education. That must apply to all children so that they can leave full-time education with a real chance in life, not a chance restricted by Government cuts. Joint general-secretary of the National Education Union, Mary Bousted, said:

“Teachers know that their working lives would be more fulfilling and less conflicted if fewer of the children and young people they teach were not themselves suffering from the devastating effects of increasing child poverty caused by…deliberate policies.”

In 2015, I campaigned against the academisation of some of our Norfolk schools, which is yet another example of the mismanagement and greed of the Government, with reports of headteachers and executives being paid five-figure sums. Money is floating to the top, with schools left in deficit, and spending on buildings and learning resources is being cut. Similarly, free schools, aimed at the middle classes, and which the Government want more of, are diverting money from existing state schools and are being run like private companies.

Mr Richard Bacon (South Norfolk) (Con): I think the hon. Gentleman misspoke—at least, I hope he did. Will he confirm that since £10,000 is a five-figure sum, he meant to say “six-figure sums”?

Clive Lewis: Yes. As ever, the hon. Gentleman has spotted a small mistake, and I am glad that he rectified it. Maths was never my strong point; I have always been a history man myself. I now see what he was sniggering about earlier—[Laughter.]
Mr Bacon: And he didn’t mention it!

Clive Lewis: Heads will roll back in my office.

Sir Henry Bellingham: Does the hon. Gentleman agree that there is also a problem in Norfolk with some schools that went into major building programmes under PPI? We heard at one school that we visited in Taverham that after 6.30 pm the school does not belong to the teachers and that they cannot have outside events there because it is in the hands of PPI managers.

Clive Lewis: I might get my figures wrong, but I get my acronyms right. I think we are talking about the private finance initiative. I was with the hon. Gentleman at a fantastic school in Taverham where the PFI contract stated that its vast resources, including the gym and the swimming pool, could not be used by the local community. Once the school gates were locked, that fantastic resource could not be used by the rest of the community. Given that taxpayers’ money from that community is paying for that school, that is a complete outrage and I agree with the hon. Gentleman.

In 2017, my hon. Friend the Member for Crewe and Nantwich (Laura Smith) won her seat as a result of a campaign based on school funding, not Brexit. That was the issue her constituents were up in arms about because it was their children, jobs and livelihoods at stake. The Prime Minister is in trouble on schools, and he knows it. When, last week, the Government announced that they would be providing £14 billion in one-off funding between now and 2022, headteachers responded by saying it was not enough. As I said earlier, we will continue to need an extra £3.8 billion every year to keep our schools afloat and £12.6 billion to reverse the effects of austerity altogether, not a one-off pre-election bribe.

The National Education Union says that headteachers are unlikely to “trust the motives, or the professed support, of ministers who have, time after time, voted through measures that have made families poorer. Teachers deal every day with the effects of increased child poverty in children’s inattention and distress and know that it is these causes that need to be addressed if pupils are to behave better and achieve more in schools.”

The Government need to stop their panic pre-election promises to increase school finances and give schools the funding they need, when they need it, not because there is a general election looming. A whole generation of young people have already been failed because of cuts to education funding, and simply announcing a specialist academy trust in the north of England does not count as trialling a new approach. We have already been there and done that; it did not work.

Here is a suggestion: rather than prorogue Parliament to get a no-deal Brexit through, let us ensure that that does not happen, save the £2.1 billion it is said that we will spend in the event of a no-deal Brexit and spend that on education. We can put that hard-earned taxpayer money towards keeping our schools open and our school buildings safe and maintained, and giving our children the education and the childhood that they deserve.

4.52 pm

Sir Henry Bellingham (North West Norfolk) (Con): I congratulate the hon. Member for Norwich South (Clive Lewis) again on securing the debate.

Mike Gapes (in the Chair): Before the hon. Gentleman goes further, I should have said that the question is that this House has considered school funding in East Anglia.

Sir Henry Bellingham: Thank you, Mr Gapes. I made exactly the same mistake when I was chairing here the other day, so I have every sympathy.

Once again, I congratulate the hon. Member for Norwich South. He and I have worked closely on this agenda. We may differ in our outlook on various matters concerning education, but we have a shared sense of complete and utter respect for the teaching profession in Norfolk, and for the hard-working headteachers and teachers in schools across the county; they have an incredibly important task.

This debate is timely because, as the hon. Gentleman pointed out, we have had an ongoing dialogue with Educate Norfolk, which is a group of secondary and primary headteachers. Those meetings have been excellent and have given MPs first-class briefings on most aspects of schooling in Norfolk. As my colleagues from Norfolk and elsewhere in East Anglia will know, one of Educate Norfolk’s consistent demands was for more funding—not just in penny packets, but as a significant uplift in school funding.

I slightly disagree with the hon. Member for Norwich South on this point. We have a new Prime Minister who has a new agenda and has his priorities, and he has made it clear that school funding is one of those priorities.

Mr Bacon: I join my hon. Friend in congratulating my parliamentary neighbour, the hon. Member for Norwich South (Clive Lewis). Would he agree with me that to say that the new Prime Minister is in trouble on schools is an exaggeration at the very least, if not a distorted caricature? With other Norfolk MP colleagues, I have attended meetings with the excellent headteachers at Educate Norfolk. They were making a careful and balanced case for more funding, which was well explained. The Government have responded by giving the education budget more or less what they asked for.

Sir Henry Bellingham: There is a lot of truth in what my hon. Friend says: Educate Norfolk asked for a significant real-terms increase. I made a note at the time that one of the figures they pointed out was that the schools budget in 2017-18—that is two financial years ago—was £41 billion. They felt that over the next four financial years it should go up by at least £10 billion. As we know, under the announcement made a few days ago, the increase will be £2.6 billion next financial year, £4.8 billion the following year and £7.1 billion in 2022-23. That brings the schools budget up to £52.2 billion in 2022-23; the Minister may correct me on this, but I think I am right. That is not just some increase in the future; it is an increase next year and the following year. It is extremely significant given the context that we still have a budget deficit and a national debt, which will carry on going up in actual if not real terms.

Heidi Allen (South Cambridgeshire) (Ind): We all agree that any money is welcome, but it is not right to say that our schools can wait for one, two or three years. There is a school in south Cambridgeshire—admittedly, not in my constituency, but that of the hon. and learned Member for South East Cambridgeshire (Lucy Frazer)—that now has to close on one day a week; it cannot open
The devil will be in the detail, but it is incredibly important to get the money flowing quickly. The Minister can look at that, but, as I understand it, this is new money coming into the Department. It will mean that every school will get a real-terms funding rise next year, and hopefully that will have a significant impact on our schools. Secondary schools will receive an increased minimum of £5,000 per pupil and primary schools will get the minimum of £3,750, going up to £4,000 per pupil in 2021-22. There will also be an extra £700 million for special educational needs and disabilities. It is significant and I welcome it.

I also welcome the announcement made by both the Education Secretary and the Chancellor regarding teachers' pensions. As the hon. Member for Norwich South pointed out, having high morale in the profession is crucial in terms of retention, managing mental health, the welfare of teachers and making sure we get the absolute best out of all our pupils.

I welcome the announcement on pensions and the pledge to meet the £4.5 billion requirement from outside the education budget; maybe the Minister can clarify that. I look forward to hearing what he says about this, as my understanding is that it will not impact on the extra money for schools. The employer contribution of 23.6% will be on top of the salary, which will ensure that the scheme is fully funded. One can link that to teachers' pay, which again is crucial to morale and retention.

I agree with a lot of what the hon. Member for Norwich South said, but I hope that many of his concerns and the examples he gave will soon be historical, because they will be overtaken by the new funding that will become available. It is important that teachers are well rewarded. A starting salary of £30,000 by 2022-23 will help to make teaching salaries among the most competitive in the graduate labour market.

I have a specific question for the Minister: in July, he announced that teachers would have a 2.75% pay increase, but that his Department would only fund it to the tune of 0.75%. The understanding was that schools would have to pick up the rest. Can he clarify the situation? Obviously, we do not want school budgets to have to in any way subsidise the increase in teachers' pay. I very much hope that the announcement made last week will cover that key point.

As I mentioned, the devil will mostly be in the detail. How quickly will the funding reach the schools? I am optimistic, on the basis of what the Minister has said in his interviews: I congratulate him on his performances in the media over the past week or so. He has been very clear and upbeat about this, and very passionate as well, because this funding will enable him to move forward in some of the key areas of priority within his portfolio.

Sandy Martin: Does the hon. Gentleman not accept that the majority—more than half—of the promised money will be paid after the next general election, even if the next general election takes place at the latest possible time, and so this is a promise of money that the current Government have no way of controlling?

Sir Henry Bellingham: I will just say to the hon. Gentleman that, yes, it is not all coming in one go, but there will be a £2.6 billion increase next year in 2020-21 and, if this Parliament goes its full five years, in 2021-22 it will be £4.8 billion and then up to £7.1 billion.

This is new, real money, now. It is incredibly important that we recognise that point. We can argue that it will not be enough, but I have also heard hon. Members talking about social care, the health service, the A47 and other priorities. It is a question of balancing priorities, and I am pleased that this Prime Minister has recognised that schooling and our young children are a key priority.

Heidi Allen: I suppose the question I have is: what on earth are my schools supposed to do now? Compared with, for example, a Westminster school, we get roughly £1,600 less per head per year, £400 less than the average across the UK. What on earth are we supposed to do now?

Sir Henry Bellingham: What I would say to the hon. Lady is very simple: the fairer funding for schools formula did indeed discriminate against a lot of small schools. I will come on to that in a moment, because what we need to know is whether the small schools in my constituency, in her constituency and in the constituencies of my right hon. and hon. Friends will see significant benefits. I would suggest, on the figures being put out by the Department, that that definitely will be the case. It is exactly what different teaching groups have been asking for.

I would also like the Minister to comment on one announcement that he made, which is relevant to the small schools that the hon. Lady has mentioned: the £700 million extra for special educational needs and disabilities, the so-called SEND pupils. There is a shortage of special educational needs co-ordinators in Norfolk and a significant lead-in time to get more in place. How quickly does the Minister think this extra money will be available? What impact will it make, and when will it make that impact?

I also ask the Minister another question about small schools, because we have in Norfolk—as I am sure we also do in Suffolk, Cambridgeshire and other counties in the country—the sparsity factor, which is designed to assist very small rural schools in areas that are sparsely populated. In my constituency, I have a number of federations of small schools, which have been a great innovation, because they can leverage their success and capabilities in different areas and put extra resources into individual schools when they need it. Working together in a federation is often a really good way of going forward, rather than closing a small school. However, we have a situation in which some small schools in a federation get the sparsity factor money, but schools nearby, in next-door villages, do not. I have never yet heard a satisfactory explanation of why.
Dr Dan Poulter (Central Suffolk and North Ipswich) (Con): My hon. Friend makes some good points on the challenges faced by smaller rural schools, particularly on special educational needs. I am sure that we all welcome the extra £700 million being put into special educational needs funding nationally, but it is important that that money gets to the frontline and to pupils. Does he agree that it is important that there is a mechanism in place to ensure that county councils such as Suffolk give that money rapidly to schools that need it, and to ensure that there is no delay in allowing those schools to recruit the extra number of SENCOs that they need to recruit?

Sir Henry Bellingham: I agree with my hon. Friend. Maybe the Minister can comment on how quickly we can get those extra SENCOs in place and what extra support there will be for their training.

Like the hon. Member for Norwich South, I have come across many schools around my constituency that are extremely concerned about the problems and challenges they have faced. Quite a few of the extra financial challenges have been on the back of Government-imposed costs—for example, the teachers’ pay increase awards in 2017 and 2018, which had to be partly funded by schools, the apprenticeship levy imposition and additional human resources, pension and rural bus costs. Hopefully, many of those costs will now be taken on board by the Department and therefore not imposed directly on schools. Can the Minister also confirm that?

We hear from dedicated headteachers—I have heard from many in my constituency—who have had to make savings by, for example, increasing class sizes, reducing teaching hours, cutting pastoral support, asking parents to contribute to the running costs of their children’s school and so on. No teacher should have to face that type of challenge. I am confident that this funding, which we should not be churlish about, will really make a fundamental difference, so I thank the Minister for that and look forward to his comments.

Finally, I was going to say something about further education colleges, but I think that that is a story and a subject for another day. I will say something about mental health in schools, because there is a real issue with both teachers’ and pupils’ mental health. This has been a recurring theme in the meetings we have had with Educate Norfolk. A number of headteachers have said to me that even though the Government talk quite a positive story about helping teachers with mental health, as we have heard.

This problem is exacerbated by the fact that, as local authorities have faced ever tighter budgets, schools have been asked to take on more and more work traditionally undertaken by others, including youth work and parental and mental health support, as we have heard.

Secondly, it is also necessary to ensure that pre-school early years funding gets through to those organisations and groups—often from the private and voluntary sectors—that do great work in deprived areas where there are gaps in the provision of primary schools. A good example is Little Buddies in Lowestoft, which has suffered significant funding cuts at the same time as incurring additional costs. We have heard about the pension scheme costs, and it is important to welcome the Government’s announcement that the £4.5 billion required for teachers’ pensions will be met from outside the Education budget. I urge the Government to work with local education authorities and, through them, with pre-schools such as Little Buddies, to ensure that they receive a fair share of the additional funding now being made available.

Daniel Zeichner: The hon. Gentleman makes an important point about early years funding—which is notoriously complex, it is fair to say. I am not sure about the pattern in Waveney, but certainly my area has some fantastic maintained local nursery schools, which incur additional costs and have been under considerable financial pressure. Does he agree that it would be helpful if the Minister could confirm that this additional funding will flow through to those excellent maintained nursery schools?

Peter Aldous: The hon. Gentleman’s point is well made. A lot of the problem is that, although the Government announced the additional funding for early years two or
three years ago, the money is not getting through to several establishments, such as Little Buddies and the Rainbow Day Nursery in the Harbour ward in Lowestoft. We had meetings with the then Minister, my right hon. Friend the Member for Scarborough and Whitby (Mr Goodwill), and the county council, and we had a lot of difficulty working out where the problem arose and why the money was not getting through to those schools. The urge for simplicity and transparency in how this money is spent is very important.

The third point, as we have heard from a number of Members, is about special educational needs. This is a problem throughout the whole country, but I sense that it is a real problem in Suffolk. The county faces—I will not call it a perfect storm; that sounds awful—an imperfect storm of factors that create a real problem in SEN provision in Suffolk. The first is obviously rising demand: there is a yearly doubling of requests for education, health and care needs assessments. Secondly, complexity of need is rising, particularly for children with autism. Thirdly, the council receives historically low levels of funding for high-needs learners, compared with other local authorities.

A lot of the problem is caused by funding for specialist placements coming from the dedicated schools grant. As Suffolk is an f40 authority, its overall funding for schools is lower, and therefore its funding for higher-needs learners, compared with other local authorities.

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Sandy Martin: Will the hon. Gentleman accept a fourth point from me: the local authority’s lack of any ability to make coherent plans, because of the undermining of its ability to plan across the entire county?

Peter Aldous: The hon. Gentleman is right. I was coming on to my fourth point, which might broadly coincide with his. An historical issue in Suffolk, probably for the best part of 20 years, is the low number of special schools and special unit places in the county itself, meaning that Suffolk has to buy more places—both in the independent sector and out of area—at enormous cost. This problem needs to be put right. It has happened over a number of years and, I suspect, over a number of different administrations running Suffolk County Council. It will not be put right overnight. To be fair, the council recognises the problem, but I sense that it will be with us for a few years to come.

The fifth point, as touched on by my hon. Friend the Member for North West Norfolk (Sir Henry Bellingham), is about the need to ensure that sixth forms and further education colleges are properly funded. The 16-to-19 age group has been overlooked in recent years. In a town such as Lowestoft, it is important that funding for this group is put on a financially secure and long-term footing.

Colleges and sixth forms provide an important bridge from the classroom to universities and the workplace. In a coastal town such as Lowestoft, where there has been long-term economic decline, these schools, sixth forms and colleges are the cornerstone on which we can rebuild the local economy and give young people the opportunity to realise their full potential and, in doing so, to increase social mobility. The additional funding that the Government provided for sixth forms and colleges is a welcome step in the right direction, but at £200 per student, it falls short of the minimum £760 per student sought by the Sixth Form Colleges Association in its “Raise the Rate” campaign.

As we know, a lot is going on at present, but whatever the outcome of Brexit, nothing is more important than investment in the next generation. The Government have recognised this with the extra funding provided. They now need to work with schools, the regional education commissioner and the local education authorities to ensure that this money is spent prudently and properly on tackling the unfairness that has built up in East Anglia over many years.

5.17 pm

Mike Kane (Wythenshawe and Sale East) (Lab): It is a pleasure to serve under your chairmanship, Mr Gapes. Unfortunately, this is not a forum where we can indulge in our usual conversation about football. However, I will try to introduce some elements.

I congratulate my hon. Friend the Member for Norwich South (Clive Lewis) on securing this important debate on funding. Straight out of the gate, I join him in saying that we should all praise teachers and hard-working staff, which we sometimes forget to do in our debates. I wish the best of luck to all schools, many of which went back to work yesterday or today. He mentioned his love of history, but not so much his love of mathematics. He said that austerity had been going on for nine years, but I have to pick him up on that. Actually, school budgets were protected under the coalition Government until 2015, so the slashing and burning of budgets that we have seen has happened in only four years, not nine. That is why it has had such a huge impact.

My hon. Friend also raised the hugely important issue of off-rolling across our country. We know that this has significantly led to gang violence, county lines and, yes, the rise of horrific knife crimes under this Administration’s watch. We know that, in 2016-17, nearly 10,000 children were off-rolled by schools in our nation, and the Government did not know where those children went on to. That is a disgrace in this day and age.

I have to say that it is a joy to see the Minister, my opposite number, in his place. He has survived more regime changes, and now a change to a minority regime after the events of today, than you could shake a stick at. He must be the little-known fourth member and brother who, along with Barry, Robin and Maurice, made up the Bee Gees. The Minister’s motto, which he sings in the bath every evening, is “Staying ‘alive, stayin’ alive”. I want to know whether his superhuman power of being Minister for six years, under so many regimes, comes with tights and a cape, and will he confirm that he does wear his pants on the inside of his trousers?

I loved the Augustinian notion that the hon. Member for North West Norfolk (Sir Henry Bellingham) came up with about the world as it was and the world as it should be, but all we know is the world as it is currently. Let’s just go around the counties, shall we? I have figures for Norwich school cuts between 2015 and 2019. I will be giving my hon. Friend the Member for Norwich South statistics that he already knows. Tuckwood Academy?

Clive Lewis: I know Tuckwood Academy, yes.
Mike Kane: It lost £432 per pupil and £282,000 out of its budget in that period. Bignold Primary School?

Clive Lewis: Yes.

Mike Kane: It had a £516 loss per pupil and is £430,000 down on where it should be. Clover Hill infant school had a £757 loss per pupil; it is £276,000 out of pocket. But let us go around the Chamber. Let us look at the East Anglia county average—the loss between 2015 and 2019. In Norfolk, there was £279 less per pupil. It has lost £66.6 million-worth of spending power in the last four years. Suffolk—let us go there. It had a £178 loss per pupil. It has £40.3 million less spending power since 2015. Let us go a little further south, to Essex. It is £257 down per pupil. In Essex, £134.4 million has been taken out of school budgets since 2015.

We can be in no doubt, after all that we have heard again today, about the impact that this Government’s continued austerity in our schools is having across East Anglia and the whole country. The new Chancellor of the Exchequer, the new Secretary of State for Education and the long-standing—as I have pointed out—Minister for School Standards have announced over the last few days more funding for schools and teachers. Unless or until we see that new money and the magic money tree that it is coming from, we can only assume that it is business as usual for this regime.

Daniel Zeichner: I hope that my hon. Friend is coming to Cambridgeshire. If he is, I can tell him that the figure is £208 per pupil and £45 million overall.

Mike Kane: Well, I do not have to come to Cambridgeshire anymore.

Daniel Zeichner: Please do.

Mike Kane: I was pleased to be at the Bury-Cambridge game last year. What a sad indictment it is that Bury has now left the Football League. I forgot to tell my hon. Friend the Member for Norwich South that I am visiting his beautiful city in just a couple of weeks to see Manchester City play and to spend some time. I can see the Ipswich Members getting a bit edgy, but we will not go there.

After sitting at the Cabinet table agreeing to years of real-terms pay cuts for teachers, the Prime Minister and the Secretary of State for Education have finally admitted that austerity has failed our schools. The announcements prove the veracity of what we have heard today. Statistics from the Department for Education show that the number of children and young people with special educational needs or education, health and care plans in England rose by 34,200, an increase of 11% from 2018. The hon. Member for Central Suffolk and North Ipswich (Dr Poulter) rightly mentions CAMHS, but again the promises are of money in the future. This is the unicorn; this is what will happen. We can only see what this Government have done to education funding since 2015.

The hon. Member for North West Norfolk also mentioned class sizes, but there are now half a million children in super-size classes. There is an unquestionable recruitment crisis in our schools. It is almost a case of one teacher in, one teacher out. And it is not just because of the money. The Government have promised £30,000. I would like to hear that that will apply to all new teachers’ starting salaries and that there will not be differentiation between subjects. The Government have missed their own recruitment targets for six years; every year on the Minister’s watch, they have missed their targets, and teachers are flooding out of the classroom. We need urgent action to retain the most experienced teachers and to recruit new staff. But even now, as we have heard the Education Secretary announce higher pay, teachers will have to wait years for the promised pay rise, and there is every chance that they will never see the fruits of this Government’s promises.

On top of that, despite the Work and Pensions Secretary’s claim that no child would lose their free school meal eligibility, the Institute for Fiscal Studies has found that 160,000 children who were eligible under the legacy eligibility, the Institute for Fiscal Studies has found that 160,000 children who were eligible under the legacy system will not be eligible under universal credit. W e need urgent action to retain the most experienced teachers and to recruit new staff. But even now, as we have heard the Education Secretary announce higher pay, teachers will have to wait years for the promised pay rise, and there is every chance that they will never see the fruits of this Government’s promises.

There is a crisis in our schools, and beyond, to which this Government are turning a blind eye. In fact, there has been a concerted effort by the Government to fudge...
the figures and deflect attention away from the cuts. If funding per pupil had been maintained in value since 2015, school funding overall would be £5.1 billion higher than it is now. That means that 91% of schools are still facing, as we speak here today, real-terms cuts.

Hon. Members here today know all too well the impact on the ground already. Headteachers tell us every day. The Government need to stop their stick-plaster approach to school finances and give schools what they need. Although I am pleased to hear the Government announce more money for schools, I hope that the Minister has truly removed his head from the sand and begun to hear the voices of schools, teachers and parents. I joke that I see more of the Minister than I do of my wife—because it is not just East Anglia that is the subject of Westminster Hall debates. We are here almost weekly or twice a week. We spend hours having to debate what is happening in all our regions—the exact same problems that schools up and down our country face. I have lost count of the number of debates that there have been.

With the economic uncertainty of Brexit, and especially a no-deal Brexit, which the new Prime Minister seems so keen to pursue, it defies all logic to have a Government who are failing to invest properly in education and skills—particularly, as the hon. Member for Waveney pointed out, in our coastal towns. Further education is vital to their regeneration; it will be the silver bullet for regenerating our coastal towns. We are struggling to find the teachers to go and work there.

I have said this before and will say it again. As a former primary school teacher, I know the difference that a good teacher makes. With the right support and resources, they can raise a child’s attainment and aspiration. We go into teaching because we believe in the value of education. Our schools do not want to see one-off, headline-grabbing handouts; our schools need fair funding now.

Labour’s national education service will change this situation when we come to power. The national education service will create social mobility; it will create ambition for all. Our national education service will pay teachers what they deserve. The national education service will provide the investment that our schools so desperately need.

5.29 pm

The Minister for School Standards (Nick Gibb): It is a pleasure to serve under your chairmanship, Mr Gapes. I congratulate the hon. Member for Norwich South (Clive Lewis) on securing this debate in the week that many schools are starting the new academic year and just days after the Government announced a giant cash boost for schools across all parts of the country. I add my thanks and admiration to all teachers and teaching assistants starting the new term this week.

As my right hon. Friend the Secretary of State will set out in a statement to the House just after the statement on preparations for leaving the EU, we have committed an extra £14 billion of funding to schools throughout England over the next three years. That delivers on the Prime Minister’s pledge when entering Downing Street to increase school funding by £4.6 billion over and above inflation, levelling up education funding and giving all young people the same opportunities to succeed regardless of where they grow up or go to school.

We have been able to do this because of our balanced approach to the public finances and careful stewardship of the economy, which has resulted in the lowest level of unemployment since the mid-1970s and record levels of people in employment, a state of affairs that would be wrecked by any Labour-led Government. This funding settlement means that we can continue to build a world-class education system, helping to continue to raise standards in our schools.

The funding package includes a cash increase of £2.6 billion to core schools funding next year, which increases to £4.8 billion and then £7.1 billion in 2021-22 and 2022-23. That is in addition to the £1.5 billion per year that we are injecting into the school system to cover additional pensions costs for teachers over the next three years, ensuring that employer contributions to teachers’ pensions—equivalent to 23% of gross salaries—is fully funded. That addresses the concern raised by the hon. Member for Norwich South. Friend the Member for North West Norfolk (Sir Henry Bellingham), who asked whether that teacher pension employer contribution would be fully funded. The answer is yes and it will be in addition to the £1.5 billion that we have announced.

This is a three-year settlement. The hon. Member for Cambridge (Daniel Zeichner) criticised it for going into a period beyond this Parliament, but schools are seeking a three-year settlement; most schools with which I discuss school funding have been asking for a three-year settlement. In total, across the country, core funding for schools and high needs will rise to £52.2 billion—my hon. Friend the Member for North West Norfolk was right about that figure—by 2022-23. According to the Institute for Fiscal Studies, this funding will reverse the reductions in real-terms per-pupil funding for five to 16-year-olds since 2015. That should address the concerns raised by the hon. Member for Norwich South.

As part of this significant investment, we will also deliver on the Prime Minister’s pledge to level up funding, providing increases for our lowest funded schools. Every secondary school will be allocated at least £5,000 per pupil next year, and every primary school will be allocated at least £3,750 per pupil, putting primary schools firmly on the path to receiving at least £4,000 per pupil in the following financial year. In East Anglia this means that per-pupil funding for 46% of secondary schools in the region—160 secondary schools—will level up to at least the minimum of £5,000 next year. In addition, per-pupil funding for 30% of primary schools in the region will level up to at least the minimum of £3,750 next year—that is 594 primary schools on the path to receiving at least £4,000 per pupil. We are also allocating funding so that every school’s per-pupil funding can rise at least in line with inflation and to accelerate gains for areas of the country that have been historically underfunded, with most areas seeing significant above-inflation gains.

I challenge the hon. Member for Norwich South on his characterisation of this year’s school funding. Even before this major announcement, funding in Norfolk has increased from £460.3 million in 2017-18, to £482 million, which is a 4.7% rise and equates to a 3% per-pupil rise.
Daniel Zeichner: The Minister has talked about the impact on primary schools and secondary schools. Could he say a little about the impact on maintained nursery schools?

Nick Gibb: The hon. Gentleman will have to wait, because we have not made the announcement for early years funding. If he can be patient a little longer, we will be making that announcement.

We will continue to distribute this money through the national funding formula, which is our historic reform to the schools funding system that continues to ensure that funding is based on the needs and characteristics of schools and pupils, rather than on the accidents of history or geography.

Today we have reaffirmed our intention to move to what is called a hard formula, whereby all school budgets are set on the basis of a single national formula, guaranteeing equity among all schools, wherever they are in the country. Moving to this approach will mean that neighbouring schools that happen to sit on different sides of a local authority boundary will be funded on the same basis, and it will no longer be the case that different decisions made by different local authorities mean that similar schools receive different budgets. We intend to move to this hard formula as soon as possible.

Of course, we recognise that this will represent a significant change and we will work closely with local authorities, schools and others to make this transition as smooth as possible.

The hon. Member for Norwich South said that he was opposed to academies. He has publicly expressed what I would regard as unwarranted hostility against the Inspiration Trust—a multi-academy trust that is doing huge work to raise school standards in his part of East Anglia. That probably explains why he failed in his speech to congratulate Jane Austen College in his constituency, a free school, which this year published its first GCSE results. Its provisional Progress 8 score places it in the top 10% of schools nationally. Some 75% of pupils achieved grades 9 to 4 in maths and English, and 30% of students at that school achieved a grade 8 or 9, which are the top grades that can be achieved in a GCSE. I offer huge congratulations to Jane Austen College and all the staff and teachers at that school.

My hon. Friend the Member for Waveney (Peter Aldous) and for North West Norfolk (Sir Henry Bellingham) raised the hugely important issue of special educational needs funding. We are absolutely committed to supporting children with special educational needs and disabilities to reach their full potential, and we expect all schools to play their part. That funding increase therefore includes more than £700 million of extra funding to support children with special educational needs and disabilities to access the education that is right for them. We recognise that local authorities have pressures on these budgets for next year, and alongside that additional funding we will continue to work with local authorities and schools to ensure that this investment is working well for those children in greater need. My hon. Friend the Member for Waveney also raised the important issue of funding for 16 to 19-year-olds.

Sir Henry Bellingham: Will the Minister look at the point about the long lead-in time in training more SENCOs? There is obviously a shortage at the moment and that could hold things up.

Nick Gibb: I will look at that point. Ultimately these are matters for the schools themselves. The schools have an autonomous system, but we want to ensure that they have the funding they need to employ sufficient numbers of sufficiently well-trained SENCOs and teachers who are trained in helping children with special educational needs.

Dr Poulter: Despite all the positive announcements and the extra Government funding that will be passed on to local authorities to give to schools for special educational needs, there is a challenge. As we have raised previously, in many areas there is a lack of provision in the local NHS, particularly for children with moderate to severe special educational needs, and a lack of CAMHS and learning disability psychiatrists and nurses. What conversations will the Minister have to ensure a renewed focus from the Department of Health and Social Care, to ensure the recruitment of these important healthcare professionals, without whose expertise many young children will not get the extra help they need?

Nick Gibb: My hon. Friend raises a very important issue. We take the issue of mental health very seriously. He will also know, given that he is in the medical profession, that very significant extra funding was announced last year for the health service, with £20.5 billion more per year by 2023—these are huge sums of money—which will help to address many of the issues he has raised.

We also take mental health issues seriously in schools. We have published the Green Paper on the mental health of children and young people, which will put a mental health lead in every school. I think that issue was also raised by my hon. Friend the Member for North West Norfolk. At the moment, I think—that is off the top of my head, but I think my memory is right—that about half of secondary schools have such leads. We want every school to have them, supported by a mental health support unit. That is part of the Green Paper’s proposals and it will be very significantly funded as well. We also, of course, want to reduce the waiting times for children who need more specialist help with their mental health issues through CAMHS. We have given a commitment on reducing those waiting times.

On the issue of 16-to-19 funding, in addition to the schools and high needs blocks the investment also includes an additional £400 million to provide better education in colleges and school sixth forms in 2020-21. This means a 7% uplift to overall 16-to-19 funding, in addition to funding for staff pensions. We will also protect and increase the 16-to-19 base rate with funding worth £190 million, and provide a further £120 million for colleges and school sixth forms so that they can deliver those crucial but expensive subjects, such as engineering, that are vital for our future economy. This investment will help to ensure that we are building the skills that our country needs as we prepare to leave the European Union.

Of course, there are no great schools without great teachers. That is why this settlement offers a pledge to the members of this hard-working profession to put teaching where it belongs—at the top of the graduate labour market. Subject to the School Teachers Review Body process, this latest investment will make it possible to deliver the biggest reform of teacher pay in a generation,
[Nick Gibb]

lifting teachers’ starting salaries to at least £30,000 by 2022. I reassure the hon. Member for Wythenshawe and Sale East (Mike Kane) that that will apply to all teachers; it will not differ by subject.

My hon. Friend the Member for North West Norfolk raised the issue of sparsity funding. The national funding formula includes support for small schools, especially in rural areas, and provides a lump sum of £110,000 for every school as a contribution to the costs that do not vary with pupil numbers. That gives schools certainty that they will attract a fixed amount each year in addition to the pupil-led funding. Last year, the sparsity factor in the formula allocated additional funding of £25 million specifically to schools that are both small and remote. Last year, therefore, 161 schools in East Anglia attracted a combined total of £3.2 million of sparsity funding.

With other schools in East Anglia that do not attract sparsity funding, either because they are not among the smallest schools nationally or because they are not far enough apart to meet the distance threshold, we have been clear that we want all schools to operate as efficiently as possible, and we believe that there is scope for rural schools in close proximity to work together to get the best value from their resources. However, we of course keep the formula under review and we are always prepared to change approaches to how we calculate sparsity. For example, should it be calculated based on as the crow flies, or should it be based on the actual distance travelled between schools?

While this additional funding will provide a crucial foundation on which to continue to build an excellent education for every pupil, it will also be vital to make sure that we get the very best value from every extra pound. Therefore, the Department’s support stretches much further than providing additional funding. Our announcements sit alongside our efforts to drive greater efficiency in school spending, and the Department’s school resource management strategy, which was launched last year, supports schools to make the most of every pound of their budgets. It includes deals to help schools to save money on the things they buy regularly, such as printers and copiers, and the roll-out of a free teacher vacancy listing website to help schools to find teachers and drive down recruitment costs.

In conclusion, I thank Members for their contributions to this debate and I am sure that many will want to know what the recent announcement means for their area and the schools in their own constituency. This information will be published early next month, once illustrative school-level allocations and provisional local authority-level allocations through the national funding formula are announced. I will end by reaffirming that this Government are committed to ensuring that all young people get the best possible start in life, and that includes ensuring the right funding for our schools. The substantial investment that we are making in our schools, the fairer distribution and levelling up of school funding, and the support to use those resources to the best effect are proof that that commitment is being delivered on in full.

5.44 pm

Clive Lewis: I thank the Minister for his response, and I thank all those who have contributed to this timely and interesting debate.

On the issue of Jane Austen College and the Inspiration Trust, I have always been supportive of the teachers and the pupils in such schools. My issue has never been with them; it has always been with the philosophy behind free schools and academies, and sometimes with their leadership. We should understand the philosophy of free schools, which is—to quote a member of the Department, although I am not sure whether they expected their words to go public—to bring the chaos of the free market to our public state school education system. That has been one of my key concerns about free schools and the academy system.

I will make a last couple of points. The question that many of us have now is about this new money. It is welcome, but we ask ourselves, “Will our constituencies actually see any of this money, or will it be used disproportionately and cynically in key Tory marginals?” The answer remains to be seen.

Labour Members have always claimed that cuts to public services have been a political choice. Having listened to the Minister today, I think it is quite clear—now that this money has been found—that the last four years of cuts to our education system have been a political choice. We are glad that the money has been found, but the past four years have been very difficult for schools and they are still struggling.

Regarding pupils with special educational needs, we need to understand that £700 million will simply not be enough. This is a problem that goes far and wide and deep. It is systemic, and far more than £700 million will be needed if it is to be tackled properly. I think the Minister understands how severe this problem is, so I hope that more money can be found for children with SEN, their families and the support that they and their schools need.

Finally, no amount of new funding can ever make up for the lost opportunities—the lost childhoods—of those pupils who have been failed by successive Conservative Governments for these past few years, after billions of pounds of cuts have led to underfunding. No new money can ever make up for that.

Question put and agreed to.

Resolved,

That this House has considered school funding in East Anglia.

5.47 pm

Sitting suspended.
Hull’s Maritime City Bid

[Mr Philip Hollobone in the Chair]

6 pm

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): I beg to move,

That this House has considered Hull’s bid to become a maritime city.

It is a genuine pleasure to serve under your chairmanship, Mr Hollobone. The Hull: Yorkshire’s Maritime City project is underpinned by three key bodies: Hull City Council, which works to secure the ongoing prosperity of the city; Hull Culture and Leisure Ltd, which operates the city’s museums; and Hull Maritime Foundation, an independent registered charity that aims to support, protect and promote Hull’s maritime heritage through the project.

As one of the UK’s busiest ports, Hull has come a long way since the second world war, when it was referred to only as an “unnamed costal town” despite being hit harder than any other city outside of London during the blitz. Our port industry was hit, 95% of our houses were destroyed or damaged, and more than 1,200 people were killed in air raids on the city. Becoming the UK city of culture in 2017 put Hull on the map for all the right reasons, and in 2019 the scale of our ambition has not diminished.

The UK city of culture 2017 was an inspirational year: one of building confidence, showcasing our city, changing people’s minds and laying foundations for the future. Following from that success, the Hull: Yorkshire’s Maritime City project is a heritage-driven, city-wide cultural regeneration and place-making project that will continue to catalyse the remarkable transformation and momentum initiated by the UK city of culture 2017.

Sir Greg Knight (East Yorkshire) (Con): Is the hon. Lady aware that if these proposals go ahead, they will also benefit the wider East Riding area? For that reason, she has cross-party support for what she is saying and trying to achieve.

Emma Hardy: I thank the right hon. Gentleman for his remarks. He is absolutely right that this project’s benefits will be felt far wider than Hull; they will spill over into east Yorkshire as well.

The project will take Hull to the next level as a destination renowned for its maritime heritage and culture. Hull’s rich maritime story will take centre stage, creating a long-term legacy for decades to come. The city has already surpassed expectations and changed the perceptions of many by presenting as proud, brave, confident, and outward-looking, transformed by investment in culture, people and place.

Our connection with the sea has shaped our landscape and our culture; it touches every piece of our identity and shapes the way we see ourselves. Our fighting spirit, determination, and desire to resolve injustices has been evident through the ages, from William Wilberforce and his campaign to abolish the slave trade to the headscarf revolutionaries and their battle against the powerful establishment to change fishing safety laws. The story of those women revolutionaries is quite extraordinary: their campaign started after the triple trawler disaster in 1968, when 58 fishermen based in the port lost their lives in three separate trawler sinkings in the space of less than a month. Those women collected more than 10,000 signatures on a petition calling for reform, led protest meetings, and even came down to London to lobby politicians. Among the measures the campaign secured were safety checks before vessels left port, radio operators for all ships, improved safety equipment, and a mother ship with medical facilities for all fleets.

Today, our connection to the sea continues to define Hull’s culture and economy. Maritime images dominated the city of culture opening ceremony; The Deep aquarium remains one of our tourist hotspots; and thousands of people travel through our port each month to European cities such as Amsterdam or Zeebrugge, reflecting the European movement of the late 19th century, when trans-migrants made their way through Hull on their way to North America.

Our future economic prosperity remains tied to our future as a port and the green energy estuary. We are creating wind turbines with Siemens that will help drive forward the green energy agenda, and are developing advances in battery storage to store the energy we produce. We are not always great at advertising our achievements, and it often comes as a surprise when people learn that the Humber is Britain’s busiest trading estuary. Our maritime endeavours continue to this day.

Knowing our history roots communities and creates a strong sense of identity; it gives people pride and drives community engagement. The city’s proud maritime heritage is central to our vision, and the Hull: Yorkshire’s Maritime City project will restore and re-interpret our maritime treasures so that they can take centre stage and be celebrated by the community. The project is based around five key elements of our maritime heritage, which are Hull Maritime Museum, the dock office chambers, the North End shipyard, and two ships: the Arctic Corsair, the sole survivor of Hull’s distant-water sidewinder trawler fleet, and the Spurn Lightship, which played a key role in Hull’s inland trade by guiding vessels as they navigated the Humber estuary. Both those ships will receive a full restoration, increased opening hours, a new interpretation and new displays, while the Arctic Corsair will also play host to a variety of training events and opportunities.

The extent of the renovation of the buildings is even more exciting. The project in the North End shipyard will commemorate how that site once contributed to Hull’s status as a global maritime port by housing the Arctic Corsair in a permanent dry berth, creating an additional attraction near the already successful museum quarter, and highlighting the Queen’s gardens—formerly the Queen’s dock—and their significance to the maritime story of Hull. The Maritime Museum will receive an additional 390 square metres of museum space, new public access to one of the building’s domes with superb rooftop views, improved education and visitor facilities, and new displays that will tell Hull’s maritime story in a unique and immersive way. That will lead to a 50% increase in the number of items available for public view, and better conservation of those items so that more of Hull’s people can benefit from them for longer.

However, Hull: Yorkshire’s Maritime City is so much more than a heritage project. By taking a heritage-driven approach to place-making, it will redefine the city for residents and visitors alike and transform the life chances of its citizens. Across the city, the project will promote
ambition and civic pride, and raise aspirations by working with young people, older people, unemployed people, people with disabilities, and people and communities facing isolation. The project will benefit 150,000 people through informal learning and outreach programmes, while 10,000 pupils and students will benefit directly from engagement with our formal learning programme.

The activities available through the Hull: Yorkshire’s Maritime City plan will offer people the chance to gain practical skills through volunteering that will boost their employment opportunities and build confidence in a variety of employment settings. Skills-building opportunities will include heritage opportunities as well as transferable, public-facing skills such as oracy, developed through opportunities such as guided tours and event stewarding. By boosting confidence and increasing civic pride, the project will help to build strong, resilient communities that are motivated and inspired by their local heritage, fostering a strong and positive sense of place.

The Hull: Yorkshire’s Maritime City project will also boost our economy. A new economic impact assessment commissioned by Hull City Council to look at the benefits of the project concluded that it represents a positive return on investment and good value for money in high, medium and low-impact scenarios. It will create 121 jobs in the local economy through its construction, operation and supply chain, and as a result of visitor spend. The transformational reach and impact of the project will far outreach the sum of its parts, fulfilling its vision of being a truly heritage-driven, city-wide cultural and place-making project with people at its core. I am sure that the Minister will agree that it is a fantastic way for Hull to utilise its history to provide opportunity for the future.

Today, I ask the Minister to recognise the ambition of Hull City Council in supporting such a project, and to encourage the Department for Digital, Culture, Media and Sport to work with the council to deliver this ambitious and aspirational project, which embodies much of the thinking in the 2016 White Paper on culture and the 2017 Mendoza review. I also ask her to encourage cultural and tourism institutions sponsored by her Department to freely lend their expertise, and to offer their support and commitment to the project and engage with the team in Hull.

Finally, will the Minister ask the Secretary of State for Transport to work with the chief executive of Highways England, Jim O’Sullivan, to explore ways of unlocking the Highways England designated funds process at the earliest opportunity— to allow consideration of the A63 footbridge Spurn Lightship proposal, which would add so much value to this project? I hope the Minister feels she will be able to work with me to achieve this step in securing Hull’s future.

6.10 pm

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Rebecca Pow): It is a delight for my ministerial debut to happen under your auspices, Mr Hollobone. I thank the hon. Member for Kingston upon Hull West and Hessle (Emma Hardy) for bringing such a fascinating subject to the Chamber. As she knows, my Somerset constituency is a long way from Hull, but as a Back Bencher I always tried to champion it, as she is championing Hull. It is the right thing to do. We learned a great deal about Hull. I have not been there myself, but she whetted my appetite, because there seems to be so much going on. The plans for the Maritime City are interesting and exciting and I look forward to seeing them progress.

Few cities have had the recent dramatic transformation that Hull has had. The hon. Lady mentioned its history and how devastated it was after the war; it has undergone a massive transformation. As she also mentioned, it was a hugely successful city of culture in 2017, during which time more than 5 million visitors came to the city. That really enhanced the pride of its residents. More than half the city’s businesses reported an increased turnover because of all the effort that was put into that year. It is heartening that the city continues to capitalise on that success, so that it was not a one-off year. It has sparked something that will continue, which is very much the thinking behind the city of culture. We are thinking about the next one now, Coventry, which I hope will be as successful as Hull.

As the hon. Lady said, the Maritime City project will champion Hull’s eight centuries of fishing history, which will be encompassed in some of the projects that will come forward. I was interested to read about that history, particularly the trawlers. The fishing industry went as far afield as Iceland and the White sea, which is something that the city is proud of and that we should be proud of as a nation. The two historic ships, which are both on the national historic ships register, will be part of the project, as will the world-class maritime museum, which sounds fascinating.

The project will maximise the potential of those existing assets to bring visitors to the city, celebrate its history and use that history to enhance the future, which is the essence of place-making. The project will accomplish several milestones for the city. The investment in the Hull Maritime Museum will constitute its first major refurbishment in 40 years and will hugely expand it as a centrepiece for the city. The hon. Lady referred to the Mendoza report, which highlighted the value of our museums, the benefit they can bring and how much we should celebrate them. In Taunton, a great deal of investment was put into our museum and the number of visitors increased from 30,000 to 120,000 in the first year, which is phenomenal.

The Arctic Corsair trawler is the last vestige of the trawler industry and a real flagship. It is the last surviving sidewinder trawler—I have learned something—and it will receive a fitting final home in its own dry dock in the North End shipyard, as the hon. Lady highlighted, which will allow it to remain open and accessible to the public. The Government are keen to support that and have already provided £50,000 through the coastal revival fund. That pot of money, which came from the Ministry of Housing, Communities and Local Government, already supports conservation and restoration work on the ship.

As hon. Members present are aware, my portfolio encompasses not just arts and heritage, but the tourism agenda. My right hon. Friend the Member for East Yorkshire (Sir Greg Knight) mentioned the wider benefits of the project. Indeed, there will be real benefits across the board for the wider area of increasing the offer
in Hull. There is real evidence that demonstrating and doing more with the UK’s historic sites can draw in many more tourists.

**Sir Greg Knight:** The Minister does not know what she is missing. Will she commit to visiting Hull and the East Riding in the not-too-distant future?

**Rebecca Pow:** That is a lovely offer. I love Yorkshire anyway—I think it is very close to Somerset in its feel—and I would very much like to make a trip and visit all these places, particularly Hull, to see what has been gained from being the city of culture and learn the lessons for the next city of culture. I am sure my team will take that offer up.

Tourism in the wider East Yorkshire region contributed £878 million in 2017 and provided almost 20,000 jobs, so it is a valuable part of the economy. In the past two years, overseas visits to East Yorkshire and Hull have hit new heights; there were 113,000 in 2018. The region’s forthcoming tourism strategy will build on that trend, because there are great opportunities.

I am particularly excited that several elements of the Maritime City project address the issue of improved access for disabled visitors. I strongly believe that our heritage sites and visitor attractions should be accessible to everyone. It is a growing sector. As Tourism Minister—I hope it lasts—I am particularly emphasising that in the tourism sector deal. For the first time, disabled visitors will be able to get aboard the Arctic Corsair following its restoration.

It is encouraging that, when the DCMS/Wolfson Museums and Galleries Improvement Fund expert panel decided to award £150,000 to the Hull Maritime Museum refurbishment, it specifically noticed the emphasis placed on better access for visitors with disabilities, which was one of the reasons for its success. The project should be highly commended for prioritising and integrating the needs of all Hull’s visitors.

Hull’s potential was recognised by Historic England in 2017, when it was announced as one of its first heritage action zones. Through advice and financial support, that initiative aims to create partnerships that will improve economic growth and the quality of life in Hull’s old town. Ultimately, it will secure new uses for historic buildings, increase affordable housing and seek better links with the waterfront to better exploit that maritime heritage. That all chimes well with the Maritime City project.

Hull’s upward trajectory has been facilitated and enhanced by a flood of investment in arts and culture over the last few years—lots of places would be quite jealous of how much Hull has achieved. Grants from the National Lottery Heritage Fund and the Arts Council, many of which have focused on the importance of getting communities engaged and involved, have had a huge impact. Engaging communities in that way is so important in making a success of a place.

There has been a raft of events, such as the Freedom Festival, the Big Malarkey Festival—we would not have been allowed, Mr Hollobone, because it was a kids’ event, but it was all about books and stories, so I was interested to hear about it as I am also the Libraries Minister—and the Creative People and Places project, which have had great success in attracting new audiences to become engaged in and inspired by the arts.

I am also pleased that the Maritime City project has taken note of the need to involve people across the board. It has staged roadshows across the city to showcase the project and foster community buy-in. More than 10,000 residents have already taken part and been reached as part of the council’s integrated work that has already been referred to. Together, the Heritage Fund and the Arts Council have given more than £2 million to Absolutely Cultured to build on the legacy of Hull’s UK city of culture year, which shows a universal desire for the city not to rest on its laurels.

What has been achieved in Hull with the help of grants from those two organisations really demonstrates the importance of national lottery funding for major UK projects, which is to be particularly celebrated in this, its 25th anniversary year. Hull could be used as something of a model for funding. The Heritage Fund has given more than £7 million to projects in Hull in the last five years and its £1.4 million development grant for the Maritime City project has been catalytic in getting it to the current stage.

Of course, as a Minister, one cannot second-guess the outcome of the second round bid the project has put in to the Heritage Fund. The decision will be taken by the north area committee, which I believe has visited the site already, or is to do so later this month. However, whether or not the application is successful, there is reason to be confident that the city of Hull will find a way to bring the ambitious plans in the bid to fruition.

The Maritime City project is perfectly placed to capitalise on the momentum generated by Hull’s year as city of culture and the other factors I have mentioned. The legacy of that year can be keenly felt throughout the city. There are some truly impressive statistics. To name just a couple, in 2018 the city’s employment rate and number of businesses reached their highest ever recorded rate, including more than 550 new cultural jobs. That is a pretty extraordinary outcome.

I note with interest the opportunities in the project bid for training and skills, which I was very pleased to see. Those are particular elements in the new tourism sector deal, which hopes to build skills and apprenticeships so that our young people feel that there is a future working in tourism and such sectors in these areas. The developments in Hull will surely offer opportunities that will keep younger people there and stop them from thinking they need to go somewhere else to get good employment. I was pleased to see that as part of the bid.

As a result of all the work in Hull, I believe that civic pride is at an all-time high, with three in four residents reporting that they are proud to live in Hull—perhaps the others will be got on board with all the new projects coming to fruition! Recent VisitEngland findings show that Hull Maritime Museum has had the greatest growth among all museums and galleries nationally, with an almost 400% increase in visits. That is absolutely phenomenal and has happened even before the refurbishment of the museum. It is a great demonstration of the role that museums can hold.

As has been outlined, the Maritime City project, which involves five different sites, including the two historic vessels, will attract a further 300,000 visitors to Hull and potentially bring an additional £2.86 million to the local economy. It will be a huge boon for the city, continuing its upward trajectory to become a must-visit destination in the UK.
We want UK visitors to go to places such as Hull. We also want to attract international visitors. With our new airport links, building on, for example, the special deal in Manchester to encourage inbound tourism, or with Newcastle Airport, perhaps we can get people to use those routes—these are all good selling points for people who are going up north. We want to strengthen that, and tourism, arts, heritage and culture really help. I was so pleased to hear there is cross-party support for this project. Things are often successful with cross-party support as it demonstrates very wide interest—not, of course, that I can influence the decision.

The hon. Lady raised a point about Highways England. I will ascertain what might be holding that particular aspect up and how it might be moved forward, and report back. I urge the hon. Lady to continue championing the cause, which helps a great deal; it is always good to have a champion.

Hull has a unique place in the UK’s maritime history. We discussed the two ships in Hull—I have knowledge of the SS Great Britain in Bristol, which has very good disabled access; Bristol has an interesting maritime history as well. The SS Great Britain is a huge tourist attraction in Bristol, visited by a great many people. It is a beautiful place to visit, and so I know how attractive such ships can be to the public, who are intrigued about their history. It makes perfect sense to build on that heritage for the future.

Should the bid be successful, I am sure that Yorkshire’s Maritime City, Hull, will continue to grow and develop and maintain its unique position, that more people will hear about it, that businesses will benefit, that more visitors will come and that we will all be reminded of our glorious seafaring past, which is so much part of our history in the UK.

Question put and agreed to.

[Rebecca Pow]

High-income Child Benefit Charge

6.26 pm

Craig Mackinlay (South Thanet) (Con): I beg to move,

That this House has considered the high-income child benefit charge.

It is always a great pleasure to serve under your chairmanship, Mr Hollobone.

One might ask why I have brought this debate; it is a fairly obscure area of tax and benefits. I have done so out of the frustration felt by a number of constituents who face the high-income child benefit tax charge and its after-effects and, as a chartered accountant and chartered tax adviser, anything tax-related always rattles my bell. This is a topic of great interest on mumsnet.com and moneysavingexpert.com, which have covered the issue in some depth.

I suppose we must start at the beginning—always a good place to start. Why did we implement this high-income child benefit tax charge, when child benefit had been a universal benefit, enjoyed by all, for very many years? The issue was first raised in October 2010 by the then Chancellor, George Osborne, and it was one of the measures used to try to get some more savings for the Treasury after the simply appalling state of the nation’s affairs that we were left with after the 2010 election.

The legislation was first mooted in the 2012 Budget, and it came into effect on 7 January 2013. That in itself was a bizarre date to choose, and one might ask why it was not simply started on 6 April in the next available tax year, which might have made life a little simpler. I have not found figures for how much the clawback and the lack of take-up of child benefit have saved the Treasury, but I estimate it to be somewhere in the region of £2 billion to £3 billion a year—certainly a very useful amount to fill up the hole left by Labour in 2010.

The charge applies above an adjusted net income of £50,000. Adjusted net income is not the usual measure of what we anticipate to be our taxable profit or income; it is the gross income from all sources, less gift aid and pension contributions. It does not include personal allowance. In very simple terms, if a pay-as-you-earn employee has a gross income of £50,000 before personal allowance, they would start to feel the effects of the high-income child benefit tax charge.

The way it works is that there is a clawback of 1% of child benefit for each £100 of additional income over the £50,000, so by the time someone has an adjusted net income of £60,000, all that child benefit is tapered away. It sounds complicated even trying to lay it out in the simple terms that I have, but one thing that comes out of this is that it is a salutary lesson in how not to withdraw a universal benefit through the tax system. What we have on the statute book, which runs to tens of pages of tax law, is the truly mad basis of trying to claw back a benefit. It is not related to overall family income, which many people describe as one of the real drawbacks of the system.

Let me give an example. Family income is recognised as the measure for most other Department for Work and Pensions benefits. For instance, there is no withdrawal of child benefit for a couple both earning £50,000—the high-income child benefit tax charge does not apply,
even though the family income is a generous £100,000. In another family, in which only one parent is working and earning, say, £60,000, and the other is not working, there would be the full implementation of the child benefit concession A19, which is often used when HMRC makes a mistake—often with the elderly. I saw this very regularly when I was one of the volunteers for Tax Help for Older People in Kent. HMRC has had the information and applied the wrong code across different pensions. Three years later, an assessment turns up. Extra-statutory concession A19 makes HMRC give up that tax if it has been in receipt of information but has not used it properly.

Of the constituents who have been found not to have done what they should have done—registered to do a self-assessment return, possibly for the first time in their life—they have been, well, not happy, but comfortable enough, even given what ESC A19 says: that they should pay the money back. They are quite happy with that. However, many of these people have faced a tax-geared penalty under section 97 of, and schedule 24 to, the Finance Act 2007. That penalty has generally been at the lowest rate of 15% under the careless but promptly regime, under HMRC’s fines regime. However, they have also faced statutory interest, which is currently at 3.75%. Many people understand that, if they have been in receipt of child benefit for a few years and should not have been, they should pay it back, but they feel particularly aggrieved about a 15% penalty and the statutory interest.

I argued with HMRC, for my constituents, that the suspended penalty regime, under paragraphs 1 and 14 of schedule 24 to the Finance Act 2007, should be the equitable solution. This is a procedure by which HMRC, with discretion, is allowed to put those penalties on hold and effectively say, “If you are good taxpayers for the next couple of years, this will disappear”; the penalty is then discharged. HMRC responded to me with, I must say, an innovative obtuseness that I rarely see. It responded that schedule 41 of the Finance Act 2008 applies, as the taxpayer had failed to notify, in accordance with section 7 of the Taxes Management Act 1970. They had failed to notify, so that penalty suspension, which is allowed for other taxpayers, does not apply. The taxpayer is also in some difficulty should they wish to go to the first-tier tribunal as well, which would always result in failure on a statutory basis.

I think the pressure of moneysavingexpert.com and, hopefully, myself has made HMRC use a degree of discretion in its ability to interpret “carelessness”, which is always a vague term. My thought of carelessness might be different from yours, Mr Chairman. However, HMRC has gone back and reassessed many penalty assessments. Over the time of this new charge, there have been 97,405 penalties across 37,406 customers. As ever, thanks to the Library for pulling out that type of detail for me. The charge has raised £13 million of penalties, which is not a vast sum. A recent review—I think the Daily Mail was very much behind this, with pressure from some of its readers—shows that, of those 35,000 cases involving a failure to notify, an penalty of 15% had been charged because a reasonable excuse was not accepted. HMRC has actually recanted on that and allowed quite a number of thousands—6,000. I believe—of these penalties to be waived, with £1.8 million of penalty refunds.

As part of its work, HMRC has designed a helpful flow diagram showing two events for which penalties could be refunded. The first is for when income has increased from below £50,000 to above £50,000 since the start of the high-income child benefit tax regime,
and the second is for when a taxpayer has started a new relationship, since the introduction of the charge, with a partner who is in receipt of child benefit. Those are the two cases for which HMRC has given in and agreed to the suspension of penalties, and that is to be very much applauded.

What do people do when they have a new child and make a claim? If they know that their income is over the limit, they may not bother at all—they might think, “We just won’t get involved.” For other families there is the CH2 form, which I will mention in more detail shortly. As I have laid out thus far, we have dragged half a million people into the self-assessment net. We have raised penalties under a system that I do not agree is reasonable on statutory grounds. We are learning a lesson: should we seek to withdraw universal benefits in reasonable on statutory grounds. We are potentially building another problem for the future—thankfully, I might be long gone from this place before it has to be solved.

Earlier I described what people might do when they have a new baby. If they have earnings of more than £60,000, they might think, “I just can’t be bothered to fill in the form. I’m not going to get anything; why would I bother?” The CH2 form is not unreasonable or too complex—it is actually quite free flowing and easy to understand—but a lot of people do not bother at all.

The other choice they have, by filling in form CH2, is to take the child benefit and then pay it back annually through their self-assessment return, or to register for a nil award so that they are in receipt of child benefit but at nil value. That is really important for those who do not follow that route. They do not want the hassle of a self-assessment return, so they decide to do nothing. The partner in that relationship, who is perhaps not working, will not be building up a national insurance record, because if someone fills in form CH2 and decides not to take any child benefit, they will at least be crediting up a national insurance contribution under class 3. My concern is that people do not know that this is the case for them and are saying, as many of us do, “I can’t be bothered to fill in another form. I don’t think we will get anything. I won’t do it.”

We are potentially building up a problem of people—let us be frank, it is probably predominantly women—who will find in the future that they do not have the national insurance record that they thought they had. When they get their DWP statement with details of the award they will receive with the new state pension some six months before retirement age, they will find it is rather less than they thought.

We have to ask ourselves why we have dragged 1.2 million families into the system—and that figure is rising, due to fiscal drag and the measures for buy-to-let property mortgage interest. It is worth mentioning the perversities in the whole tax calculation. I do not know how Parliament missed that. I was not here in 2013, but had I been I might have spotted it. It is an unusual situation, but when dealing with tax systems, I think it best to flex the edges to find out where the problems are.
Mr Philip Hollobone (in the Chair): The debate can go on until 7.30 pm. I am obliged to call the first of the Front-Bench spokespeople at no later than seven minutes past 7 o’clock. The guideline limits are five minutes for the SNP, five minutes for Her Majesty’s Opposition and 10 minutes for the Minister to respond. Mr Mackinlay will then have three minutes at the end to sum up the debate. Until 7.7 pm, therefore, we will still be in Back-Bench time. I see that Mr Jim Shannon wishes to contribute.

Jim Shannon (Strangford) (DUP): Thank you, Mr Hollobone. It is always a pleasure to serve under your chairmanship.

I thank the hon. Member for South Thanet (Craig Mackinlay) for setting the scene with such detail, informationally and correctly. I am here not because I feature in Westminster Hall so regularly but because the issue is important to me and my constituents. I deal with it regularly in my office.

The hon. Gentleman set the scene well with examples of what has happened to his constituents. I would mirror those examples, and I will express similar concerns. It is unfortunate that more Members are not present for the debate, but obviously there are enticements elsewhere and reasons for people’s attention to be committed to the main Chamber. That does not detract in any way from the importance of this issue. I am pleased, as always, to see the Minister in his place. We look forward to hearing his comprehensive response.

The child benefit payments issue is of great concern to many of my constituents. Although many might not qualify for good reason, I will give examples of those who probably should qualify but for the paperwork, the potential penalties for getting it wrong and then having to catch up. That applies not just to child benefit but to tax credits—people fill in a form, their circumstances change in the year and they find themselves owing money back. Tax credits are not the subject of this debate, of course, but I make that comment about what puts people off. When a system is going well, it is marvellous, but when it goes wrong, it can be a real stinker.

Child benefit makes a difference to many families in my constituency. From the outset, I must say that I am an advocate of the current threshold and the importance of having that system. I know of many women who gave up their jobs or went part-time to mind their child and therefore rely almost entirely on the wage of their partner. The weekly child benefit supplement helps with income, and therefore rely almost entirely on the wage of their partner. The weekly child benefit supplement helps with the day-to-day bills that need to be paid. Without that, households would simply not function. The Government might argue that that is not the purpose of the child benefit system, but I think that its purpose is to enable parents to look after their children in whatever way they feel is right.

I am concerned about some cases in which one partner is just over the threshold and has to start to do self-assessments. I know of a few cases in which couples earn well below the £99,000 that they could earn when taken together—for example, one partner on £50,000 and the other on £15,000—but decide to forfeit their child benefit. Over-cautious, and in fear and trepidation, they would rather that than face the hassle and possibly do the paperwork incorrectly. That is wrong—people losing the benefit rather than have the hassle. I am
therefore keen to endorse what the hon. Member for South Thanet said and to seek ministerial guidance on how we can help such people.

Something is wrong with a system that sets out to help people genuinely, sincerely and honestly, but fails those who could qualify. How do we enable those people to fit into the system? Some might say that they can afford to live on what they have, but as they put it to me, “We are firmly middle class.” Over the past few years in this House, I have often said that one of the categories of people to suffer greatly in society, because of everything that has happened during recent times, is the lower middle class—the ones not far enough up to qualify. For that squeezed bunch of people, the child benefit system is there to help, but unfortunately it does not. One constituent said:

“we are firmly middle class. We will never be able to afford to pay all our bills and also help our children with buying a car, or tools for their trade, or books for university”—

or student grants—

“so we attempt to save from child benefit so there is money for the child when they need it.”

They use that system with the clear and singular purpose of benefiting their children. That is an example from my office; the hon. Gentleman referred to similar examples, and I suspect that once I sit down, other hon. Members will do too. I fear that the self-assessment mechanism precludes their getting that money and, in the long term, that it disadvantages the child and the family. But that is not its purpose, so the system must improve.

HMRC issued around 97,500 penalty assessments to around 37,500 customers, amounting to almost £15 million. When people consider the penalties, the self-assessment and the amount of money, they must think, “I’m not going through that. I don’t want to get it wrong inadvertently.” People do not set out to get it wrong, but they start the process, get it wrong through no fault of their own and end up with a large bill. Those figures show that some people are paying very large bills. Although it is not the Government’s intention, people decide not to pursue their claim.

I believe there is a different way of ensuring that high earners can have access to what they are entitled to. People whom the Government say are entitled should apply. How do we help those who are entitled? Every year, the Government tell us that so much money is returned to the Treasury because it is not taken up. It could be all kinds of benefits, not just child benefit: attendance allowance, personal independence payments, employment and support allowance, community care grants or pension credit—all the things that people may qualify for. If the money is not used, it goes back. I always say to the person, “You know something? You’ve worked hard all your days. You’ve paid your national insurance stamp; you've paid your tax every year; you’re a contributor to society. If you qualify for something, for goodness’ sake, apply for it.” It is important that we encourage people to do that.

Some people feel that they need to see an accountant. That is fine for those who have an accountant for their business. For those who are employed with a set wage and cautious of the penalty notices, if they make overtures to an accountant to see what they can do for them, there is a cost factor that can be off-putting. People are looking at whether they can be better off; they do not want to pay a cost for something that may lead to nothing. What has been done to enable those who would qualify to receive their money?

I will conclude, and well in advance of the end of the speaking time that you indicated, Mr Hollobone. Will the Minister indicate how we can streamline the process, bearing in mind that families are entitled to this benefit? I see families who are entitled to something but do not pursue it because they are uncertain, cautious or worried that it may disadvantage them somewhere down the line. While the money may not necessarily go on nappies or similar, it does go to providing for children, which is what the Government are determined to do.

The Minister has committed to ensuring that everyone who wants the benefit can apply for it, but in my constituency, that of the hon. Member for South Thanet and the constituencies of other hon. Members, there are many examples of people who do not pursue it because of the uncertainty. The current system is overly onerous and off-putting. I believe we can and must do better.

7.3 pm

Alison Thewliss (Glasgow Central) (SNP): It is a pleasure to serve with you in the chair, Mr Hollobone. I thank the hon. Member for South Thanet (Craig Mackinlay) for bringing this debate on an important issue that highlights a real gap between the Government’s intention and their delivery, which is failing a lot of people. He laid out the limitations of the policy, which was headline-grabbing but has proven to be almost entirely ineffective and bureaucratic. It takes a benefit that ought to be one of the simplest—child benefit, paid to help children as an important universal benefit—and whittles away at it until it becomes a complex bureaucratic system that people will find difficult to access.

Organisations such as the Women’s Budget Group have long argued that the UK Government’s approach to balancing the books is gendered and does not stand up to the most rudimental scrutiny from an equality perspective. This policy is a key example of that. Budgets and spending reviews come and go, but we are yet to see any real strategic direction in tackling gender inequality. The hon. Member for South Thanet mentioned that it removes the independence of individuals in the tax system. In doing so, it sets the scene for universal credit, which also removes independence by treating people as a household rather than individuals, and damages women’s financial ability in a relationship. In many cases, women are left in the grips of financial coercive control, and they do not have the financial ability to get out of an abusive relationship.

Looking at this policy, it is no surprise that women, particularly mothers, are disproportionately affected. The UK Government have failed to make it clear to stay-at-home mums that even if they are not eligible to receive child benefit, they should still claim it and subsequently fill in a self-assessment tax return and pay the money back, in order to receive those national insurance contributions. This is not an intuitive process; in fact, it is quite the opposite. Self-assessment is complex and stressful. As the hon. Member for Strangford (Jim Shannon) said, people get lost in the complexity of
the system. They are worried about getting it wrong, and they might have to get accountants involved. That should not be the case for something as simple and basic as child benefit—the money should follow the child.

When I was elected, I knew vaguely about the child benefit process. I panicked, phoned up and cancelled the child benefit I had previously received when I was a local government councillor earning considerably less than I do now. If MPs are led to panic, what chance does anyone else have? It is absurdly convoluted and beyond the reasonable expectation that most people would have of such a system. It is a very concerning prospect that this policy could store up significant problems for the future, as the hon. Member for South Thanet set out. Many of my constituents are suffering now from previous delerious of duty in long-term pension planning. We have all heard horror stories of the Women Against State Pension Inequality Campaign; women were not told that their pensions had changed until 14 years after the policy was introduced. There is every chance that a new generation of women will run into similar problems.

The child benefit form that is issued to parents is not particularly simple. It includes a statement that claiming child benefit can help to protect someone’s state pension, but it is not clear enough what that actually means and what the future implications will be. The Treasury believes that 200,000 parents may be affected. It fails to make it clear that a non-working parent—usually the mother—should be the one to fill out the benefit form in order to build up those credits. It has been suggested that an easy short-term fix would be to change the form, but we need to look at long-term solutions. Would the Minister consider a review of the policy in the round, to actively look for cases of error where people may have unknowingly built up a gap in their pension contributions? We need to alert those affected. The Government have a duty to make sure that people get the money back, because they have not been clear enough.

It has been suggested that a claim should be triggered automatically when a birth is registered; that may be worth exploring in more detail. Will the Minister make an interim change to the wording on the form, and order a longer term review of this whole bourach of a process? Most parents will say that when they have a newborn baby in their arms, the last thing they want to do is fill in an extensive form about incomes. Of course, incomes will change—sometimes dramatically—over the course of a child’s life. Those kinds of things have happened again and again, and now we have the effect on the economy of the chaos of Brexit coming in.

As I mentioned, it is a distressing thought, but the reality for many women is that they are seeking to exercise financial control over them. That small amount of money can be incredibly important to a woman making plans to leave an abusive relationship, so child benefit must not be removed by making it more difficult to access. The higher earning person in that household—often the father—may say, “Don’t you worry about it; you stay at home and I’ll earn the money. You don’t need to worry about this”, which removes the woman’s chance of being financially independent. The notion that a woman has to know her partner’s intimate financial details is quite unusual. My husband and I have separate bank accounts. I have no idea what he earns, but I was expected to phone up and give intimate details to someone over the phone. That will be all the more difficult for a woman in a situation of financial coercive control, and it will give the male parent a huge amount of control.

The Minister must look at this in significant detail. He must try to assess the issues and put them right before we end up with another situation like that of the WASPI women. We cannot have another situation in which women are disproportionately affected by an ill-thought-through Government policy from Westminster.

7.10 pm

Anneliese Dodds (Oxford East) (Lab/Co-op): It is a pleasure to speak in this debate with you in the Chair, Mr Hollobone. I congratulate the hon. Member for South Thanet (Craig Mackinlay) on securing the debate, which has been very good and detailed. I will not repeat all the points he made, or indeed all those made by the hon. Members for Strangford (Jim Shannon) and for Glasgow Central (Alison Thewliss), because I agree with very many of them, but I want to underline some of the questions that I hope the Minister is able to answer, or at least some of the issues that his Department needs strenuously to take on board.

As was rightly mentioned, new research on the high-income child benefit charge indicates that much larger numbers of people are being drawn into the system than were initially. The Institute for Fiscal Studies indicated that since the £50,000 threshold has not shifted upwards, about 36% more people—370,000 more families—will lose child benefit in 2019-20 than in 2013-14. The system is now also interacting with changed tax systems for other sources of income, such as the system for those who eventually rely on rental income.

The Labour party has consistently objected to the removal of the universal nature of child benefit. Clearly, however, there are also practical reasons why the high-income charge is unfit. It has added unnecessary complications, many of which we have already heard about, and it has had a significant impact by requiring up to around half a million people to engage in self-assessment, which is not an easy process.

The hon. Member for South Thanet mentioned that about 6,000 cases of supposed over-claiming of child benefit have been written off by HMRC, which has handed out refunds of about £1.8 million. It would be helpful to hear from the Minister what work is being undertaken to ensure that all those who might benefit from some kind of refund of additional charges levied because of alleged over-claiming—I am not sure I like that term, to be honest—are aware of that.

I hope the Minister also deals with the suggestion the hon. Gentleman rightly made that the real-time information system could proactively be used to try to identify those who might be in danger of falling into this kind of trap. I am concerned to see yet again what appears to be a lack of co-ordination on what are often viewed as Department for Work and Pensions responsibilities but in practice are delivered by HMRC or in some other way by the Treasury. I was concerned just before the recess that the Minister’s Department did not seem to want to take responsibility for the clawing back of alleged overpayments of working tax credit from universal
credit. It said that was a DWP issue. It is not; it is a Treasury issue. Yet again, we have a lack of co-ordination. That needs to be dealt with.

The high-income charge increases the complexity of the already incredibly complex tax system HMRC is expected to deal with, and having to deal with appeals arising from the charge increases the enormous burden that HMRC staff already face. We all know that HMRC has been cut more than any other European nation's tax department aside from that of Greece, which I suspect is not an example we would want to follow. We see the burden on HMRC staff increasing all the time, not least given the prospect of a no-deal Brexit—we could hardly have ignored that at the beginning of the debate, given the noise from outside. Will the Minister say what resource HMRC is being given to deal with that?

I share the concerns about the impact of the high-income charge on families with sole earners, which was rightly emphasised by the hon. Member for Strangford and others. I also share the concerns about the impact of the charge on independence. It is part of what we might call a triple whammy of a whole range of measures, including what we have seen in relation to universal credit.

This debate has echoed many of the issues with childcare tax credits, where there has been a lot of confusion about things such as the relationship between parents' incomes and who loses out as a result. The hon. Gentleman described how families often use child benefit to create an asset for their children. That has become increasingly important and relevant, as of course we no longer have the child trust fund.

It is important that the Minister explains what is being done to deal with the long-term problem of people inadvertently becoming unable to accrue state pension credits because they do not qualify for national insurance contributions or indicate that they want to be part of the system. Obviously, that disproportionately discriminates against women. There is already a huge gender pension gap. What are the Government doing to ensure that those who might be caught by this issue are not? I absolutely agree, having been through that process myself—I suppose I should declare an interest in that regard—that its impact is not obvious. There is no clear indication that it will result in a big reduction in a person's retirement income.

It would also be useful to understand any possible disincentive effects of this measure. I am not sure that the case the hon. Member for South Thanet mentioned is as unlikely as all that. I remember from my childhood a family up the road who suddenly, very sadly, dropped down to a sole earner. They had nine children, and the father, as the sole earner, had to bring them up. What will the impact be in such cases if there is suddenly this kind of cliff edge? We have seen the impact of cliff edges with the overall family benefit cap. We are in danger of replicating that here.

I hope the Minister answers those questions. Obviously, I hope the whole high-income child benefit charge is abandoned. I do not expect him to make quite as dramatic an announcement here, but I hope he rules out any reduction in the availability of other universal benefits, given the kinds of issues we have discussed and the impact on equity.

Anneliese Dodds: I am grateful to the Minister for giving away. He is well aware that we opposed the measure at the time, as we did many other elements of the Government's programme. We also criticised the tax cuts given at the same time to the highest earners and to profitable corporations, which in their magnitude over time were more substantial than what we are talking about now.

The Financial Secretary to the Treasury (Jesse Norman): It is a great pleasure to serve in this reconvened Parliament under your chairmanship, Mr Hollobone. I thank my hon. Friend the Member for South Thanet (Craig Mackinlay) very much for calling this debate and drawing attention to this important issue, and for his thought-provoking and expert speech, which very much reflected his professional experience as well as his political commitments. I very much welcome that. He raised a lot of issues, and a wide range of issues were raised by the hon. Members for Strangford (Jim Shannon), for Glasgow Central (Alison Thewliss) and for Oxford East (Anneliese Dodds), I will come to all those. Let me address some of them in my opening remarks and then come to the specific questions that were raised.

As you will know, Mr Hollobone, child benefit was introduced in 1977. It has always been, and it remains, a universal benefit payable to individuals who are responsible for what is referred to as a qualifying child or children. Before 2013, there had been significant growth in the use of the benefit—rightly and importantly so; of course, that is why benefits exist—but it was recognised that, at a time of austerity, there was an anomaly, in that more than £1 billion a year was being spent in child benefit on higher-rate taxpayers. That was felt to be not merely imprudent from a financial standpoint but morally problematic. It would mean, as it were, taxing working people on low incomes to pay for the child benefit of those who earned considerably more.

If it is true that, as the hon. Member for Oxford East said, it is now Labour policy to remove the high-income child benefit charge—she was perfectly clear about it, so I think it is true, but she is welcome to correct me if it is not—the Labour party needs to ask itself whether it thinks it appropriate to tax the wider population, including working people on low incomes, to pay the child benefit of those who earn considerably more. We also note that the cost to the Exchequer of such a policy is of the order of £1 billion to £1.5 billion.

Anneliese Dodds: I am grateful to the Minister for giving away. He is well aware that we opposed the measure at the time, as we did many other elements of the Government's programme. We also criticised the tax cuts given at the same time to the highest earners and to profitable corporations, which in their magnitude over time were more substantial than what we are talking about now.

Jesse Norman: That is an ingenious attempt to link two issues that, in and of themselves, are not connected. One can have a policy on high income tax earners and the payment of child benefit to them and one can have an entirely separate policy about other aspects of the tax system. The question remains whether it is morally appropriate to give the benefit to those people, and the judgment in 2013 was that it was not the right thing to do. That was an important consideration.

If the hon. Lady is concerned about the wider picture, I remind her that—I think I am right in saying this—the top 1% of taxpayers pay a higher percentage of tax now than at any other point in our history.
Jesse Norman: I am keen to press on. If the hon. Lady wants to make another intervention, we will lose time that I can use to respond to other questions.

Mr Philip Hollobone (in the Chair): Order. The intervention is in the gift of the Minister, but I draw the House's attention to the fact that the Minister has only 5 minutes left.

Anneliese Dodds: Thank you, Mr Hollobone. I merely state that the Minister is correct in relation to income tax, but not in relation to other taxes.

Jesse Norman: The judgment made in 2013 was that it was appropriate to claw back some of the money paid to people on higher incomes and that everyone should make a fair contribution to removing the deficit while supporting those on the lowest incomes. I think that was the right judgment. Of course, for a minority of claimants where either they or their partner earn more than £50,000 in adjusted net income, there is a requirement to pay the tax charge or to opt out of receiving child benefit payments and therefore not pay the charge.

It is a fair criticism, made eloquently by my hon. Friend the Member for South Thanet and others from across the House, that the charge does not take into account overall household incomes, so it is possible—and it does happen—that a single parent earning more than £50,000 is liable to the charge while a couple each earning up to £50,000 is not. That is because, as he said, the charge is a tax, calculated in accordance with the principles of individual taxation at the individual level alongside other tax policy. Here we have one of those difficult decisions for the Government about what is the right thing to do. The judgment made in 2013 was that it was better to take that approach than to base a charge on household incomes, because that would require HMRC to assess annually both household composition and the incomes of everyone in the 8 million or so households eligible for child benefit, which would effectively introduce a new means test, creating a substantial administrative burden on both the state and families. That is the dilemma.

The effect of the charge is to introduce a high marginal tax rate. That is an unattractive aspect of the policy; we should be clear about that. If I may say so, it is not a salutary lesson in how not to withdraw a benefit, because the alternatives of not levying the charge at all or levying it on a cliff edge rather than by gradual withdrawal are worse. It is open to others to take the view that one of the alternatives is better, and my hon. Friend may do so, but not subject to the fiscal constraints in which we have operated.

A series of questions were raised about HMRC communications. As my hon. Friend recognised, the Revenue and Customs took considerable steps to raise awareness of the higher income child benefit charge. It wrote to about 800,000 affected families when the charge was introduced. It also ran a high-profile advertising media campaign and included a prominent message about the charge in 2 million letters to pay-as-you-earn-only higher rate taxpayers. There was a considerable communication process.

Today, to respond to the question from the hon. Member for Strangford, information on the charge is included in packs for new parents telling them how to claim child benefit. The front page of the child benefit application form includes a prominent message about the charge to help people make a decision on whether they should claim and be paid child benefit, about the importance of claiming even if they do not receive payments, and about the important issue of eligibility, which was rightly highlighted in the debate. Guidelines are available online formally through gov.uk and through innumerous organisations and groups.

As my hon. Friend the Member for South Thanet mentioned, individuals who pay the charge need to make a self-assessment tax return and may face a failure to notify penalty if they do not. I think he will know that HMRC announced a review of cases where a failure to notify penalty was issued for three tax years. It reviewed 35,000 cases and responded by reviewing the amount for over 6,000 people.

There are many other points to cover in the short time that remains. My hon. Friend said that 500,000 people have been forced into self-assessment. I am happy to write to him on that. As he will be aware, the current number paying the charge through tax returns is 293,000. Of course, there are some 40 million people in pay-as-you-earn. He also said that the charge has dragged 1.2 million people into the system. I am not quite sure about that, but if he wants to contact me, I will be happy to assist him further.

The hon. Member for Glasgow Central said that the charge is a gendered policy. I do not think that is true at all, and many other aspects of Government policy do not reflect anything like that position, as she will be aware. For example, there is extensive work in supporting women as entrepreneurs and women in business.

Alison Thewliss: Will the Minister give way?

Jesse Norman: I really cannot; I have two seconds left.

The hon. Member for Oxford East mentioned fiscal drag. That is an important issue, but I do not think she is right that the charge has removed the universal nature of child benefit; it merely allows for a charge against it.

7.28 pm

Craig Mackinlay: I am delighted to have the final say. I thank hon. Members who attended the debate. There were contributions from the hon. Member for Strangford (Jim Shannon), as ever, as well as the hon. Members for Glasgow Central (Alison Thewliss) and for Oxford East (Annelise Dodds). We spar regularly on tax matters across whichever Chamber we are in, but I think we are broadly in agreement that the system is complex, that it could have been made easier and that there are problems that need to be solved.

I am pleased to receive a degree of assurance from the Financial Secretary to the Treasury. He accepted that the charge was a measure of its time, when urgent measures were needed to respond to the state of the country's finances. It has not been part of my argument that such a clawback should not exist. My observation has been that, if we are to have methods of clawback, we need to design systems that are more elegant than this one. I hope he will pass on to HMRC my issues regarding the penalty regime. Perhaps this can be the last of it, with people made aware that, yes, if they do
[Craig Mackinlay]

wrong in the future, a penalty regime may apply. However, I would like to see a softer touch, given the modest amounts involved, for those stuck in cases at the moment.

Question put and agreed to.

Resolved,

That this House has considered the high income child benefit charge.

7.30 pm

Sitting adjourned.
Westminster Hall

Wednesday 4 September 2019

[James Gray in the Chair]

Artist Visas

9.30 am

Deidre Brock (Edinburgh North and Leith) (SNP): I beg to move.

That this House has considered artist visas.

As always, Mr Gray, it is a pleasure to serve under your chairship.

In Edinburgh, we have the best festivals in the world; not even Donald Trump could claim to have better festivals. They include the world’s biggest arts festival, the Edinburgh festival fringe, and the wonderful book festival, which takes place in my own constituency of Edinburgh North and Leith, as well as the international festival, the film festival, the storytelling festival, the science festival, the jazz and blues festival, the art festival, the children’s festival, the Hogmanay winter festival and, of course, the Edinburgh Tattoo. There is also the festival of politics, but that is not allowed to join the cool gang of festivals—not yet, anyway.

Those festivals grew out of a desire to rebuild international cultural co-operation after the second world war. Conceived in 1945 by Rudolf Bing, an Austrian who had fled the Nazis, the first festival was in 1947 and it reunited Bruno Walter with the Vienna Philharmonic. So much for the official festival. However, the spirit of rebellion that marks Edinburgh in August started in the same year, when six Scottish theatre companies and two English ones rocked up to stage their own shows and began what became the fringe. They were not alone. Forsyth Hardy and John Grierson added the film festival, too, showing 75 films from 18 countries in the Cameo cinema, which was not a bad result in 1947. All three festivals still run in Scotland’s capital city and they have been joined by quite a few others, many of which I have already noted.

Figures for this year’s festivals are not yet finalised, but the initial trawl suggests that the August festivals alone had more than 5,000 international participants. The actual number is closer to 5,500, according to figures provided by the festivals. Of course, that is only the performers. Many tens of thousands of international visitors also flock to Edinburgh every year. Of those international performers, 1,500—one quarter—were European economic area nationals, people who currently need no visa to travel to the UK. Just over half were non-EEA nationals who did not need visas. However, one in five were non-EEA nationals who required visas. Next year, we may have a whole different category of performers who will need visas and a whole set of hoops for the festivals to jump through to get them to Edinburgh to perform.

I have a fairly regular stream of immigration cases, as I know other Members do, but I also have an additional task every year, as the festivals find themselves struggling to get visas for their headline performers and ask for a bit of help. These are performers at the peak of their profession who are world-renowned and very successful. They are being refused visas because they do not match up to a flowchart somewhere in the Home Office, or because some poor decision maker with a massive workload has to make very quick decisions on very complicated cases, which is one way to end up with poor decisions. Other Members representing Edinburgh and other areas that receive visiting artists may have similar stories.

I would like to take a moment to pay tribute to the civil servants in the UK Visas and Immigration team who answer the calls and emails from my office. They are professional and helpful, and they do what they can to help with these as well as many other cases. They are a credit to the service. However, they operate within a broken system and the fault for that lies with politicians.

The decisions made in Government create the systems that the civil servants have to work in and they are the decisions that create the ethos of the Departments. It is the political decisions that create the problems and it will be political decisions that can construct the solutions.

We need those solutions, because the damage done to the festivals and to our reputation is not limited to the individual performer thinking that it is a bit of a pain getting to Edinburgh in a particular year. The bigger damage comes from the impression being formed that it is a hassle getting to Edinburgh to appear in the festivals, and when performers start thinking that it might be too much hassle getting to Edinburgh. The damage comes when that consideration becomes part of the consideration that weighs in the balance against coming to Edinburgh, and when those considerations outweigh the considerations of benefits that might accrue from performing at the festivals.

When authors think, “The Edinburgh book festival would be good to appear at, but Cork would be okay, too, and there’s less hassle getting to west Cork,” we have a problem. The same would go for the Hay festival, the Cheltenham festival or the Beyond the Border festival. By the way, I have nothing against Cork. I could easily have mentioned instead Paris or Charroux in France; the three festivals that take place in Barcelona; Fitzroy, Fremantle, Sydney; Alice Springs, Adelaide or several others in Australia; or Calgary, Vancouver or even New Westminster in Canada. There is no imperative for authors to come to the UK, and if we put barriers in their way we reduce the appeal of our festivals.

I would like Edinburgh to compete on a level playing field; it is the only way in which we will stay ahead of the competition. Of course, the same goes for arts festivals such as the international festival and the fringe. There are other festivals all around the world and the prestige of Edinburgh will not keep us ahead of them if the disincentives begin to outnumber the positives. That possible reluctance on the part of performers to come to Edinburgh might be mirrored by festival organisers deciding that the effort they have to put in to get performers to the stage is becoming burdensome. When they have so much to do to put the shows on in the first place, any extra burden becomes a serious consideration.

The statistics, too, seem to suggest there is a problem. Four years ago, more than one third of international performers at the fringe were visa nationals; this year, the figure was down to one quarter. In this year’s book festival, four authors’ events were put at risk by visa problems, and in the international festival a renowned choreographer and his dance troupe had major inconveniences. Some of Serge Aimé Coulibaly’s dancers
had to travel from Burkina Faso to Ghana for their visa appointments—a 32-hour round trip—and then they had to pay for a courier service to get their passports back, to avoid having to repeat the journey. One of them, who is resident in Germany, had to return to Berlin from Burkina Faso to pick up his visa within the allotted timescale when it was granted more quickly than expected. The troupe had already performed at the Barbican in May and they will come back to the UK in November—if they get visas.

These people tour the world performing. Applying for visas through an appointment system, leaving their passports and returning to the visa centre to collect visas is, as we would say in Scotland, a right pain in the bahookey for them. From what I have heard from other areas around the world, these difficulties would appear to be easily surmountable with the right political will, and I imagine that they are difficulties faced by other would-be visitors as well.

I am grateful to Festivals Edinburgh for providing me with much of the information for this debate. It tells me that this dance troupe’s difficulties are indicative of the kinds of problems faced by performers regularly; these are not exceptional circumstances. Freelance performers face problems in demonstrating income and reserves in cash terms, because the nature of their work means that their income comes in bursts. Then we have the slow decisions that endanger appearances; the refusals that are overturned on appeal, often with an MP’s help; and the sheer uncertainty that the whole thing creates.

As I have said, these are political problems and political solutions can be found. I have to say that the festivals were cheered somewhat by the engagement of the previous Immigration Minister, the right hon. Member for Romsey and Southampton North (Caroline Nokes), and I am sure that the current Minister—the Under-Secretary of State for the Home Department, the hon. Member for South Ribble (Seema Kennedy)—has a record of that engagement. May I tell her, though, that the festivals are heartened by some of the actions taken, in particular the UKVI guidance for creative event managers, published in March, and the direct named contacts at UKVI and the Home Office? The festivals appear to be as impressed as I am with the civil servants.

That is a start, but we have to move far more quickly to get ahead of the game. In a couple of months, EEA citizens could be required to have visas to travel, adding a huge number of festival performers to the processes—if they still want to come. None of that takes account of the international visitors coming to watch events at the festivals or to see other things while they are here. There is also the parallel issue in the other direction, with the probability that the EU will require additional efforts from UK artists heading there.

Kevin Brennan (Cardiff West) (Lab): I congratulate the hon. Lady on securing this important debate. Is it not the case that in the music industry, for example, many UK touring artists are not very wealthy? Often they are, in effect, a one-person band, travelling on budget airlines and taking their own instruments to their fan base around the European Union. Is there not a real danger that those people’s livelihoods will be directly affected if we do not do something before Brexit? Deidre Brock: I absolutely agree with the hon. Gentleman. As former performers, he and I know exactly how precarious that lifestyle can be. I met the chief executive officer of the Incorporated Society of Musicians yesterday. She indicated that she already knows of performers who have gigs in November and December in Europe that are already being called into question. They cannot get insurance to cover those gigs if they need to cancel. As the hon. Gentleman has pointed out, the probability that the EU will require additional efforts from UK artists heading there could limit our artists’ ability to make a living.

Equity tells me that actors are regularly employed across the EU, often because they are English speakers, and that employment could be under threat after Brexit. Dancers are already seeing auditions for European companies drying up. These artists need freedom of movement so they can keep getting work. As the hon. Gentleman pointed out, musicians currently tour across the visa-free area in a way that will simply be impossible if freedom of movement ends without some sort of deal.

I will give the Minister a series of quotes that I have been given by a variety of organisations that deal with this matter. The Royal African Society—I know my hon. Friend the Member for Glasgow North (Patrick Grady) will speak later about African visitor issues—has told me that it is “increasingly coming across writers and filmmakers who have decided to boycott the UK, rather than go through the dehumanising process of applying for a visa”.

Literary Europe Live said that “the time-consuming and humiliating visa application process damages UK’s reputation and ultimately results in more and more artists turning down invitations to the UK”.

The Shambala festival said: “If we do not change this system and make it more welcoming, Britain risks becoming increasingly culturally barren”.

English PEN said that writers have told it that “they would not return to the UK with the current visa system”.

The Index on Censorship said that granting visas helps to address oppression and persecution. The British arts council said that problems with the visa process “have the potential to have significant impact on our soft power standing and the ability to showcase a diverse range of international work in the UK”.

The Africa Centre said, rather pointedly: “We grow as a society because of the development of culture and if we do not allow artists to share their stories with us, how do we grow?”

I pay tribute to the Shubbak festival, and to Nick Barley at the Edinburgh book festival and Julia Amour, the director of the Festivals Edinburgh group, for all their hard work. The Shubbak festival said: “The Home Office’s temporary visa application process is so administratively burdensome that it has become a deterrent, denying the British public access to some of the world’s most compelling artists, performers, writers, musicians and thinkers.”

StAnza poetry festival spoke of poets missing festivals here and elsewhere in the EU because their passports had been lost by the Home Office or retained for far longer than expected. Tandem Collective and Oxford Contemporary Music said:
“Restrictions on artist visas undermine the efficacy of our work, severely reducing the diversity of cultures represented in our exchange programme, Ethno England.”

The Poetry Translation Centre team said that the visa system
“weakens the potential of the UK arts as artists here miss out on the opportunity to meet, experience, interact and collaborate with their counterparts around the world”.

Finally, the London international festival of theatre said:
“Countless artists are telling festivals and venues they are reluctant to accept invitations to come to the UK due to draconian visa process”.

I thank Parliament’s digital engagement team for gathering those opinions and the organisations for sharing their expertise and knowledge.

I am more than willing to share the full comments and quotations from those experts, and I certainly hope the Minister will listen to them. I will be following up on the issues with her, and the representatives of the artists and festivals have a range of things they want to talk about, but the visa system needs to be reviewed. In a digital information age, there should be far less necessity for applicants to travel hundreds of miles and surrender their passports for weeks or months at a time, especially when they are making repeated visits and have a record of obeying the conditions of their visas. We know that the passport pass-back service works in some centres, and it must be possible to roll that out. It must also be possible to extend the permit-free festivals route and the permitted paid engagement route. Surely we can reduce the costs, particularly for repeat travellers.

The festivals have a list of requests that they will be making of Ministers, and I am happy to speak to the Minister about any aspects. I would be delighted to facilitate a meeting for her with the festivals, Equity, UK Music and other interested parties that have been lobbying me, if that was of help. I will do whatever I can to assist. I hope she will take me up on that. I urge her to act now and to act quickly. The damage may already be being done to Edinburgh’s festivals and to the reputation of our creatives around the world. Their prestige may be getting undermined through no fault of their own.

9.47 am

David Linden (Glasgow East) (SNP): It is a pleasure to serve under your chairmanship, Mr Gray. It is a particular delight to see an east end boy in the Chair.

James Gray (in the Chair): To clarify, that is the east end of Glasgow, not London.

David Linden: There is only one east end, Mr Gray. I start by paying tribute to my hon. Friend the Member for Edinburgh North and Leith (Deidre Brock), who secured this debate and has for quite some time been pursuing this issue, which is clearly significant for Edinburgh, where the festival has just finished.

On a cross-party note, I congratulate the Minister on taking up her new role. Since I came to this place in 2017, I have always found her to be incredibly helpful in my dealings with her. It is encouraging to have someone in the Home Office who we can hopefully work with, because for many Members, including those from Scotland, immigration makes up a huge part of our case load. It is clear that there are ideological problems in the Home Office in how that policy is pursued, but a lot of it seems to be cock-ups. It is good to have the Minister in her role, and I look forward to hearing what she has to say.

Once again we find ourselves in the frustrating position of coming to Westminster Hall to discuss visas and how cumbersome they are. Only a couple of months ago I led a debate about religious worker visas, and during the recess I spoke to a lot of Catholic priests in my constituency who are incredibly frustrated by the UK Government’s approach to religious worker visas. I appreciate that that is another issue for another day, but I certainly hope that the Minister will be able to look at that again.

One of the things that is incredibly frustrating about the situation with artist visas is that it is just another manifestation of the hostile environment from the UK Government. That is particularly frustrating for us in Scotland, because we do not view immigration policy as somehow being a negative issue. Our problem has never been immigration; our problem has been emigration. I get incredibly frustrated that we have a UK Government who are pursuing this ideological policy of pulling up the drawbridge, shutting off the border and stopping people from coming here.

There is an economic problem with that, and my hon. Friend the Member for Edinburgh North and Leith outlined some of that. The Scottish Government in particular have problems with the policy. The Cabinet Secretary for Culture, Tourism and External Affairs, Fiona Hyslop, said:

“The Scottish Government has long-standing concerns about how easily artists and performers can come to Scotland for the Edinburgh international festivals, and about the problems that delayed visa processes...and refusals that are then overturned—on appeal—
“...can cause organisers of festivals of all sizes.”

My hon. Friend outlined the difficulty with the number of people who decide not to come, which is clearly distressing. As I would expect her to do, she talked about the situation in Edinburgh, which is of course Scotland’s lesser city. I will turn now to Glasgow.

Glasgow is already an innovative creative leader in Europe. With artists travelling on a visa, it allows art and talent to come and be shared with us in Glasgow. If anybody here has not taken part in or not come along to see Celtic Connections, I encourage them to do so. Celtic Connections is one of Scotland’s biggest creative events. It attracts and has hosted 2,000 artists from 25 countries taking part on 35 stages across the city. To give an idea of how economically significant that is, in Scotland we have more than 15,000 businesses employing more than 70,000 people, contributing more than £5 billion to the Scottish economy. I get frustrated because we clearly have initiatives to try to get people to come to Scotland—homecoming, Celtic Connections, the Edinburgh festival—but the Scottish Government have one hand tied behind their back because of the ridiculous visa problems that emanate from the UK Government.

There are two solutions. Unionists thinking slightly more longer term might say, “Let us have a form of regional immigration policy where aspects of the policy can be devolved and decided by the Scottish Government.
We can tailor that to our needs”, as has been outlined by my hon. Friend the Member for Edinburgh North and Leith. If the UK Government are so intransigent and do not want to look at regional immigration policy and devolving certain immigration powers—for example, for visas—the only solution left is to go on our own path towards independence. It is telling that last night there was a poll in The Times that showed that if a general election takes place, which we in the SNP would certainly relish, we will find that not only do we have a hostile environment from the Home Office, but ultimately Scotland will be a hostile environment for Tory policies that have a negative and devastating impact on our economy. I very much look forward to the day when we can have that general election and indeed independence to sort out these issues for ourselves.

Patrick Grady (Glasgow North) (SNP): It is a pleasure to serve under your chairmanship, Mr Gray. My hon. Friend the Member for Glasgow East (David Linden) claims you as one of his own, but I believe we once had a conversation that established that your place of birth was in fact the west end of Glasgow, in the constituency of Glasgow North.

James Gray (in the Chair): Order. The hon. Gentleman might be at risk of misleading the House inadvertently. I was in fact born in Rottenrow, which is in Dennistoun in the east end of Glasgow.

Patrick Grady: I stand corrected, but was there not a connection to the west end? [Laughter.]

James Gray (in the Chair): This is not of direct relevance to the debate, but just for clarity I was born and brought up in Dennistoun in the east end of Glasgow. When I was four years old, I moved to Great Western Road in the west end of Glasgow. I went to school and university there.

Patrick Grady: There we are. It has been established. I apologise for inadvertently misleading the House, Mr Gray, but I am glad that I now have the privilege of representing an area where, once upon a time, you bestrode the streets of the west end of Glasgow, which is of course the site of much of Glasgow’s creative industry and vibrant cultural scene, which is why the issue of artists’ visas is so important.

I congratulate my hon. Friend the Member for Edinburgh North and Leith (Deidre Brock) on securing the debate. This is not the first time that difficulties with the visa system have been raised in Westminster Hall, and it will not be the last. It might not be the last time that the Minister has to respond to debates on such topics, although we live in turbulent times. I welcome her to her post. She will have quite a heavy in-tray in the coming weeks and months, but the issue of visas will dominate it, and the speeches and contributions that we have heard from Members explain why.

I want to look briefly at the importance of the creative sector to the UK and Scotland’s economy. The reports that we have heard about illustrate a massive contradiction in Government policy. I want to dwell a little on the specifics of artists travelling from Africa because I have a personal interest and some experience there, and it speaks to the broader policy issue in general. I also want to look at the question of Brexit and its consequences for travel across the European Union.

The creative sector is, as we have heard, hugely important to the economy of the UK as a whole. We are just coming to the end of the festival season. Great cultural festivals include the Edinburgh festival, which is hugely significant and well appreciated and enjoyed. I am happy to continue the rivalry between whether bigger is necessarily better when we consider what Glasgow has on offer compared with Edinburgh. There are other festivals across the UK such as Womad and the festivals that my hon. Friend the Member for Edinburgh North and Leith cited. I pay tribute to the digital engagement team for the way in which it reached out to other organisations and allowed their voices to be heard. I thoroughly recommend that all of the statements be made available to Members, perhaps through the Library, and that the Minister pays particular attention. My hon. Friend quoted from most of them, but I will draw the House’s attention to one or two comments from the various people who contributed.

The music director of the Shambala festival, an international festival of music and art, talked about the multi-faceted nature of the issues and the costs:

“We are often seeking performances from acts that may only have one or two shows in the UK. The costs for Visas for a large band are...spread over very few shows...Secondly, the application is a bureaucratic nightmare that takes a very long time to process and...includes the applicants having to hand over their passports for weeks”,

which, as was suggested in interventions, makes it difficult for the artists to do their jobs anywhere else. The artistic director of the Shubbak festival said:

“The current visa system is unsustainable for the artists we work with. Shubbak’s producers spent a significant amount of time, effort and costs to support artists in their process of visa applications. The forms are overlong and advice is often contradictory.”

Shubbak is one of the largest celebrations of Arab culture that takes place in the UK, particularly here in London.

It appears from the briefing that the quotes from the London international festival of theatre have been endorsed by a significant number of other people from the creative industries. As my hon. Friend said, countless artists are telling festivals and venues that they are reluctant even to accept invitations to come because of the draconian visa process, but they also suggest solutions:

“While we recognise the need for scrutiny...we suggest a number of key developments which...will help alleviate this situation.”

They include reducing the costs, faster processes, clearer information to applicants and opening more application centres. I will come back to that, but it is certainly true of the findings of the all-party groups on Africa, migration and Malawi.

My hon. Friend the Member for Glasgow East spoke about Celtic Connections, a festival very close to my heart. I have taken part in its events for many years and I have good friends who perform in it almost every year. At this time last year, the director of the festival, Donald Shaw, a highly regarded musician and creative talent in Scotland and a real driving force behind the
festival, expressed his frustration about artists who are not even willing to consider coming to the festival now because they know of the barriers that will face them. He said:

“These are top-class musicians who have been travelling around the world for over 20 years. Britain now has a very solidly-locked gate, certainly in terms of African visas. The whole thing undermines us as a Scottish festival with an international outlook.”

That is the contradiction; the United Kingdom says it is open for business—that that is the great thing about Brexit, which will take us back on to the world stage. They spend millions, if not tens and hundreds of millions of pounds on “Britain is GREAT” posters, which we see all over the place. Whenever we go overseas and visit UK embassies or see adverts taken out in aircraft brochures, we see “Britain is GREAT”, “Britain is open for business”, but then as soon as somebody applies to come here they are told Britain is not open for business; it is closed. There is a massive contradiction in policy and it is a huge act of self-harm to the economy, society and culture.

Kevin Brennan: What the hon. Gentleman says is absolutely right. Is it not also the case that not only are the restrictions draconian, but the Home Office deliberately runs its visa programme as a money-making racket? That is what it is.

Patrick Grady: Absolutely. It is particularly important for the creative sector when the operating margin for visas is so small. Most people go into the creative sector out of a love for their art, and to contribute to society and culture as much as to the economy, but if they are successful the margins can have a positive economic input as well. Yet the visa policy is driving that down and making it more difficult for people to make that economic, as well as cultural and social, contribution.

I am reminded of testimony from a very senior official in the African Union—a trade commissioner who came to speak to us at an event in the House of Lords. He was invited by the Lord Mayor of London, yet had to jump through hoops. He was asked for his wedding licence and for proof of his income, despite being effectively a diplomat. To be fair, he got his visa and managed to get here, which is better than some. He says that every time he flies out of Addis, he sees business class sections of planes going into Brussels that are full and business class sections of planes going into London that are half empty. That is a pretty stark demonstration of the visa policy’s impact.

I saw the impact myself recently, when I was in Malawi with the Commonwealth Parliamentary Association and we visited the UK high commission. The first thing that we saw when we came in was a great pop-up banner saying, “Come to the UK and study on the Chevening scholarship.” Yet the night before, when we had met with local stakeholders, campaign groups and so on, we had heard stories of people who had applied for—and been granted—Chevening scholarships but were not getting visas, were being made to jump through hoops, or found that the visas were far too expensive.

Such stories are borne out by the joint report from the all-party parliamentary group on Malawi, the APPG for Africa and the APPG on diasporas, development and migration, which found that “September 2018 Home Office quarterly statistics show that while 12% of all visit visa applications made between September 2016 and September 2018 were refused, the refusal rate for African visitors was over double this, at 27% of applications.”

There is therefore a particular challenge regarding visas for African musicians, business people, religious ministers and so on, much of which is down to the system, to the creation of a hub and spoke model, and to the attempt to outsource the applications to private companies and then to drive the decision-making process on to some kind of online, algorithm-based system, often based here in the United Kingdom.

Another story emerged from the same visit. The Information Minister from the Malawian Government could not get his fast-track visa approved in time; he was supposed to be in the UK while we were in Malawi. His visit was cancelled in the end because his visa did not come through in time, even though presumably the Malawian Government and Malawian taxpayers—or, indeed, Department for International Development money that helps to support the Malawian Government—financed his fast-track visa application, which was no such thing. Such incidents cause nothing but embarrassment for officials in the high commissions and embassies, who cannot do anything because the left hand seemingly does not know what the right hand is doing, and all the decisions are outsourced to Pretoria. At the same time, I echo the comments that my hon. Friend the Member for Edinburgh North and Leith made about the incredibly hard-working staff both in the embassies and high commissions and in the visa inquiry teams, who are massively overburdened. That simply increases the expense, bureaucracy and contradiction.

Ultimately, if we want the visas, we have to make inquiries or get up and ask questions of Ministers, and the House of Commons Chamber becomes a kind of court of appeal for visas that should simply have been granted in the first place. None of these artists are coming here to abscond or so that they can live on the British welfare state or get jobs as Uber drivers. They are world-class musicians. They are travelling all around the world and are welcomed to other countries with open arms. Only in the United Kingdom—only in “Britain is GREAT” and “Britain is open for business”—are they told that they cannot come.

Deidre Brock: A number of us have been pursuing this matter for some time. It is interesting that every time we have asked Ministers to set out how many folk in the creative industries who have come to the UK have absconded, they cannot answer. I think the last time, they suggested that it would take too much time, and money perhaps, to find that information, but if the Government are so worried that people will abscond, why do they not know exactly how many people have absconded in the past?

Patrick Grady: Exactly—that is part of the issue. Perhaps the Minister can answer that question. People are counted into the country but very rarely counted out, so the statistics do not exist, but all the anecdotal evidence suggests that such people go back. It is pretty easy to tell whether a musician has absconded because if they do not turn up to their next gig in Germany, France or wherever they were going next on their tour, it is pretty obvious.
I suppose that brings us to the consequences of Brexit and the specific issue of visas for travel in Europe. At the moment, freedom of movement means that artists from anywhere in the European Union can travel to anywhere else in the EU without any hassle. That makes it cheaper, easier and better for reasons that we have already discussed, but if freedom of movement comes to an end—and especially if it comes crashing to an end on 31 October—everybody will be left in a state of chaos and cataclysm.

It is very important that the Government are working on that issue. A lot of organisations—we heard about the Musicians’ Union and the Incorporated Society of Musicians—have done a significant amount of work on both identifying what the challenges will be and suggesting some solutions. The ISM, for example, said clearly that “the music workforce depends on EU27/EEA countries for professional work.”

It also said that “the music workforce relies on UK-EU mechanisms to support and enable them to work” and travel, and that already “the impact of Brexit on musicians’ work has been widespread and negative.”

It therefore made a series of recommendations about what can be done. One of the most significant is: “If freedom of movement rights cease, the Government must introduce a two-year, cheap and admin-light, multi-entry touring visa” so that musicians, and indeed their musical instruments, can get in and out of the country as freely as possible, and the creative industry’s important contribution can continue.

As I said at the start, the Minister will have to get used to such debates. Many Members feel passionately about this matter, because our constituents and economies are affected, and in many cases we have personal connections to people who are affected as well. The visa policies and the experiences of artists, creatives and those in wider parts of society completely contradict the Government’s rhetoric on global Britain. In fact, what we are seeing, as my hon. Friend the Member for Glasgow East said, is a continuation of the hostile environment.

It is all well and good for the Government to say, “We’ve changed. The hostile environment is a thing of the past.” The lived daily experience of people who want to come to this country and share their creative talents and passions is that the hostile environment is still in place. That will change only when the policy starts to change and the administrative burdens are changed. That means easier processing, cheaper visas and a much more straightforward way of people applying and having their sponsors taken seriously. We hope the appointment of the new Minister will lead to some change, and we look forward to hearing what she has to say.

10.7 am

Afar Khan (Manchester, Gorton) (Lab): It is a pleasure to serve under your chairmanship, Mr Gray. I thank the hon. Member for Edinburgh North and Leith (Deidre Brock) for securing the debate and all those who have contributed to it.

There is no doubt that the UK’s thriving creative sector is of huge economic and cultural importance. Taken together, the creative industries contribute more than £100 billion to the economy and account for one in 10 jobs across the UK. Last year, an estimated 29.1 million people attended festivals and concerts across the country. Beyond the statistics, the creative industry is also an essential part of our national identity and a crucial instrument of the UK’s soft power on the world stage.

The temporary movement of talent across borders is crucial to the continued economic success of this world-leading sector. Within the music industry, 13% of the workforce are European nationals and, with a disastrous no-deal Brexit looming, they are understandably concerned for their future. This prosperous industry is able to flourish thanks to the diverse, global talent that contributes to all its sectors. It is therefore vital that that talent does not become yet another victim of the Government’s shambolic handling of Brexit.

Back in 2017, Labour made it clear that we were committed to putting the needs of the creative sector at the heart of any Brexit negotiation, but instead of listening to our call the Government have run down the clock on our negotiating time and unashamedly ignored the needs of the creative sector. A large proportion of artists’ income is reliant on their ability to freelance and tour cheaply and easily. Doing so also allows them to reach new audiences across borders and cultures. Does the Minister recognise that many artists will not meet the £30,000 income threshold due to the nature of their work, and that this will further limit access to new creative talent in the UK?

Today’s debate has raised three interconnected problems. The first is that, as a result of this Government’s chaotic Brexit strategy and the increasing likelihood of a no-deal Brexit, UK artists have an uncertain future in the EU. Movement across European borders is vital for the continued success of the UK’s creative sector. Currently, artists from across the EU do not need permission to perform in venues across the UK, and vice-versa. That means that an artist can perform in Amsterdam one night and Manchester the next without incurring any associated costs or red tape. Changes to that ease of movement will affect all those involved in the music industry, from large orchestras to up-and-coming musicians touring on a bootstrap.

As we look set to leave the EU, European artists will also now have to consider their ability to travel and tour in the UK. European artists due to perform in the UK in the coming months are now facing grave uncertainty, thanks to the situation that this Government have created as we head towards exit day. What is the Minister doing to reassure British and European artists that they will be able to continue to contribute to the creative sector in a post-Brexit world?

I will put Brexit aside for a moment to touch on the issue of non-EEA artists who come and tour here in the UK. As it stands, those artists are eligible for tier 5 temporary creative worker visas, permitted paid engagement visas and standard visitor visas. Big festivals and events such as the Edinburgh international festival and the Manchester international festival use those routes to bring thousands of foreign artists to the UK each year. In Edinburgh alone, the participation of those artists...
helps to attract an audience of 4.7 million to the city each year and generates over £300 million in cultural tourism.

Sadly, however, those artists are too often being turned away by the Home Office due to delays and poor decisions. Just last year, the prominent Palestinian writer Nayrouz Qarmout was refused entry three times before the Home Office eventually relented. In a similar case, the first showcase of Arab artists at the Edinburgh fringe festival was forced to cancel several of its productions after nearly a quarter of visas for performers were refused. From my own experience in Manchester, an internationally renowned artist who was due to perform at the festival was refused a visa and faced long delays in dealing with the Home Office. As a result of those issues, my team and I stepped in at the last minute and worked to ensure that artist was able to perform at the festival. Those artists are vital to the cultural enrichment of British society and should be welcomed by the Home Office, not turned away. Has the Minister considered the impact of the Government’s hostile environment on the creative sector, and will she engage with the industry to consider reforming the tier 5 visa application?

As we are all too aware, the hostile environment policies pursued by the Government have had an untold effect on migrants travelling to, working in, and creating a home in the UK. It is high time that the Government put an end to those policies. Labour has committed to dismantling this Government’s immigration regime and building a new system that is fair, open and welcoming.

I know I have touched on only a few of the issues raised in this debate, but I hope the Minister will provide answers to the questions I and colleagues have raised today. I will finish by saying this: if the Government continue to ignore the needs of the creative sector, they will wreak havoc on the UK’s cultural exports, our international soft power and our economy. It is vital that the UK’s creative sector does not continue to suffer under the Government’s irresponsible Brexit strategy or their hostile environment. The Government need to act now.

10.14 am

Deidre Brock: I appreciate that many of those festivals are part of that group, but does the Minister acknowledge that the list disadvantages much smaller festivals that do not have the capacity or funds to participate to the same extent as larger ones?

Seema Kennedy: Of course, in all areas of life smaller organisations are always disadvantaged. However, because I am quite new to this role, I am not entirely sure whether an artist going to, for example, Celtic Connections could then go to a smaller festival in the ambit of those six months. Because I am not entirely sure, I will not give an answer; I will clarify by writing to the hon. Lady.

The current tier 5 creative and sporting route can be used by musicians, actors or artists. Some of those nationals can benefit from visa-free travel to the UK for up to three months if they get a certificate of sponsorship, and a 12-month working visa is also available. However, that generous offer must be balanced against the need to keep the country safe and secure.

We have visas for a reason: so that we can see who is coming in and out of the country. Last year, more than 2.3 million visitor visas were granted, which is an 8% increase on the previous year. People came for leisure, study or business visits. The service standard for processing a visit visa is 15 working days, and last year UK Visas and Immigration processed 97% within that target. Over the recess, I had the great pleasure of visiting UKVI and speaking to several colleagues who work there. I, too, pay tribute to them for their work.

The onus of a system of this scale is on the applicant to demonstrate that they satisfy the rules, but we want to carry on working as closely as we can with stakeholders
to make sure that we are delivering an excellent service. This debate and the subsequent meetings that we will have are part of that. We need to preserve the integrity of our immigration controls.

David Linden: The Minister talks about 2.3 million visas having been granted. On protecting the integrity of the system, does the Home Office have statistics on how many people have absconded? Is it willing to put that into the public domain?

Seema Kennedy: I will come to that point later.

Last year, we published new guidance for UK creative event managers that provided an overview of what to consider in terms of planning for visas. We now have dedicated points of UKVI contact for those UK organisations organising UK events, which the hon. Member for Edinburgh North and Leith referred to. I am sure that people organising major creative events or international conferences will be able to take advantage of that. I bear in mind her point about smaller groups.

Afzal Khan: The Minister talked about achieving 97% in 15 working days. Is she willing to give us a breakdown of the different countries?

Seema Kennedy: I am not entirely sure, but I imagine that such things are in the public domain. I am almost positive that they are available, because of our great transparency, but I will not say from the Dispatch Box where they are when I do not actually know. I would never want to mislead the House.

We are working closely with other Government Departments, particularly the Department for Digital, Culture, Media and Sport. Officials have met sector representatives to understand the requirements of the creative sector. We have listened to stakeholders to ensure that our systems strike the right balance in terms of customer use and the integrity of our controls.

We want people to apply for their visas as early as possible. We published guidance for UK event managers that provides an overview of what to consider in terms of planning for visas and we also now have dedicated events. On what the Home Office and UKVI are doing, in May we published new guidance for our decision makers, including escalation procedures, to ensure that when they are assessing and making decisions on visitor visa cases, they consider all the evidence in the round, particularly UK sponsorship.

The hon. Member for Cardiff West, who is no longer in his place, referred to fees. I wholeheartedly disagree that they are a racket. The Immigration Act 2014 set out the governing factors that must be given regard to when fee levels are set: they include the cost of administering the service, the benefits likely to accrue to the applicant on a successful outcome, the costs of operating other parts of the immigration system, the promotion of economic growth, the fees charged by or on behalf of the Governments of other countries for comparable functions, and any international agreement. Having said that, we keep all visa, immigration and nationality fees under review.

Kerry McCarthy (Bristol East) (Lab): I apologise for not having been able to be present at the start of the debate.

On the point about fees, I have many cases where people’s visa applications are rejected for minor points, because a document has gone missing or they did not provide something with the right date. If it is rejected, they have no right of appeal, so they have to start all over again, not quite knowing what they did wrong. Would it not be easier if officials could just phone people up and say, “You haven’t sent in a copy of your landlord’s agreement”, or whatever is required? It would save so much money.

Seema Kennedy: Due to the nature and the great volume of visa applications, there are obviously cases where documents go missing at either end or where there is not clarity. If the hon. Lady has specific examples—

Kerry McCarthy: I have lots!

Seema Kennedy: My pile of letters is like the magic porridge pot—it never gets to the bottom. I am very happy to look at them.

I am aware of some of the problems experienced by international artists coming to the UK, to which we have heard reference today. There have been some refusals. I realise that delays or errors can have serious personal consequences for the individual, and reputational and economic consequences for the UK organisers of events.

As I have said on several occasions, however, I am committed to making the visitor system as simple and straightforward as possible, and to ensuring that decisions are right first time. That is important. We want to continue to deliver an excellent service for our customers.

The hon. Member for Edinburgh North and Leith referred to passports being lost. Everybody has the option to use the “Keep My Passport When Applying” service, but if she writes to me with a specific example of a lost passport, I will happily look into it.

The hon. Member for Glasgow North is a great champion of issues relating to Africa in this place. My predecessor met the hon. Member for Newcastle upon Tyne Central (Chi Onwurah), who is the chair of the all-party parliamentary group for Africa. We are keen to look at that issue. Visa applications from African nationals are at their highest level since 2013. The percentage of African nationals whose applications were granted is up by 4% on 10 years ago. The average issue rate for non-settlement visa applications submitted in the Africa region is consistent with the average issue rate for the last three years, which is 75%. There are problems in some cases, however; the hon. Gentleman referred to the difficulties that some of the people with whom he is engaged in Malawi have encountered with the new hub-and-spoke configuration of the system. I will keep that under review.

The hon. Member for Glasgow East (David Linden) talked about an immigration system with regional variations. We are clear that our future immigration system must work for every nation, region and community in the UK. We remain invested in fully engaging with the devolved Administrations. A regional immigration system is clearly problematic because we do not have internal controls. The Department considers that, given the complexity and scale of the effort, distortions or unintended
consequences could result from divergent approaches in the nations of the UK. The Migration Advisory Committee has noted that it does “not consider that there is a strong economic case for regional differentiation in migration policy”.

On the hon. Gentleman’s point about people who have absconded, I am afraid that we cannot reveal numbers. If an individual claims asylum, we cannot reveal it, because it could have an impact on his or her case. It is also difficult to quantify the number of people who are here illegally and have not brought themselves to the attention of Immigration Enforcement.

I turn to the future. The Prime Minister has been clear that we are leaving the European Union on 31 October, which will mean that freedom of movement as it stands will end when the UK leaves the EU. EU citizens will still be able to come to the UK on holiday and for short trips, but the arrangements for people coming to the UK for longer periods of time and for work and study will change. Details of other changes immediately after 31 October, and improvements for the new immigration system, are being developed.

I finish by paying tribute to all hon. Members who have spoken today. Members who have spoken today. They take the issue of our cultural life, the free exchange of ideas and the contribution of artists to our economy very seriously, as do the Government. In the Home Office, on visas, we have to balance that against keeping our borders safe and secure. I look forward to engaging with hon. Members on this issue in the future.

10.29 am

Deidre Brock: This has been an excellent debate. I really appreciate everyone’s contributions, including those of my hon. Friends the Members for Glasgow East (David Linden) and for Glasgow North (Patrick Grady). They gave excellent SNP support for the issue, although we will leave to one side their fantastical belief in the superiority of Scotland’s second city.

I also commend the hon. Members for Bristol West (Thangam Debbonaire), for Bristol East (Kerry McCarthy), for Cardiff West (Kevin Brennan) and for Manchester, Gorton (Afzal Khan) for their contributions. I welcome the Minister to her place. Her appointment is a relief, as there was a bit of delay between the previous Minister leaving and the present Minister arriving, to the dismay of a number of organisations that are anxiously waiting for developments in the brief. I welcome her offer of a meeting, and I will immediately set about co-ordinating that with a variety of the many interested parties straightaway.

As the Minister has heard from hon. Members, and from the many comments I mentioned from a wide range of organisations, despite the small amount of movement that we have seen, which is to be welcomed, numerous bodies are continuing to experience considerable difficulties. There must be improvement as soon as possible. I look forward to that meeting. I also very much hope that the Minister will take up the invitation from the Cabinet Secretary for Culture in the Scottish Government to the forthcoming summit on the issue, and particularly on visas for festival performers. I hope she will look out for the invitation in her mailbox. I thank all hon. Members for their contributions; this has been a very useful debate.

Question put and agreed to.

Resolved,

That this House has considered artist visas.

10.31 am

Sitting suspended.
Vessel Emissions: River Thames

11 am

Matthew Pennycook (Greenwich and Woolwich) (Lab): I beg to move,

That this House has considered emissions from vessels on the River Thames.

It is a pleasure to serve under your chairmanship once again, Mr Gray, and I am pleased that amid the current political turmoil time has been found to debate this important issue, which is of real concern to large numbers of my constituents. I have been seeking the debate for some time, and I am grateful to the Minister who will respond to it on what has been short notice.

The Minister is well aware, not least because of the numerous times I have raised this in the main Chamber, of the historical proposal to construct a cruise liner terminal at Enderby Wharf in east Greenwich, in my constituency. That proposal was extremely contentious locally, not because large numbers of my constituents were implacably opposed to the siting of a terminal in the area or did not recognise that it had the potential to make a positive contribution to Greenwich in tourism, jobs and revenue for local business, but because residents would not accept—I count myself as one of them—the negative impact that the terminal as proposed would have had on local amenities and, in particular, on the quality of the air we breathe.

For that reason, I fought alongside local community and amenity groups to secure a clean, green terminal at Enderby Wharf—one that would have met the highest, not just the most basic, environmental and air quality standards—or, if one could not be secured, for the proposal to be scrapped altogether. In the end, after a sustained effort over several years to bring home to the developer the reputational cost of seeking to proceed with plans for a terminal that was not environmentally sustainable, we won: the then owner, investment bank Morgan Stanley, announced that it was scrapping its plans. On Friday 5 July, Criterion Capital, a property company that I understand owns and manages a £2 billion commercial complex at Enderby Wharf, one that would have met the highest, sustainable, standards—or, if one could not be secured, for the developer would not listen and commit to plans for a clean, green terminal on the site.

For that reason, I fought alongside local community and amenity groups to secure a clean, green terminal at Enderby Wharf—one that would have met the highest standards—or, if one could not be secured, for the proposal to be scrapped altogether. In the end, after a sustained effort over several years to bring home to the developer the reputational cost of seeking to proceed with plans for a terminal that was not environmentally sustainable, we won: the then owner, investment bank Morgan Stanley, announced that it was scrapping its plans. On Friday 5 July, Criterion Capital, a property company that I understand owns and manages a £2 billion commercial complex at Enderby Wharf, one that would have met the highest, sustainable, standards—or, if one could not be secured, for the developer would not listen and commit to plans for a clean, green terminal on the site.

Jim Fitzpatrick (Poplar and Limehouse) (Lab): I commend my hon. Friend for securing this debate and congratulate him on his campaign to protect his residents against emissions from the Thames. My constituency is right across the Thames from his, and I was happy and proud to support his campaign. He has used the words “we won”, but is it not a shame that we were not able to secure the investment, jobs and all the rest of it to support London, the Thames and tourism because of the inability to agree a sustainably environmental project, which everyone would have welcomed had it been achieved?

Matthew Pennycook: My hon. Friend is absolutely right. It was a great frustration to him, as it was to me, that the developer would not listen and commit to plans for a clean, green terminal and shore-to-ship power.

Nevertheless, it was right that the proposals as set out were scrapped, and residents very much welcomed that. I also welcomed Criterion Capital’s confirmation that the proposals had been scrapped. However, the final demise of the terminal does not mean that the problem of toxic emissions relating to activity on the River Thames has been solved for those living in my constituency. The issue remains of emissions from other vessels using the river and, in particular for my constituents who live in west Greenwich, the emissions from the large number of cruise liners that dock at Greenwich pier each year.

In the time available I will argue that the Government must do more to address that problem and that the best means of doing so is by overhauling the fragmented arrangements in place for regulating the Thames and by establishing a coherent and effective emissions control framework for the river that will improve air quality for those communities that live beside it.

Jim Shannon (Strangford) (DUP): The problem of emissions in London and on the Thames in particular is clear, but emissions throughout the United Kingdom are an important issue as well. Does the hon. Gentleman feel that it is important for the Lord Mayor of London, the Port of London Authority, and the Maritime and Coastguard Agency to come together to set emission reduction targets and to ensure that they are achieved?

Matthew Pennycook: The hon. Gentleman is absolutely right that a huge number of organisations have some regulatory role or other with regards to the river. As I will come on to argue, we need to bring some coherence and simplification to that by means of a single regulator for the Thames.

I do not need to spend much time outlining why air pollution is such a serious problem. There is growing awareness among the public about the fact that the toxic and illegal levels of air pollution across our country are an invisible hazard that contributes to the ill health and premature deaths of tens of thousands of people each year, including thousands of Londoners. There is a growing realisation that air pollution constitutes a public health crisis. The public are perhaps less aware of the fact that shipping emissions, in the form of nitrogen oxide and dioxide, as well as sulphur, are a major source of that pollution. Indeed, if concerted action is not taken, by 2020 shipping will be the biggest single emitter of air pollution in Europe.

As things stand, emissions from vessels on the River Thames are not the most significant contributor to air pollution in London, but their contribution is still significant. In the absence of concerted action, as road and other emissions sources are steadily reduced—for a variety of reasons—emissions from the river will account for a steadily higher proportion of London’s total. Crucially, emissions from the River Thames are necessarily concentrated in riparian parts of London such as Greenwich and Woolwich, which already suffer from incredibly poor air quality, in particular in hotspots such as east Greenwich or Charlton in the vicinity of the A102. That is why more must be done to bear down on emissions generated by vessels using the river, a huge variety of which do so, each and every day.

I have already mentioned that the primary concern in the corner of south-east London that I represent is the extremely large cruise liners that berth at Greenwich ship pier. According to the Port of London Authority, the body responsible for vessels mooring at the pier, 12 cruise liners berthed at Greenwich last year and a total of 14 are set to do so this year.

The Minister is well aware, not least because of the numerous times I have raised this in the main Chamber, of the historical proposal to construct a cruise liner terminal at Enderby Wharf in east Greenwich, in my constituency. That proposal was extremely contentious locally, not because large numbers of my constituents were implacably opposed to the siting of a terminal in the area or did not recognise that it had the potential to make a positive contribution to Greenwich in tourism, jobs and revenue for local business, but because residents would not accept—I count myself as one of them—the negative impact that the terminal as proposed would have had on local amenities and, in particular, on the quality of the air we breathe.
probably has some sense of the size of vessel in question. They are huge. When berthed, such liners are, in essence, floating hotels and are required—in the absence of the shore-to-ship power for which my hon. Friend the Member for Poplar and Limehouse (Jim Fitzpatrick) and I were campaigning—to run their engines in order to serve their onboard guests.

I am no shipping expert, but my understanding is that an average cruise liner running its auxiliary engines while berthed burns approximately 700 litres of diesel fuel an hour, the equivalent of 688 idling heavy goods vehicles. By any account, the emissions they generate are considerable.

All such ships must of course comply with international emissions standards. Those are complex, with different standards for nitrogen oxides and sulphur, as well as with greenhouse gases at different tiers, but in general terms they require emissions from vessels to be equivalent to burning 0.1% sulphur fuel or less. That sounds stringent, but those standards need to be set in context. A limit of 0.1% sulphur fuel or less is more than 100 times the amount of sulphur permitted in road diesel.

It is true that river vessels are subject to progressively tightening emissions standards internationally, but it is also the case that new or forthcoming regulatory measures, such as the introduction of the North sea emissions control area from 1 January 2021, are not particularly ambitious. They will not apply to onboard generators used when a vessel is berthed; to vessels built before the date that the area comes into force; or to existing vessels that replace their engines with non-identical ones or that install additional ones. Given that vessels tend to have significantly longer lifespans than road vehicles, the impact of such measures on fleet renewal is likely to be minimal.

Personally, I do not believe that the solution to this problem is to ban all cruise liners from entering London. However, I am convinced that we require more stringent emissions standards for vessels using the River Thames, including cruise liners of the kind that berth at Greenwich Pier, than what is required now or will be required in future years by way of international shipping standards, so that the problem does not exacerbate already poor local air quality and adversely impact on the health of Londoners, in particular those living in developments close to the shoreline.

The barrier to more effective emission standards for vessels on the Thames is the fact that responsibility for regulation of the river is utterly fragmented—that was alluded to by the hon. Member for Strangford (Jim Shannon)—and no existing regulator has a clear responsibility for improving air quality or reducing emissions overall. At present, a wide range of organisations either have responsibility for regulating different classes and uses of vessels on the Thames or have commercial influence on them through ownership or tendering. They include the Port of London Authority, the Environment Agency, the Maritime and Coastguard Agency, riparian boroughs with boundaries that lie in the river itself, such as Greenwich, and Transport for London. By my calculation, there are more than 20 such organisations with some type of regulatory function.

The inherent conflicts of interest further complicate the problem of regulatory fragmentation. The Port of London Authority, for example, is under pressure to play its part in improving air quality in London and has developed a groundbreaking air quality strategy to that end. It is investing in a comprehensive air quality monitoring programme around Greenwich ship tier and is looking into the practicalities, costs and benefits that shore power might bring to its London moorings. Yet it receives income for the duration of each vessel’s stay at its moorings, including the large cruise liners that berth at Greenwich pier, and it has no formal responsibility to regulate the emissions generated by the vessels to which it issues licences.

That is not a criticism of the PLA or any other organisation with some form of regulatory role on the Thames or commercial influence. In fact, I am confident that each of them is doing as much as it feasibly can within the current framework. For example, Transport for London is developing a tier strategy that could incentivise the use of vessels with high emissions standards, and has led by example by ensuring that the Woolwich ferry service now has upgraded stage V, hybrid vessels, fitted with additional post-exhaust treatment to reduce emissions and an innovative docking system whereby new vehicles do not have to run their engines at berth.

Another example is the Mayor of London, who has allocated £500,000 from his air quality fund to retrofit 11 vessels, and commits in his transport strategy to support proposals to ensure that new and refurbished wharves, piers and canal moorings generate renewable power onsite.

The efforts undertaken by individual organisations, however, are necessarily piecemeal. They are not enough to adequately bear down on harmful emissions generated by vessels across the river as a whole, and they are not an adequate response to the issue of the most concern to those I represent: emissions from cruise liners berthing at Greenwich pier.

Two things are needed to tackle air pollution on the River Thames, alongside the Government’s wider measures for the UK as a whole. I hope the Minister, her officials and her colleagues in other Departments will give them serious consideration. The first is the establishment of a single overarching regulator for the Thames and London waterways, to replace the present fragmented regime. The second is the introduction of a coherent and effective London-wide emissions control framework on the river, to replace the patchwork of diffuse and overlapping responsibilities currently in place.

The current regulatory set-up for vessels on the river is not only complex and opaque but simply inadequate to reduce shipping emissions at the scale and pace required. Let me give a practical example of why that is the case. The various organisations that have responsibility for regulating different classes and uses of vessels on the river must accept each other’s licences in certain circumstances. That means that any positive action by one organisation with regulatory responsibility can easily be undermined by another. It is a classic collective action problem. The PLA’s green tariff, which has been moderately successful at places such as Tilbury, will never work as effectively as a coherent London-wide framework for emissions standards on the river, because its impact can easily be undermined by the behaviour of less proactive organisations.

The situation cries out for a coherent and consistent approach. Replacing the current multi-regulator system with a single overarching one, either by creating a new
The Minister of State, Department for Environment, Food and Rural Affairs (Dr Thérèse Coffey): It is a pleasure to serve under your chairmanship, Mr Gray. I congratulate the hon. Member for Greenwich and Woolwich (Matthew Pennycook) on his perseverance in securing this debate. I read on his blog that he had been putting in for it for some time, and I congratulate him on his tenacity. I welcomed the interventions from the hon. Member for Strangford (Jim Shannon), who is hon. Member for Poplar and Limehouse (Jim Fitzpatrick) on his perseverance in putting in for it for some time, and I congratulate him on his tenacity. I welcomed the interventions from the hon. Member for Strangford (Jim Shannon), who is right to suggest that, although this debate is about the Thames, there may be similar issues in other parts of the United Kingdom.

Improving air quality and reducing emissions is a top priority for the Government. I assure hon. Members that we are committed to reducing emissions from ships and river transport, to reduce their impact on the environment and subsequently improve public health. While it is important that we continue to improve air quality on the Thames, it is also important to remember that the river has contemporary importance as a transport route and plays a role in reducing congestion and pollution on London roads. For example, the Battersea power station project is using the Thames to transport materials, avoiding road transport, and hon. Members will have seen the barges going past the House of Commons that take a lot of waste out towards east London and beyond.

Unusually, I am assisted today by officials from another Department, as a lot of the issues raised by the hon. Member for Greenwich and Woolwich relate to the Department for Transport. Although it is for the Department for Environment, Food and Rural Affairs to respond to this debate, given the mention of emissions and vessels, I emphasise that our Departments are working together on this issue. I am pleased to be supported by high-level officials from the Department for Transport, who have supplied some helpful notes—and may need to supply a few more if there are further interventions.

Air quality is improving nationally. We published our clean air strategy earlier this year, which the World Health Organisation welcomed as an “example for the rest of the world to follow”. I am proud that it is the most ambitious air quality strategy in a generation, which aims to cut air pollution and save lives. It sets out how we will work towards some ambitious targets, working closely across all parts of Government and society to meet those goals. The broad scope of actions outlined in the strategy reflects the fact that if we are to fully address poor air quality, we need to look beyond roadside emissions to the full range of pollution sources that contribute to the problem in a systemic way.

We have new and ambitious goals, intended legislation, investment and policies to help us to clean up our air faster and more effectively. In line with that approach, the clean air strategy identifies shipping and river transport as a potentially significant source of local public exposure to harmful pollutants that we must address. When preparing with officials for the debate, I was under the impression that approximately 1% of London’s emissions are considered to come from the river, and I have more to say on the further work we intend to undertake on that.

The hon. Gentleman mentioned the complexity of the regulation of vessels on the River Thames, and the impact on air quality. It is true that there are multiple agencies and authorities with responsibility for regulating the different classes and uses of vessels, including those on the Thames, and for driving efforts to improve air quality in London. He suggests that the system is fragmented. I recognise that it has complexity, which is due to the need to appropriately regulate a diverse group of international, inland and domestic vessels. The intricacy is a barrier to understanding emissions...
from vessels, and it is increasingly a barrier to identifying where further supportive or regulatory action could be necessary.

The Government recognise that, to tackle emissions from shipping effectively, we need first to have a better understanding of the emissions, and then to review the technical, operational and regulatory options that are available. In July, the Government launched a wide-ranging call for evidence, seeking to close this evidence gap. The call is open until 11 January 2020. The time provided for the call is deliberately lengthy, so that we can maximise participation from groups such as operators of smaller vessels, which tend to be busiest in the warmer summer months.

Let me set out the action that the Government have already taken, and are planning to take in the future, to control emissions from vessels in UK waters and on our waterways. The Government are keen to ensure that air pollution from ships is reduced, with a long-term goal set out in the clean maritime plan to achieve a zero-emissions domestic shipping sector by 2050. Significant action has already been taken to tackle this important issue in a number of key areas.

At UN level, with the International Maritime Organisation, we have consistently pressed for the most stringent international controls in high-risk areas such as the North sea and the English channel, with the result that they are internationally recognised as sulphur emission control areas. In 2015, a sulphur cap of 0.1% was introduced in the North sea emission control area, including the Thames, entailing a tenfold reduction from the previous sulphur limit of 1%. The IMO has further agreed a 0.5% sulphur limit for global shipping outside emission control areas from 1 January 2020—a reduction of 3 percentage points from the current limit.

Importantly for the UK and the Thames region, the IMO has also agreed to the introduction of a NOx emission control area for the North sea from 1 January 2021. As the hon. Gentleman identified, this will reduce NOx emissions from new ships operating in this area by around three quarters. I asked exactly the same question that he did: why does this apply only to new ships? It is because this is the agreed approach on IMO rules. They are applied to new ships only and do not apply retrospectively.

Furthermore, the UK has been at the forefront of pushing for an ambitious strategy at the IMO to reduce greenhouse gases from shipping. Member states have committed to phasing out greenhouse gas emissions from shipping as soon as possible in this century, and by at least 50% by 2050. As part of this work, we have secured mandatory energy efficiency requirements for new ships entering the fleet, with a resulting reduction in fuel consumption and associated air pollution from such vessels.

All these controls have delivered and will continue to deliver major emissions reductions and benefits to air quality. They have also stimulated the development and uptake of alternative fuels, innovative green technologies and new ship designs that offer a long-term route to zero-emissions shipping. The Government intend to introduce the Environment Bill when parliamentary time allows. The principal aim of the air quality provisions in the Bill is to enable stronger, more effective action to be taken on addressing the health impacts associated with poor air quality.

More specifically for shipping, the clean maritime plan that was launched in July establishes the Government’s environmental route map for shipping and builds on the vision found in our “Maritime 2050: navigating the future” publication, which aims to shape up the future of the maritime sector and includes a long-term vision of zero-emissions shipping. The core commitments in the clean maritime plan include a call in 2020 for evidence on non-tax incentives to support the transition to zero-emissions shipping, a consultation on how the renewable transport fuel obligation could be used to encourage the uptake of low-carbon fuels in the maritime sector, and a green finance initiative that will be launched next week during London international shipping week. As the DFT has written this part of the speech, I hope I have not done an unscheduled release of that information—I am sure the Department is being careful.

We have set up a working group and study to identify and support potential UK zero-emissions shipping clusters, which could include the Thames. There is also Government support for clean maritime innovation in the United Kingdom, including funding of £1.3 million to support clean maritime innovation through Maritime Research and Innovation UK—MarRI-UK. There is grant support for early-stage research projects related to clean maritime, and a Clean Maritime Award to celebrate leaders in the field of emissions reduction. A maritime emissions regulation advisory service—MERAS—will be in place by 2020 to provide dedicated support to innovators using zero-emissions propulsion technologies. The clean maritime plan also contains a number of zero-emissions shipping ambitions and outlines the Government’s vision for the future of zero-emissions shipping and the milestones that will need to be achieved to reach it.

The clean maritime plan was launched on the Thames, with the port of London’s first hybrid tug alongside, and it is intended to be the first step in a journey to deliver zero-emissions shipping in the UK. The Government welcome and encourage Thames stakeholders to engage with the MarRI-UK innovation fund, and to consider how our plans for green finance could support emissions reductions on the river. As I highlighted at the start of my response, the call for evidence is currently open and seeks to gather information on emissions from vessels operating domestically in UK waters, including inland waterways such as the Thames. The outcome will play a key role in formulating future policies.

The hon. Gentleman specifically asked about what could be done to have a London-wide framework for emissions standards. It is interesting to consider how we can make that work together—particularly with the Mayor for London, but also with the Department for Transport. My understanding is that, with all the different bodies to which the hon. Gentleman has referred, the Government do not deem it appropriate to have a single body undertake such work in the future. I appreciate that it might appear complex, but once we have the information to understand the source of emissions, it will allow the bodies that already work together rather effectively to do that even more, with the evidence to support that work.

The hon. Gentleman also referred to existing cruise liners. I recognise that the proposals for Enderby wharf have been dropped, but it is important to stress that we need to make changes at the IMO, which is an international
organisation, and to the international nature of shipping, so that, as an island nation, we can continue to make sensible progress as we go forward.

By sharing some of the detail of the clean maritime plan—the hon. Gentleman referred to aspects of technology that he hopes will come along further—I hope I have addressed many of the points that he raised. I can assure him that the Government are committed to addressing emissions from shipping, including both our international and domestic fleets.

Matthew Pennycook: Before the Minister brings her remarks to a close—I appreciate the complexity and cross-departmental nature of this issue, so I am happy for her to write to me—it would be good to have some idea about what dialogue is happening between her Department, DFT, the Mayor of London and the Deputy Mayor on the issue of a single regulator. I note what she says about the Government’s position, but they are convinced that this is the way forward.

Dr Coffey: Well, I will not commit to write to the hon. Gentleman personally, but I will share his request with the Maritime Minister, my hon. Friend the Member for Wealden (Ms Ghani). I know she is a responsive Minister and will do her best to work on that.

We have taken concerted action internationally to tackle emissions from ships. We are working actively to better understand the domestic issues in order to inform future policy decisions. I invite the hon. Gentleman and his constituents, and indeed all hon. Members who represent constituencies along the Thames, to participate in the call for evidence that will shape our next steps.

Question put and agreed to.

11.28 am

Sitting suspended.

LGBT Community and Acceptance Teaching

[SIR ROGER GALE in the Chair]

2.30 pm

Daniel Kawczynski (Shrewsbury and Atcham) (Con): I beg to move,

That this House has considered teaching on LGBT community and acceptance in schools.

It is a great pleasure to serve under your chairmanship, Sir Roger. I am glad to be able to highlight lesbian, gay, bisexual and transgender tolerance and education and acceptance in schools. I called for the debate for two main reasons. The first is the protests at schools in Birmingham that I have seen on television recently. My constituency is in that region, and in the past few months an increasing number of protests have been held outside Birmingham schools, with parents protesting vociferously against any form of LGBT teaching. The second is that my House of Commons researcher came to see me the other day to highlight a situation in which a friend of his had come out to him, crying, very upset and vulnerable. He did not know how he was going to broach the subject with his family. It is clearly worrying that even in 2019 there are still young people who are fearful of broaching with their most intimate and closest friends and family members the subject of who they are falling in love with and their sexuality.

I was born in communist Poland. I believe I am the only Conservative Member of Parliament to have been born in a communist country. That this House has considered teaching on LGBT community and acceptance in schools.

I beg to move.
I have to say that when I was a young person, I actually went as far as to try to trick my own brain into thinking I was straight. You do it over and over again. You pray to God, “Please, could I be a heterosexual and be interested only in women?” so that he will change you somehow and you will not have these strange feelings. You try to trick the brain. The most important thing I have learned in my 47 years is that you cannot trick the brain. You can do almost anything, but you cannot reprogramme your mind and your brain to be something sexually that you are not.

When it was time to come out, I had to go back to Shrewsbury to inform the Shrewsbury Conservative association that, having been married to a lady for 10 years, I was now in a same-sex relationship. I was so fearful, given the conditioning I had gone through as a child, that I had to go and talk to the House of Commons health and wellbeing service. They are, as you know, Sir Roger, great people who help Members of Parliament through periods of stress and strain and mental problems. I pay tribute to the wonderful men and women who work in the health and wellbeing service who helped me so much to have the confidence and courage to go back to Shrewsbury to announce to my local association that I was now in a same-sex partnership. I have to say that, although they had coaxed me into it, when I was on the train from London to Shrewsbury, I prayed on, I think, three separate occasions for the train to break down. I still could not quite face it. I hoped that there would be some sort of godly intervention—something would happen, and a tree would fall on the track—or the train would be delayed and I would miss my connection and not have to do it. The train arrived at Shrewsbury train station on time, unusually, and I went to see my local association.

I gave my monthly report to the 50 most senior members of Shrewsbury Conservative association, who were sitting in front of me in the room. I went through what was happening here in the House of Commons, politics and some of our achievements in securing investment for Shrewsbury in the last quarter. I looked at the 50 faces in front of me. As I am sure everyone will agree, members of political parties—Conservatives and Labour—are marvellous men and women. They are the hard workers who go out there in the rain, delivering leaflets, organising campaigns and taking abuse on the doorstep. We get paid, but they do it for free. I always say that these men and women are the salt of the earth. They believe in their nation, whatever their politics, and some of our achievements in securing what was happening here in the House of Commons, were sitting in front of me in the room. I went through periods of stress and strain and mental problems. Sir Roger, great people who help Members of Parliament through periods of stress and strain and mental problems. I pay tribute to the wonderful men and women who work in the health and wellbeing service. They are, as you know, Sir Roger, great people who help Members of Parliament through periods of stress and strain and mental problems. I pay tribute to the wonderful men and women who work in the health and wellbeing service. They are, as you know, Sir Roger, great people who help Members of Parliament through periods of stress and strain and mental problems.

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“Civil Partnerships were a huge step change in acceptance of our lives and relationships.”

Of course, the subsequent Conservative Government introduced equal marriage; I will come to that later.

Mr Hardy has been at the forefront of creating the Shropshire Rainbow Film Festival, which started in 2006 and has gone from strength to strength. He writes:

“In 2011, we advertised with banners across the streets—a huge step forward. Year upon year, the Festival has become very successful and more heterosexual people have attended, realising that our lives and experiences are not separate.”

He has written the words “banners across the streets” in bold and underlined them. This is about being proud to be gay and proud that there is a film festival promoting LGBT rights and experiences. This is not in metropolitan London, but in quiet, sleepy Shrewsbury. The huge enthusiasm for LGBT rights in Shrewsbury comes to the fore in everything that Mr Hardy has been telling me over the years. He is a staunch socialist and a strong Jeremy Corbyn supporter, so Members can imagine how little he and I have in common when it comes to politics, but we are kindred spirits when it comes to promoting LGBT rights and sharing our experiences.

Mr Hardy goes on to talk about the campaign for equal marriage. The Roman Catholic bishop was often on the front page of the Shropshire Star opposing it. He says:

“We distributed fliers, wristbands and encouraged people to write to their local Members of Parliament.”

That is an important issue to highlight. I remember the debate we had on equal marriage. It was a difficult issue for me: at that stage, I had not come out and many constituents wrote to me, angry and furious that we could even be contemplating equal marriage. Same-sex partnerships were one thing and civil partnerships were another, but hon. Members will remember the anger, antagonism and frustration about equal marriage. People felt it was a step too far—that marriage was only between men and women, and that we should not be pursuing it. It was difficult for me at that time, but I voted for equal marriage and I am proud to have done so. I am even more proud that a Conservative Government put it on the statute book.

A very religious couple from the village of Condover—I will not mention their names—spent the day with me on the day we were passing the Marriage (Same Sex Couples) Act 2013. They and their two children had lunch with me in the House of Commons. Their son had been at Shrewsbury School and was now a doctor in Manchester. The mother, who was a strong Protestant, turned to me and said something that will stay with me forever. She said, “You have to vote for equal marriage because I don’t want my son living in sin.” Just remember that for a moment: it came from a devout Protestant in conversion therapy deeply troubles me. I call on the

and to see the applause and cheering from all young people in Shrewsbury for that float was something very powerful for me. I am very grateful for that. Of course, the LGBT float has received many prizes over the years.

Getting back to specifically the schools element on this, I wanted to read out something that Stonewall sent me. It is a quote from Joshua, 19, from Scotland. He says:

“I think there needs to be a fundamental rethink about how we teach young people about sex, love and relationships. LGBT issues need to be an important part of our curriculum in order for us to truly feel we are part of an equal society.”

Stonewall sent me a lot of evidence, and another quote that struck me was this—I would like hon. Members to really listen and remember it:

“A growing number of faith schools”—not ordinary schools, but faith schools—

“are delivering LGBT-inclusive teaching. They are doing this not in spite of their faith ethos, but because of it—by recognising the values of love, tolerance and acceptance that lie at the heart of their faith.”

That is such an important quote because—I have said this from my own experiences of Roman Catholicism, but it also applies to certain Muslim groups and others—the intolerance toward homosexuality. I would argue, goes squarely against the teachings of those religions, especially my religion of Catholicism, which seeks to promote love, tolerance and acceptance. That is very important to remember.

Ahead of this debate, the House of Commons decided to post on Facebook to ask for people’s views and experiences of teaching on LGBT community and acceptance in schools. There are two quotes that I think are relevant and that I wanted to share. One is from somebody at Lacuna magazine, a magazine that promotes human rights. This person writes:

“When I think of how the knot in my teenage heart could have been loosened if I had even one lesson at school telling me I wasn’t broken or put together wrong...I realise that this isn’t a religious or even spiritual debate. It’s a matter of human rights.”

There was also a quote from the National Secular Society:

“We agree wholeheartedly with Daniel Kawczynski MP that it is important to make sure all children, from an early age, are taught that there is nothing wrong with being gay. We also agree that doing so would help to improve mental health and reduce bullying and abuse. We fully support efforts to make education in the UK inclusive for all. We urge the government to ensure every child, regardless of their religious background, leaves school in the knowledge that LGBT+ people are equal and that it’s perfectly OK to be gay.”

I am going to wrap up shortly, but I want to ask the Minister about the LGBT action plan that the Government have put in place. Of course, it has not received sufficient attention because of the merry-go-round that is Brexit and the focus on that, but I ask the Minister about one thing that particularly appals me: conversion therapy. I think of conversion therapy as some sort of Frankenstein’s monster of abuse—not only physical abuse, but mental torture. I could not imagine anybody possibly wanting to send their child to have it.

As I have said, it is impossible to recalibrate the mind. It is impossible to trick the mind. It is impossible to turn somebody from being gay to being straight. The mental angst and torture that children would go through in conversion therapy deeply troubles me. I call on the
Minister to explain to us when the practice will be outlawed in the United Kingdom and to give me an update on the matter.

On the one hand, I respect the rights of the parents outside schools in Birmingham to demonstrate. Nobody wants our children to have overtly sexual things in schools at an inappropriately young age. This is a delicate matter and it must be treated with a huge amount of sensitivity. However, I appeal to those protesters: what sort of a message does it send out to young LGBT people when we see the anger, the rage and the vitriol emanating from them on LGBT issues?

By all means, if they have concerns about LGBT acceptance and education in schools, they ought to be coming to see the Minister, lobbying Government and questioning and probing all the time about how it will be implemented and what the sensitivities are, but I appeal to them to show some tolerance and some civility, given how vulnerable young people are at that stage, and not to do anything that sets young people thinking that they are not worthy and somehow unequal. I went through that as a young person, and I do not want young people to go through that again.

Ms Harriet Harman (Camberwell and Peckham) (Lab): Will the hon. Gentleman give way?

Daniel Kawczynski: I will take an intervention from the right hon. and learned Lady, somebody from the Labour Benches whom I respect enormously—that has probably done her career no good whatever, but she is.

Ms Harman: I was finding it difficult to know when to intervene on the hon. Gentleman’s speech, because it has been so powerful and heartfelt that I have no words, except to say how much I applaud absolutely everything he has said. I want him to know that I think his words here today will mean that the knot in many teenage hearts will have been loosed. I feel so proud that he is a Member of our House and that he has used his own personal experience, as well as his analysis, to make this speech. It has been very important and I thank him for doing it.

Daniel Kawczynski: I thank the right hon. and learned Lady and I pay tribute to her. She has been a stalwart of campaigning for equality on LGBT issues—and not just today, when it is easier so to do; she was at the forefront of campaigning on LGBT issues back in the ’70s, ’80s and ’90s, when it was not so easy. She is not part of the LGBT community herself, so her empathy on this issue just shows how pioneering and visionary she is, and the integrity and honour that she has always displayed as a Member of the House of Commons.

I end on this point. I am not really a football fan so I do not follow football, but recently a famous footballer was apparently going to come out, but he decided not to. It was all over the radio that he was going to announce that he was out and start raising LGBT issues, and then he decided to back off. I say to him, publicly and on television, and to anyone who has a position of responsibility or a public profile, whether they are footballers, play for England’s rugby team, are television presenters or are a Member of Parliament, if someone is gay and they have come out, it is extremely important to do what I am doing today—to carry on talking and giving assurance to young people that, if they go through this process, 99 out of every 100 people will show them love, tolerance and understanding.

I took my beloved mother on holiday to our favourite Polish seaside resort with my partner, Fernando, and I would like to inform hon. Members that after eight years of being together, Fernando and I are going to have a civil partnership ceremony in the House of Commons on 9 November. It is on a Saturday and even if we have an election I will abandon campaigning to come back for my civil partnership; I am not going to leave my hubby at the altar just because of the general election—I can tell you that for nothing!

We have a duty and a responsibility to carry on talking and to give people confidence in the extraordinary, positive experiences that we have had with our fellow men and women in society and to demonstrate how loving and tolerant they are to us.

I took my mother on holiday and she gave me one example of prejudice. My mother lives in Gloucestershire, but every election time, she comes to Shrewsbury. Nobody works harder than my mum when it comes to handing out leaflets on doorsteps and canvassing. I was talking to her about this debate, and she told me a story. Two men in Shrewsbury—I will not mention where—looked at her in horror when she told them that she was campaigning for Daniel Kawczynski and that she was his mum. They looked at her with disgust and said to her, “Of course we are not going to vote for that deviant.” It is a shame, is it not, that we can never reason with prejudice? There are always going to be prejudiced people in our society. She was upset, of course, that they would say that to her. I would hope that they would assess me and any other gay Member of Parliament on our politics and what party we stand for, rather than on whom we love and want to be with.

I remember watching Margaret Thatcher in 1979, when she was asked on television how she could be Prime Minister when she was a woman. In 1979, many people were fearful and questioned the ability of a woman to be Prime Minister. I will never forget that Margaret Thatcher said that it was as well that those people did not live in the period of Elizabeth I. What would have happened to our great nation if it was not for great women such as Elizabeth I and what they did for our country? Margaret Thatcher fought against prejudice when it came to women standing in politics and achieving the highest office. Today, in a different way, we are standing against the prejudice that still exists in our country.

I have been to more than 90 countries in the world through business and politics. This is one of the most, if not the most, tolerant and welcoming of societies that I have come across in any country in the world. Sometimes, I think because we are British, we tend to hide our light under a bushel. We ought to be extraordinarily proud, despite our huge political differences over Brexit and other issues, of the beacon of tolerance that this country exists in our country.

We have a duty and a responsibility to carry on talking and to give people confidence in the extraordinary, positive experiences that we have had with our fellow men and women in society and to demonstrate how loving and tolerant they are to us.

I remember watching Margaret Thatcher in 1979, when she was asked on television how she could be Prime Minister when she was a woman. In 1979, many people were fearful and questioned the ability of a woman to be Prime Minister. I will never forget that Margaret Thatcher said that it was as well that those people did not live in the period of Elizabeth I. What would have happened to our great nation if it was not for great women such as Elizabeth I and what they did for our country? Margaret Thatcher fought against prejudice when it came to women standing in politics and achieving the highest office. Today, in a different way, we are standing against the prejudice that still exists in our country.

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Sarah Champion (Rotherham) (Lab): As ever, it is a pleasure to serve under your chairmanship, Sir Roger. I particularly want to thank the hon. Member for Shrewsbury and Atcham (Daniel Kawczynski) for securing this debate. His personal reflections bring so much to the debate. It is genuinely inspiring. I know that young LGBT children and adults will be listening, and to see that someone is able to speak out in this place and be proud to speak out is so inspiring.

I want to reflect on the hon. Gentleman’s opening remarks about young people internalising the perceived shame of being gay, and his closing remarks about the intolerance in society and how that can impact on young LGBT children’s lives. For me, relationship education is about keeping all children safe. We have to be aware that four in five young trans children and three in five young LGB children self-harm, and that two in five trans children and one in five LGB children contemplate taking their own lives because of the pressure put on them by an intolerant society. That is why, along with colleagues and charities, I campaigned so hard for relationship education, particularly at primary school age. I firmly believe that its introduction will have a transformational effect on the next generation, supporting them to form healthy relationships, be tolerant, recognise harms and have safe sex.

We know that LGBT young people are often more vulnerable, face greater risks and have lower levels of wellbeing than their peers. Robust, age-appropriate relationships and sex education that is inclusive of LGBT young people and integrates them fully into the curriculum can help to reduce those risks. Research has shown that LGB young people are more likely to engage in risk-taking behaviour, including unprotected sex. Sex education at secondary school will give pupils information about safe sex and sexually transmitted infections, including HIV/AIDS. Young people need to be aware of the facts. They need to appreciate the importance of condoms and know how to use them properly. They need to be aware of post-exposure prophylaxis, pre-exposure prophylaxis—anti-HIV medications—and where they can find out more information.

LGB young people are also at risk online, being more likely than non-LGB peers to experience online victimisation and have online sexual conversations with people five years older or more. Studies have shown that gay and bisexual boys are particularly vulnerable to exploitation by those of the same sex. RSE will support young people to recognise the dangers of grooming and educate them to spot dangers online. RSE can support all young people to make sensible decisions about meeting up with strangers and using relationship apps intended for adults such as Tinder or Grindr, and, importantly, can teach them about consent, particularly informed consent.

RSE is not a silver bullet, but my hope is that it will help to address some of the wider issues LGBT young people also face, such as mental health issues and bullying. The evidence tells us that adolescence is the most difficult period for people who identify as lesbian, gay or bisexual. While attitudes have improved in the UK, it is still very difficult for young people to come out and access information from support services. LGBT pupils and their families will see their existence validated by RSE lessons. Young people will see LGBT people represented alongside non-LGBT people in educational materials. They will hear that in modern Britain, our families come in all shapes and sizes—single parents, adoptive parents, same-sex parents. They will learn, alongside their peers, of the joys of relationships as well as how to avoid the harms. Slowly and surely, we may begin to see some of the differences in outcomes that I mentioned shrink, and—I hope—in the not too distant future—disappear entirely.

I ask the Minister to ensure that teachers have the training and resources needed to deliver high quality LGBT-inclusive education. I urge the Government to hold firm and continue to publicly encourage primary schools to deliver LGBT-inclusive education.

I want to mention some of the myths and the excitement brewing around relationships education in primary schools. The main message in relation to children in primary schools being taught relationships education is that it is up to the parent to teach it; it is the parent’s choice to teach it. Of course it is, and we are looking at the parent doing that teaching every evening and every weekend. However, I campaigned for relationships education because I want to prevent harm to children. We must acknowledge that 90% of child abuse happens within the extended family. With the best will in the world, if a child has an abusive parent or close family member, how exactly are they meant to know that what is happening to them is wrong unless they get that one lesson where a teacher explains to them what abuse is and how to report it? It does not undermine the parents teaching whatever they want to teach in the other hours of the day, but that one lesson could save a child from harm and the lifelong impact of abuse.

Relationships education and sex and relationships education are about safeguarding and preventing abuse. I congratulate the Minister on all his work. He worked extensively to listen to all parties and all sides of the debate, and he has come up with a solution that is genuinely focused on preventing harm to the child, but, more importantly, creating a more tolerant and accepting society, which we all want.

3.11 pm

Nick Herbert (Arundel and South Downs) (Con): I join hon. Members in congratulating my hon. Friend the Member for Shrewsbury and Atcham (Daniel Kawczynski) on initiating this debate and on his moving and inspiring speech in which he explained the importance of the subject.

I am pleased to be able to take part in the debate both as an ordinary Member of this House and as chair of the all-party group on global LGBT rights—one of the largest APPGs in this Parliament. Much of our work focuses on the need to ensure that the terrible abuses of LGBT+ people around the world do not happen and on pressing for action to deal with it. In doing that, we have to ensure that we uphold the highest standards in our own country. After the conclusion of equal marriage legislation in England and Wales, which was followed rapidly by Scotland, it was easy to think that the legislative journey was largely complete in most of the United Kingdom and that we could lift our sights and look at what was happening globally. Of course, there is unfinished business in our own country: equal marriage in Northern Ireland, for a start.
There are also continuing concerns about the bullying of young people and discrimination in the workplace, and particular concerns about the lack of role models in certain sports and the need to ensure that young people and their heroes fully reflect the diversity of today's society. So much work still needs to be done, particularly in schools.

We know from Stonewall's school survey that there has been an absence of the kind of sex and relationships education that children need to ensure that they can be safe and that they understand that relationships can be different but are just as valid, and that if they themselves are different it is nothing to worry about. All that is immensely important, so I welcome the guidance that the Government issued this year. It was intended to strengthen sex and relationships education guidance in secondary schools and relationships education in primary schools.

However, there are issues that we need to consider. The first has been brought into sharp relief by the protests outside Birmingham schools. I attended a meeting of representatives of Parkfield school in Birmingham that was organised in this House a month or two ago.

I had already been pretty horrified by the film that we all watched on the news of the protests that took place outside the schools. I was even more alarmed when I listened to the evidence of the leaders of the schools and heard about the pressures that they felt they had been put under by the parents. They raised an issue that I want to put to the Minister; I do this in as neutral a way as I can, but I want to understand what the Government’s view is. Although relationships education has effectively been made discretionary for primary schools, the view of the headteachers was that it should not be. They felt that the fact that it was discretionary placed a huge burden of responsibility on them and made them the targets of parental protest.

It would be easier for those leaders if it was very clear to every school what it was required to teach. There might be good reasons why the policy was framed in such a way by the Government, so I am not criticising them, but I want to understand what the rationale is, and I question whether the guidance offered to schools needs to be more explicit or whether more effort needs to be made to ensure that the guidance can be implemented by schools without their fearing any kind of repercussion.

The second issue concerns protests outside schools. My hon. Friend the Member for Shrewsbury and Atcham mentioned the Catholic Church. A few months ago, I attended a meeting in the Vatican with my hon. Friend the Member for Reigate (Crispin Blunt), who is an apostle for the cause of Catholic schools, and heard about the pressures that they felt they had been put under by the parents.

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When the protests are vociferous and bullying, they must be intimidating to parents, and if they are intimidating to parents, what can their children—their young children—be thinking? Most of us who saw the film and the way in which the parents conducted themselves outside the schools—the manner in which they hectored—found it disturbing. We are, of course, all proud of living in a country where peaceful protest is permitted. The fundamental nature of our democracy allows that, but we have always understood that where protest spills over into harassment, it is not acceptable. It becomes criminal. Good policing relies on the ability to exercise a judgment about where the line has been crossed.

There is a real question about whether such protests should be allowed right outside the school gate because they are harassing, so it is important that that issue is looked at.

The third issue I want to raise concerns resources. The new guidance is, as I said, welcome, but a question has been raised by Stonewall, which does excellent work in this and other areas, about whether there is sufficient resource to ensure that schools can receive the training and information that they need to implement the new guidance. The Government’s estimate of the amount of money needed was a sum considerably in excess of the £6 million being made available. Today the Chancellor has made the immensely welcome announcement of a spending uplift for our schools. I wonder whether my right hon. Friend the Minister will be able to say whether he thinks more resource will be available to schools, to ensure that that important new guidance can be implemented effectively.

I was heartened by the statement of the new Education Secretary that headteachers should be “able to teach about Britain as it is today.” I think that headteachers, school governors, chairs of governors and teachers need to know that the strongest possible lead is being given by Ministers and this place about the importance of same-sex relationships education. I question the extent to which we should license any suggestion that it is right to prevent teaching that same-sex relationships are valid. We have, I think, got past the point where we believe it is acceptable to sell goods on a discriminatory basis. We have outlawed that.

We have outlawed discriminating against people in the workplace. In many areas of public life now, we are absolutely clear that discrimination on the grounds of sexuality is simply unacceptable, so I question why it might be acceptable to prevent a school from teaching children even of a relatively young age that same-sex relationships are valid. I am not sure that we should be tolerant about those who try to prevent that, if we are going to uphold the values that we hold dear in this country. To allow the importance of that kind of teaching to be swept aside seems to me potentially to be subjecting young children to understanding the wrong thing at a formative age.

We should be resolute about universal values of equality, right from the top, and transmit those values to every school. I am afraid that if there are those who say they do not want that validity to be taught, we have to face that down, just as we do if people say they would like to be able to exclude gay couples from their bed and breakfasts, or to be able not to employ a gay person, or to be able not to offer a service to gay couples. We do not tolerate that any more. Why should we tolerate what I have described? We have to be clear about that precisely because the age in question is such an important one, at which children should be taught about our common values.

My hon. Friend the Member for Shrewsbury and Atcham mentioned the Catholic Church. A few months ago, I attended a meeting in the Vatican with my hon. Friend the Member for Reigate (Crispin Blunt), who is
the secretary of the all-party parliamentary group on lesbian, gay, bisexual, and transgender rights. It was intended to be a meeting with the Pope but in the end it was with the Cardinal Secretary of State. It was to discuss with Baroness Helena Kennedy, the International Bar Council and others the Catholic Church’s stance on homosexuality.

Our proposal was that the Church could and should at least condemn violence against LGBT people. It has immense influence and importance in many regions of the world—particularly south America and southern Africa. It is a shame that there is not a stronger stance on the part of leaders of the Catholic Church against something that, whatever our views on homosexuality and the validity of homosexual relationships, we should all be able to agree on: that violence against anyone is wrong. The Catholic Church should be able to say that, and it would be immensely powerful if it could.

In my work as chair of the new Global Equality Caucus, tying up parliamentarians from across the world to promote LGBT+ rights, I go to many different countries to talk to parliamentarians about those issues. Next week I will be talking to Czech parliamentarians about same-sex marriage. The following week I will be in Tokyo talking to Japanese politicians and others from the Asia-Pacific region about equality issues. We have to be able to hold our heads up high in doing that, and I think for the most part we can, but this is unfinished business in our schools. I am grateful for the robust stance that the Government have taken, but they must see it through with the clearest possible guidance, leadership and support for the teachers who are being oppressed in Birmingham and elsewhere, and with the resources to match.

3.25 pm

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): I pay tribute to the hon. Member for Shrewsbury and Atcham (Daniel Kawczynski), who spoke with such passion, honesty and authenticity. In these debates we often talk about what happens to LGBT young people and tell their coming out stories. Sometimes we neglect those who come out a little later in life and their difficulties with the norms that have been built around them, especially if they come from a more overtly heterosexual relationship into discovering who they are and being honest about it. It is harder, and the courage of the hon. Gentleman’s speech today is to his credit. I thank him for tabling the debate.

I am pleased to see that the Minister is still in his place after the reshuffle. He and I have spent much time talking about schools in Plymouth, and I shall try to include some relevant experiences in my remarks today.

It is right that every child in our schools should know about the world—and about the difficulties in the world, and about the things that are amazing in it. They should be taught about families, communities and about right and wrong. That is not exclusively the role of teachers and teaching assistants. Parents, communities, grandparents and friends have a role as well, but we must make sure that every child knows that they have worth and are loved, and that they have rights. They have the right not to be abused and the right to make decisions about what happens to their own bodies. That type of education must be provided universally—to all our children—which is why teaching sex and relationships education is so important.

The Minister and I have spoken about that a few times. I should be grateful if he would talk about how we are to make such provision for children who are home-schooled. In Plymouth there has been a great rise in the number of home-schooled children, and sometimes that is because they have been excluded. I am concerned about the increase in the number of exclusions, in relation to Government policy, and what it will mean for kids, particularly those with special educational needs and disabilities or mental health problems, who are unable to cope and get the support they need in mainstream education, and who are taught outside those environments. How are we making sure that all the home-schooled kids get the understanding that kids in more traditional education settings get?

It is right that we say there is nothing wrong with being LGBT. The right hon. Member for Arundel and South Downs (Nick Herbert) said that we should not tolerate anyone who discriminates. That is right, but the key to not tolerating things is the recognition that the hate has not gone away. That is important because there is a belief, now that we have legislative barriers to prevent discrimination, that we have crossed the Rubicon and are suddenly in an age of equality with no discrimination. However, those legislative barriers do not mean that hostility to equality—that uncomfortableness based on traditional values, religious views or misapprehensions or misunderstandings—has not gone away; people have just felt unable to voice it.

That is the type of anger that was sometimes articulated in the Brexit debates—people had views that they did not feel they could express. The key to dealing with discrimination in the matters in question is not just to call out hate and bigotry—although we must do that. It is also about education. It is about helping people understand what their neighbours are like and why it matters that we celebrate our diversity in all our communication. That is why education is key and why the debate about SRE in schools has been so powerful. Instead of being a debate about negatives, it has been about positives. It is about saying, “Look what can be achieved if we show every single child that they have value and worth and that diversity matters.” It is something positive.

There are fantastic spokespeople. The right hon. Member for Arundel and South Downs mentioned Stonewall, which has fantastic advocates, but they are not the only ones. There are many more besides. I want in particular to pay tribute to one of my heroes, whom I met recently, Olly Pike, the LGBT author. Writing LGBT children’s books can have a profound effect on young people.

I gave my young nephew the book “And Tango Makes Three”, which I have spoken about in the main Chamber. It is about a pair of gay penguins who adopt a baby penguin, and it is a wonderful, beautiful story that fits well on his little bookshelf. The thing that makes it so perfect is that it makes no difference to my nephew whether they are two boy penguins or a man and a woman—it is just normal. We teach discrimination into children; if we do not do that, they will not have it.
I am proud of that, and people such as Olly Pike and the authors of “And Tango Makes Three” make such a big contribution.

When speaking about LGBT education, it is important not to say “LGBT” as if it is one word that covers one type of person. As someone who is proud to be gay, I fit into the “G” bit, which frequently dominates much of the debate because much of it is made up of white men, who tend to dominate lots of discussions—they just do. That frequently means that the “L” voices—the lesbian community—get drowned out and do not have that self-worth. Certainly—this is discrimination even within the gay community—if someone is a “B”, or bisexual, there is still no validity in that. There is still a concern—“Oh, they haven’t made their mind up yet.” We have heard it time and again, including in our LGBT culture, and it reduces the validity of people who are bisexual.

Then we have trans people, and especially young trans people, which is where, to borrow the phrase of the right hon. Member for Arundel and South Downs, we have huge unfinished business to deal with. The stats presented by my hon. Friend the Member for Rotherham (Sarah Champion) show that far too many of our young trans kids are harming themselves. According to figures from Stonewall, 27% of our trans kids have attempted suicide, nine in 10 have thought about it, 72% have attempted self-harm, and four in five say that they have been verbally abused because of who they are. That is not good enough. As a culture, society and country we must set an objective to eliminate that type of abuse, and we can do that only if we put effort into educating not just our children but society as a whole. It is amazing what powerful teachers children can be when teaching friends and family about what they learned in school that day, or teaching others that something is not right.

Pride events are a powerful form of teaching. This year, sadly, Plymouth Pride was called off due to high winds, and because the 60 mph gusts could have lifted the rather fabulous stage into the crowd. That was probably a good reason for the organisers to cancel it. The passion generated by such events, however, has refocused people’s dedication to make Plymouth Pride 2020 even bigger, and hopefully it will involve more of our armed forces. Next year is the 20th anniversary of members of the armed forces being able to serve openly as LGBT members. We should celebrate that, and I hope the Government and Defence Ministers will provide a steer. We should be proud of everyone who serves in uniform, whether they are straight, gay, bisexual, lesbian or trans. At a time when our biggest ally, America, is not pursuing such policies towards trans members of its own military, we should be proud to make a distinction and say that trans members are welcome and valued in our military.

Hate is on the rise, and education in our schools is one way of challenging that. I spoke to some young kids about an incident that happened during a match between Northampton Town and Plymouth Argyle at the weekend. A young person was concerned by what they had read in the local paper about homophobic abuse that was shouted by a member of the green army—Plymouth Argyle’s travelling fans—at a Northampton Town home fan. They described the initial chants of, “Who’s the queer in the pink?”, which was aimed at a fan, and shouts of “faggot”. This young person was disturbed by that, because they did not want that hate in their game. That was really powerful.

In the past, as a gay football supporter, I have not always felt that football has done enough to promote equality. However, for young people in Plymouth who are growing up gay, or who recognise that they live in a diverse society, this statement from Plymouth Argyle is immensely warming:

“Plymouth Argyle Football Club is a community-focused, values-driven organisation... It is our legal duty to eliminate discrimination, harassment and victimisation on the basis of age; disability; gender reassignment; pregnancy and maternity; marriage and civil partnership; ethnicity; religion and belief; gender; and sexual orientation.”

How many times have we heard a football club state so clearly the values that we all hold dear? The club should be praised for its quick and speedy response, as should the Argyle fans’ trust, and particularly its chair, Andy Symons, for saying that we will not accept hate in our game. It needs to be kicked out, just as we attempt to kick out racism. The rainbow laces promoted by the Football Association and Stonewall should contribute to kicking out from our game discrimination against LGBT people. As a football fan, growing up with an entire set of straight models, without a single gay role model in football, affected my idea that I was associated with it. Young people growing up at the moment need role models from different societies. In the 1980s, if someone was out in the media, they were a flamboyant queen; that was how they protected themselves against discrimination and they made it part of their act. They were colourful, loud and brash, which is how they coped with people calling them “queer” or “faggot”. That is great for a small part of the LGBTQ community, but the vast majority of us need a range of role models from different workplaces and walks of life, and that can directly contribute to teaching diversity in our schools.

There is rising hate in society. After the “defend democracy” protest, someone came up to me and asked why I spoke about there not being enough diversity in our politics. I said that in politics there are far too many straight, white, round, middle-aged men. He said, “Why did you mention the straight bit?”, which for me was an interesting learning experience to reflect on. There are a lot of straight, middle-aged, white, round men in politics, both here in Parliament and in local government. There is something uncomfortable in talking about sexuality that I think we need to address, because if we are truly to deal with discrimination, we must empower all young people to feel that they have a value. We must empower parents and communities to recognise that diversity is a good thing, not a threat.

Sometimes the debate about sex and relationships education in our schools has been flipped. We trust a teacher to teach our children maths or history every day, and we do not suddenly think that by teaching history, teachers will turn every child into a murderous dictator from the past, or a bloodthirsty pirate. We think that our children are learning, and that is what age-appropriate S & E means. Children are being taught something age appropriate for who they are, so that they can value it and recognise it in their friends and family and in who they are. Whether those kids are
straight, gay, bi or trans, that message is important. We must recognise the rising hate in our society and do our best to invest in education.

I am glad that the hon. Member for Shrewsbury and Atcham spoke about conversion therapy, because there are prominent political figures who say words in and around that, and who suggest that science may “yet produce an answer” to homosexuality at some stage. Conversion therapy is cruel and wrong, and it starts from a place that does not value every individual for who they are. We must not accept that in our society, just as Plymouth Argyle said that there is no place for bigotry, racism, discrimination or homophobia. And it is not homo-”phobia”—people are not scared of gays; they are just bigots. We must be clear that we must value every person in every walk of life. I am grateful that the Government have listened to cross-party concerns about SRE in schools and done something about it.

What happens when we do not teach SRE? If people are not taught about who they are, where do they find that information? As a young gay man I wanted to know what these feelings were and what was going on in my head. Like the hon. Member for Shrewsbury and Atcham, I had conversations with myself—perhaps with a bit less God, but similar conversations none the less. If someone is not taught SRE, where do they get information about healthy relationships and safe sex and who people sleep with? Is it from their mates, parents and teachers? No, it is from pornography, and that creates a skewed impression of what a healthy relationship is and of what someone’s role is in any sexual relationship. It creates a skewed impression about safe sex, and about the propensity of bareback sex, abuse, violence or intimidation, which is not healthy for anyone.

In particular I am concerned about the rise of the instafamous culture that is recognised by our young people—about people who are famous for nothing other than being attractive on Instagram. I have seen, and parents have told me about, the progression from being instafamous to self-publishing pornography. Kids create a business model when they turn 18—being attractive on Instagram. In some cases those kids create a business model from being instafamous to self-publishing pornography. Young people increasingly feel that they must post pictures of themselves without their tops on, or wearing low-cut dresses, or with perfect abs and six packs, or provocative images of other parts.

Rather than be abused by a publishing house elsewhere, some young people use platforms such as OnlyFans as an avenue to transition from being instafamous to publishing their own pornography. In some cases those kids create a business model when they turn 18—being young is attractive, so good on them—but in other cases there is a risk that they will be pushed into doing something that they might not otherwise do. We can get out of that with decent, age-appropriate education in our schools.

Like comrades and colleagues from across the House, I support Stonewall’s call for greater funding for teaching, and the training of our teachers, in this space. We have achieved a lot, but there is still a lot of unfinished business. I will be grateful if the Minister will reflect particularly on how we deal with instafame and the self-publishing of pornography.

[Luke Pollard]

Mike Kane (Wythenshawe and Sale East) (Lab): It is a pleasure to serve under your chairmanship, Sir Roger, and to follow that inspirational speech from my hon. Friend the Member for Plymouth, Sutton and Devonport (Luke Pollard), who spoke with real passion about how hate in society is rising, rather than decreasing. As a fellow football fan, I pay tribute to my football team, Manchester City—I seem to be mentioning them quite a lot this week—for all they do for the LGBT community in Manchester through getting rid of discrimination on the football terraces and promoting proper integration. My hon. Friend gave a really powerful speech.

I congratulate the hon. Member for Shrewsbury and Atcham (Daniel Kawczynski) on securing this important debate and on such powerful testimony. I am sure every Member here wishes his researcher and his researcher’s friend well. We should all echo the thanks he gave to the health and wellbeing team here in the House, which helped him and which help other Members through a variety of issues.

Before I get into the bones of the debate, I have to say that, based on the hon. Gentleman’s inspirational speech, I will have to come out here as well: I am a Roman Catholic, which a gay friend of mine teased me about not so long ago. Honestly, we do not need collars to tell us that someone cannot partake in liturgy or sacrament, or believe in solidarity, subsidiarity, the preferential option for the poor or the universal destination of goods if they do not believe in the heart of the faith, which is human dignity. Someone who does not believe in the heart of the faith should not be able to partake in the rest of it.

We have seen much better direction under the new pontiff, for he asked: “who are we to judge” anybody who is gay? For the record, I am the convenor of the Catholic Legislators’ network here in Westminster. The pontiff went on to say that a homosexual man or woman has the right to a family—to a father, to a mother, to a son—and their parents have the right to a son or daughter, and that no son or daughter should be cast out because of their sexuality. I think he was right to say that.

As a Mancunian, I had the great honour of delaying my departure to down here a few weeks ago, just before the recess, because the Governor of the Bank of England was launching the new £50 note at the Museum of Science and Industry in Manchester. It has Alan Turing on it, who was obviously professor of mathematics at Manchester University, which is why that location was chosen. He is one of the greatest heroes in this country’s history. He cracked the enigma code at Bletchley, which led to the defeat of Nazi tyranny and ended the war early, saving countless millions of lives. How did we, as a society, go on to treat him—when he was living in Manchester and elsewhere—absolutely appalling?

The hon. Member for Shrewsbury and Atcham mentioned what we did to gay people in the ’40s and ’50s and way before that. I think we were all proud—I was not a Member at the time—when the then Prime Minister Brown offered a posthumous pardon to Alan Turing. If anybody has a chance and a few minutes to spare, they should read the speech of Mark Carney, the Governor of the Bank of England, at the launch of that note. It was a powerful, moving testimony.
There is cross-party consensus on the need for inclusive RSE. This will not do my career any good, but I have to concur with my hon. Friend the Member for Rotherham (Sarah Champion) that the Minister has shown some incredible personal and political leadership on this. That is the last time I will say anything like that around the Minister. I think he has probably felt the love from some of us on the Opposition Benches, including the shadow Secretary of State—my boss—my hon. Friend the Member for Ashton-under-Lyne (Angela Rayner), because of this. I have said that now, so I will move on. There will be some criticisms later.

Figures from the “School Report 2017” show that 40% of LGBT pupils are never taught anything about the issue at school. We must provide comprehensive support for our teachers. Compulsory RSE was championed by my hon. Friend the Member for Rotherham, who is sat behind me, and was included in the Children and Social Work Act 2017 following her amendment. A huge debt of honour goes to her. I have issues with the Minister about how we get things on the curriculum in this country, and I am not sure my hon. Friend’s way is the best, but it is through her personal endeavour and tenaciousness over a long time that we are in the place that we are. It was also reflected in the proposals of the then Secretary of State for Education—the right hon. Member for Putney (Justine Greening), who also worked very well on this—to make elements of personal, social, health and economic education mandatory in schools.

High-quality RSE will help to create safe communities—that is essentially what we are saying. Inadequate RSE leaves pupils vulnerable, particularly to abuse. I take up what the hon. Member for Shrewsbury and Atcham said about the Church and the priests. A famous Catholic theologian, Karl Rahner, said that power is a gift from God. Abuse of minors has absolutely nothing to do with homosexuality, as some people have said. It is an abuse of power. There are two types of power in our land—relational and coercive. That was all about coercive power. That point needs making strenuously.

The Government’s draft guidance clearly sets out the rights of parents and carers to withdraw children from sex education, but not relationships education. It also notes the role of parents in the development of their children’s understanding of relationships. For primary schools, the draft guidance states that headteachers will automatically grant a request to withdraw a pupil from any sex education, other than when in parts of the science curriculum. In secondary schools, parents will still have a right to request withdrawal from some or all sex education delivered as part of statutory RSE, which will be granted in all but exceptional circumstances. This will apply up until three terms before the child turns 16, at which point the child would be able to opt into sex education if they so chose.

Sarah Champion: This might seem like a small point, but I never got clarification on it—[Interruption.] Sorry; I was confused by the Minister. Will parents be told if their child decides to have that education in those last terms?

Mike Kane: Okay. I taught RSE to year 5 in primary school for many years, and we had stringent policies. People withdrawing their children would be automatically put on our safeguarding alerts. We need to think about that really seriously.

There is a danger that, without a clear steer from Government, there will be big variations between schools. We need resources going into those schools. This new framework has to be adequately funded, and it is on that that we will hold the Minister’s feet to the fire, now that he has survived another regime change and is one of the longest-serving Ministers ever. I made a Bee Gees joke yesterday; I will not repeat it today.

Children must know their rights if they are to exercise them throughout their lives. Relationships and sex education is effective when it sits as part of a whole-school approach, is embedded across the curriculum and is delivered by well trained staff. The Government must now ensure that schools have the resources to deliver that.

3.49 pm

The Minister for School Standards (Nick Gibb): It is a pleasure to serve under your chairmanship, Sir Roger. Let me start by welcoming my hon. Friend the Member for Shrewsbury and Atcham (Daniel Kawczynski) and congratulating him on a very passionate and moving speech. We are all very grateful to him for organising and securing the debate and for the way he introduced it today. We are also grateful for the very moving and powerful speeches from the hon. Member for Rotherham (Sarah Champion), my right hon. Friend the Member for Arundel and South Downs (Nick Herbert) and the hon. Member for Plymouth, Sutton and Devonport (Luke Pollard).

My hon. Friend the Member for Shrewsbury and Atcham said that he was the first Conservative MP, the only Conservative MP, to have been born in a communist country—it was in Poland, in 1972. Let us hope that the forthcoming general election does not lead to a Corbyn-led Labour Government, lest in 20 years’ time we have many more MPs who have been born in a communist country.

My hon. Friend asked about conversion therapy. He is right to point out that in the Government’s 2018 “LGBT Action Plan”, we committed to bringing forward proposals to end the unacceptable and abusive practice of conversion therapy in the UK. We are currently engaging with stakeholders and will set out further steps in due course, but my hon. Friend can rest assured that we take that issue very seriously and will be taking action.

Schools play a critical role in promoting integration and widening opportunities for all communities, including LGBT young people. Many schools already do that successfully, creating inclusive environments in which children are able to learn the values that underpin our society. Through education, we can ensure that the next generation learns about those values of fairness, tolerance and respect.

The Government are clear that every pupil, regardless of their sexuality, deserves the opportunity to progress and fulfil their potential and to do so in an environment free from prejudice and discrimination. I am personally committed and determined to stop, for example, the use of the word “gay” as a pejorative term in our schools, as...
that can often cause anxiety to LGBT pupils—in fact, to all pupils. The Department for Education is providing more than £2.8 million of funding, between September 2016 and March 2020, to four anti-bullying organisations to support schools to tackle bullying effectively. The Government Equalities Office is also providing £3 million, between 2016 and 2019, to help prevent and respond to homophobic, biphobic and transphobic bullying, and has invested a further £1 million to extend that funding to March of next year.

Respect for all is fundamental to the reforms that we have made to the curriculum. We are making relationships and health education compulsory in all primary schools and relationships, sex and health education compulsory in all secondary schools. We are encouraging as many schools as possible to start teaching the new subjects from September 2019; they will be required to do so from September 2020. I pay tribute to the hon. Member for Rotherham for the huge part that she played in campaigning for relationships education and in helping the Government to develop and then implement their policy so successfully.

Let us remember what these subjects actually address and why their introduction gained the overwhelming support of the House. At the heart of relationships and health education in primary schools is a focus on putting in place the building blocks of healthy, respectful relationships, focusing on family and friendships, in all contexts, including online. At secondary level, teaching will build on the knowledge acquired at primary level and further develop pupils’ understanding of health, with an increased focus on risk areas such as drugs and alcohol, as well as introducing knowledge about intimate relationships and sex.

These subjects also represent a significant step forward in terms of equality by ensuring that young LGBT people will receive teaching relevant to their lives, preparing them for the adult world and supporting them to form positive, healthy, nurturing relationships. In the statutory guidance, we are clear that all pupils should receive during their school years teaching on LGBT relationships. Secondary schools should include LGBT content in their teaching, and primary schools are strongly encouraged and enabled, when teaching about different types of families, to include families with same-sex parents. Of course, the reality of that will be reflected at the school gates of many primary schools, with some children being dropped off and picked up by two mums or two dads. It is right that pupils understand that these families in which their classmates are growing up are characterised by love and care, just like any other family, and are equally deserving of respect.

My right hon. Friend the Member for Arundel and South Downs asked about the discretion that we have given primary schools for teaching about LGBT. We think that it is right for schools to decide their curriculum, based on the needs of their particular cohort of pupils. We have been clear that, for the majority of primary schools, teaching about LGBT people and relationships will be age-appropriate for their pupils and we strongly encourage them to do that. But we have been at pains to ensure that this groundbreaking policy carries as much support as possible and achieves a broad consensus. That has been generally achieved.

We have applied the requirement to teach RSE not only to the schools in the state sector; we have applied that requirement also to schools in the independent sector, including independent orthodox faith schools. The law applies to those schools as well, and we have managed to achieve consensus with many of the religious organisations. That is why we have had that discretion in relation to teaching.

The hon. Member for Rotherham asked about training material to enable teachers to teach RSE, and my right hon. Friend for Arundel and South Downs raised the same issue. The Department is committed to supporting schools to deliver high-quality teaching of relationships education. To support schools, we are investing up to £6 million, in this financial year, for the Department to develop a programme of support for schools. The funding will not be distributed to schools; it is about preparing the materials.

Further funding, beyond the next financial year, is, of course, a matter for the spending review that has just been announced. The programme of support will focus on tools that improve schools’ practice, such as the implementation guide that my right hon. Friend referred to, easy access to high-quality resources and support for staff training. The Department is currently working with schools and teachers to develop a programme of support suited to their needs. To support that, we are also setting up a new working group, and it will provide insight into how the guidance is working in practice. That is chaired by Ian Bauckham CBE, who is our education adviser and a senior headteacher.

We are very clear that parents from all faiths and none do not want their children to feel bullied or excluded at school or to feel that their family is not equally valued. Through our call for evidence and the consultation on the content for these subjects, there was an absolute consensus that all pupils should be taught, as a minimum, about respect for themselves and for others.

I am grateful to my hon. Friend the Member for Shrewsbury and Atcham for his passionate speech. I hope we can all agree that children are never too young to learn about love, kindness, tolerance, difference, compassion and empathy, as part of creating a cohesive school community and in building a tolerant society. We need to do all we can to loosen the knot in the hearts of LGBT young people with relationships lessons and with role models, such as some of the hon. Members who have spoken in this important debate with such eloquence, passion and honesty.

3.58 pm

Daniel Kawczynski: I thank the hon. Members for Rotherham (Sarah Champion) and for Plymouth, Sutton and Devonport (Luke Pollard) and my right hon. Friend the Member for Arundel and South Downs (Nick Herbert), who all spoke so eloquently and with such great passion. I must admit that my interaction with the hon. Member for Plymouth, Sutton and Devonport has been relatively limited since he joined the House. I will certainly look forward to getting to know him better and working together in the coming years on promoting LGBT rights across our country.

We did not see as many Members as expected attending this debate because of the Brexit debate in the main Chamber, but I am sure that a lot of young people
Suicide Risk Assessment Tools in the NHS

[SIR CHRISTOPHER CHOPE in the Chair]

4 pm

Kevin Hollinrake (Thirsk and Malton) (Con): I beg to move,

That this House has considered the use of suicide risk assessment tools in the NHS.

It is a pleasure to serve under your chairmanship, Sir Christopher.

According to a detailed study carried out by Manchester University, in one year alone 636 people who were deemed by clinicians to be at low or no immediate risk of suicide went on to take their lives within the next three months. Of course, 636 is just a fleeting fact, one of myriad statistics about the NHS that we can cite every minute of the day, but every one of those 636 deaths is a tragedy—it is a brother, a friend, a partner, a child. One of those 636 people whose lives were lost in that year was the son of two of my constituents, a young man called Andrew Bellerby.

It may break the heart of any parent in this Chamber to see this photograph of young Andrew in his blazer as he went to school some years earlier. As one who proudly took my own children to their new school only this week, it is shocking to think that at some point one might lose one’s child in such circumstances. On 10 July 2015, many years after the photograph was taken, and in the same year as the study that I just mentioned, Andrew took his own life. The loss of Andrew’s life and the devastating impact that it had on his loved ones was, in all likelihood, totally needless. According to an expert witness who represented the Bellerby family, on a balance of probabilities Andrew would be alive today had the NHS trust that was entrusted with his care looked after him properly.

At this point, I would like to play tribute to Andrew’s family, particularly his father, Richard Bellerby. I understand that Richard’s brother is with us today in the Public Gallery; Richard could not be here himself, but I think that he is watching this debate via a parliamentary link. It was only due to his tireless efforts, his determination and his commitment to make sure that others do not suffer the same fate that we are debating this issue today.

Not only did the Bellerby family have to cope with unimaginable grief and loss, but they then had to fight a two-year battle with the Sheffield Health and Social Care NHS Foundation Trust to establish the truth. The truth, which the trust finally and begrudgingly apologised for, was that there had been a simple but fatal series of errors. Andrew’s state of mind was assessed by untrained nurses using an assessment tool—a checklist, for want of a better word—that was not fit for purpose. As a direct consequence, they made an incorrect diagnosis, without even taking into account his past behaviour.

Jim Shannon (Strangford) (DUP): First of all, I congratulate the hon. Gentleman on bringing this matter forward. In Northern Ireland, the figure for suicide is 20% higher than for the rest of the United Kingdom. Does he agree that it has come to the point that all frontline medical staff, from pharmacists to treatment room nurses, should be trained in appropriate suicide
risk assessment, especially taking into consideration the high rate of suicide across the whole of the United Kingdom, and in particular in Northern Ireland?

Kevin Hollinrake: The hon. Gentleman is absolutely right. That is one key component of three: training nurses; using a proper, validated tool; and taking into account the past behaviour of the individual and the context of the situation. None of those three things was in place for Andrew. As a consequence, 48 hours after being admitted to hospital in an ambulance, Andrew took his own life.

Liz Twist (Blaydon) (Lab): Will the hon. Gentleman give way?

Kevin Hollinrake: I am happy to give way to the chair of the all-party parliamentary group on suicide and self-harm prevention.

Liz Twist: The hon. Gentleman is raising a very serious issue. I am grateful to Samaritans for a briefing on it ahead of this debate. It is absolutely clear that these risk assessment tools are not in themselves complete. They must be supported by consideration of the context, including previous history, and by a professional assessment of what is happening. Does he agree that it is absolutely essential that all trusts ensure that that happens?

Kevin Hollinrake: I entirely agree with the hon. Lady. I know that the Bellerby family would very much like to meet the hon. Lady, too, because I know that she does tremendous work in the all-party parliamentary group.

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): Will the hon. Gentleman give way?

Kevin Hollinrake: I am happy to give way again and then I will make some progress.

Hugh Gaffney: I will just add my point, from Scotland. In emergency departments, the staff have not been trained up to the level that we are hearing about today. Suicide is a big risk, especially among young people, and all we are asking for is that people look at this situation and give emergency staff the proper tools and training. If that had happened before, Andrew would be with us today.

Kevin Hollinrake: The hon. Gentleman is absolutely right and I am grateful to him for his very kind contribution. I know that Andrew’s family will also be grateful to him.

The fact is that the Sheffield trust had been treating Andrew for many years; it knew him well and knew that he was a serious suicide risk, yet none of this was taken into account when he was admitted to hospital for that fateful final time. The untrained nurses carried out the assessment using a crisis triage rating scale, CTRS, and deemed Andrew fit to be discharged. They rated Andrew 14 on a scale of zero to 15, where 15 means that there is no serious or immediate risk of suicide, despite the fact that Andrew had a history of suicide attempts and also threatened to jump out of a fifth-floor window while he was being assessed.

The insult to fatal injury in this case is that Mr Richard Bellerby had had to fight for justice and answers for years. He describes the trust’s role in this process as a campaign of dirty tricks—dirty tricks, denial and deceit. In February 2018, the trust finally admitted its wrongdoing, apologised and agreed to settle out of court, but before doing so it had persistently and gratuitously maintained that it was not at fault. For instance, the trust had said that it had an expert witness whose opinion was that whatever the trust would or could have done, Andrew would still have taken his own life. However, the trust refused to supply that expert witness’s evidence and it appears that such an expert never even existed.

The inquest established that the trust was guilty of missing numerous opportunities to provide help. The trust’s own internal investigation revealed that the nurses who had seen Andrew had no training in this area, which directly contravenes national guidelines. At the inquest, there was an embarrassing blame game between Andrew’s GP and the trust, with each pointing the finger at the other. As Mr Bellerby has said, it was like musicians in an orchestra playing from a different sheet of music, with no conductor.

There appears to be a complete lack of accountability; nobody has been properly held to account for these errors. The trust admitted in its internal investigation that it had failed to carry out adequate risk assessments. In Richard Bellerby’s profession, which is construction, failure to carry out proper risk assessment or failure to train people properly can lead to a charge of criminal responsibility for manslaughter in the event of a fatality.

Instead of being open and honest about the circumstances surrounding Andrew’s death, the trust only corresponded when it was forced to do so. There were no responses to Mr Bellerby’s letters unless they were sent by recorded delivery, and even then the only responses came from corporate affairs managers rather than from clinicians, and they still failed to provide answers. The trust has not even responded to my letters, other than to send a holding response. I wrote to the trust on 28 January asking for answers to questions and I chased things up on 6 March, but there was still no full response. When the trust finally agreed to meet Andrew’s father, Mr Bellerby, it was of course a meeting with the corporate affairs director. When Mr Bellerby insisted on a clinician being present, the meeting was cancelled.

The trust refused simple requests for information, such as how long the nurses who saw Andrew had worked at the trust and what their qualifications were. The two-year battle cost the NHS around £40,000 just to reimburse the Bellerby family’s legal costs, in addition to any costs that the trust itself and NHS Resolution would have incurred. The total bill is likely to be in excess of £100,000—all for £9,000 in compensation. Critically, there was no compassion, no condolences and no remorse. Instead, there was contempt, denial and disregard.

To say the Bellerby family won is a travesty. They lost their son, a grandson, a brother, but they did defeat the trust. With the help of their solicitors, Irwin Mitchell, whose efforts were instrumental to their success, they won their case; they received their grudging apology and the trust has now stopped using the CTRS. All the
family wanted was recognition of the failures and an apology. Given that, everything could have been sorted on day one. Instead the family had to fight against our own bureaucracy. It beggars belief that we tolerate a system that behaves in this manner.

Surprisingly, given the facts of the case and its role in the two-year cover-up of the truth, NHS Resolutions agrees with having a position of openness. In its 2018 report, “Learning from suicide-related claims”, it states:

“Where compensation is due it should be given willingly and in a timely manner to prevent further distress and suffering to distraught families.”

It is time we lived up to those fine words.

The Bellerby family have worked closely with Manchester University on the inquiry I mentioned earlier, which is called, “The assessment of clinical risk in mental health services”. It has helped to establish the extent of the problem of inappropriate use of suicide risk assessment tools in the NHS and the figure of 636 deaths per annum. It has also established that today, 33 out of 85 trusts use a tool that has not been independently validated and 29% of trusts use it with untrained staff. The national inquiry into safety in mental health recently raised issues of the “inconsistency across mental health trusts in the length and content of risk assessment tools” and a “variation in how tools are used and examples of use contrary to national guidelines”.

Everyone seems to agree that the incorrect use of such tools is wholly wrong. Mental health charity Mind is clear that the Government should standardise tools across the service, improve training and support in their usage and follow-up within 48 hours with those who have received assessments. The Royal College of Psychiatrists said that we should “move away from a risk assessment model to a risk reduction model”.

I know the Minister will be appalled by the full details of the case and will be determined to help drive change in the system, and I have some questions for her. What has changed since Andrew’s death? Specifically, what action will she take to ensure that mental health trusts are only using risk assessment tools that have been independently validated as safe? What action is she taking to ensure that staff in mental health services receive training in risk assessment? What action is being taken to support staff to be able to talk to people about suicidal thoughts? Will she implement a process so that the Care Quality Commission or another body can check that best practice is adopted? Will she commit to an ambition for zero suicides among all those under the care of mental health services? Will she look at the behaviour of the trust and drive through a new policy of openness and honesty in our health services? Finally, will she meet me and my constituents to hear Andrew’s story and possible solutions at first hand, to ensure that Andrew did not die in vain?

4.14 pm

The Parliamentary Under-Secretary of State for Health and Social Care (Ms Nadine Dorries): It is a pleasure to serve under your chairmanship, Sir Christopher. After 10 years of being a Chair myself, I hope I do not incur your wrath today.

I thank my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake) for securing this important debate. It is an honour for me to take up the position as Minister with responsibility for suicide prevention. My predecessor, my hon. Friend the Member for Thurrock (Jackie Doyle-Price), did a commendable job when she held this position and I am determined that we continue to do whatever we can to reduce the devastating impact of suicide.

I offer my sincere and heartfelt condolences to the family of my hon. Friend’s constituent. I welcome Robert Bellerby to Westminster Hall and thank him for coming today. These will continue to be difficult times for the Bellerby family. I know from personal experience how devastating it is to lose someone you love and someone who is close to you through suicide. It is inspirational for me to see the courage and determination of those, such as Mr Bellerby, who manage to bring about positive action from such tragic circumstances. By their actions, Mr Bellerby and others like him will help to prevent others from going through the same deep and lasting loss.

I will now turn to the specifics raised by my hon. Friend about the use of risk assessment tools for patients at risk of suicide. He raised the specific case of Andrew Bellerby, who sadly died in 2015. I understand that at the time of Andrew’s attendance at hospital, it was practice at the Sheffield Health and Social Care NHS Foundation Trust to use a crisis triage rating scale tool. It was used to assess Andrew before he was discharged. Sadly, he took his own life shortly after. The trust conducted a serious incident review to learn the lessons from this tragic case.

It is clear that the care Andrew received leading up to his death was not satisfactory, and I understand that a comprehensive action plan was developed and fully implemented by the trust following the serious incident review. I have also been reassured that the trust has stopped using the crisis triage rating scale tool, following a report published by the national confidential inquiry into suicide and safety in mental health in 2018, which recommended that the risk assessment tools should not be used as a way of predicting future suicidal behaviour.

I recognise and share my hon. Friend’s concerns about the use of risk assessment tools across the wider NHS. He is right that guidelines published by the National Institute for Health and Care Excellence make clear recommendations that NHS professionals should not use risk assessment tools and scales to predict future suicide or repetition of self-harm, or to determine who should be offered treatment and who should be discharged. Each NHS trust is responsible for the care it delivers and the safety of its patients, but NICE guidelines are clear on the use of risk assessment tools, and we expect the NHS to implement the guidelines. Clinical guidelines represent best practice and should be taken fully into account by clinicians.

The national confidential inquiry into suicide and safety in mental health has published “Safer services: a toolkit for specialist mental health services and primary care”, which presents 10 ways to improve safety. NHS England has supported all mental health trusts to access the toolkit, which includes guidance for trusts on the use of risk assessment tools and highlights NICE guidance. The toolkit specifically states:
“All patients’ management plans should be based on the assessment of individual risk and not on the completion of a checklist.”

The hon. Member for Blaydon (Liz Twist) was absolutely right that the situation should be put in its context as it presents at that moment. Everything, including the history of physical and mental health, should be considered when assessing and evaluating a patient when they present with a potential suicide.

Liz Twist: I am pleased to hear that the Minister is focused on ensuring that NHS trusts apply the guidance. What steps will she take to ensure that that happens across the board?

Ms Dorries: I am delighted to inform the hon. Lady that just this week, NHS England has written to all mental health trusts to make clear that they should be adhering to NICE guidelines on the use of risk assessment tools. My hon. Friend the Member for Thirsk and Malton mentioned a trust that is still using the old method. As a result of this debate, we have ensured that the letter is going out to tell NHS trusts that they should not be using the tools any longer and should be implementing the NHS guidelines.

Jim Shannon: I congratulate the Minister on her appointment. When intervening on the hon. Member for Thirsk and Malton (Kevin Hollinrake), I referred to the 20% increase in suicides in Northern Ireland. I did so because it is factually correct, and because in Northern Ireland we have a policy and strategy in place to address those issues. Has the Minister, in her short time in her role, had the opportunity to discuss those matters with, for instance, the Northern Ireland Department of Health?

Ms Dorries: I am afraid I must disappoint the hon. Gentleman. This is my third day in, and I have not yet had a chance to discuss Northern Ireland in detail, but as a result of his intervention I will ensure that we do that, and it will be on tomorrow’s agenda.

The letter that NHS England sent out highlights the report from the University of Manchester on “The assessment of clinical risk in mental health services”, and asks trusts to ensure that their risk assessment policies reflect the latest evidence from the university, as well as best practice. I am pleased that NHS England and NHS Improvement have committed to working with trusts to improve risk assessment and safety planning as part of future quality and safety work on crisis care and suicide prevention.

My hon. Friend the Member for Thirsk and Malton asked specifically about the role of the Care Quality Commission in ensuring that trusts are adopting best practice in respect of risk management processes. The CQC has assured me that risk management processes are a key feature of every CQC inspection. I hope that that assurance from the CQC, along with the letter that NHS England sent out this week, will go some way to reassure my hon. Friend.

Kevin Hollinrake: I am sure that the work that the Minister has already done to raise the issue with trusts is very positive news for the family. On the basis that people do not do what is expected but what is inspected, it is good to hear that some processes are already in place in the CQC. Will new processes be added? Presumably checks were happening when the situation occurred, so we need something else to ensure that best practice is properly adopted.

Ms Dorries: If I may continue my speech, I hope that I can reassure my hon. Friend on that point.

The Government are committed to a culture of openness, honesty and transparency in the NHS. The legal duty of candour means that trusts need to be open and transparent with patients or their families when something appears to have caused, or could lead to, significant harm. Trusts could face action from the CQC if they are seen to be failing to comply with that duty. I think that some good news will come out later in the year that will hopefully reassure my hon. Friend regarding a new culture that will develop within the NHS to encourage staff and clinicians to be more open about incidents as they happen, so that they share information and we can learn from such incidents.

Our national learning from deaths policy has introduced a more standardised approach to the way that trusts review, investigate and learn from deaths. The national guidance on learning from deaths, published in 2017, is about supporting trusts to become more willing to admit to and learn from mistakes, so that they reduce risks to future patients and prevent tragedies from happening in the first place. The guidance is clear that trusts must engage meaningfully and sensitively with bereaved families and carers as part of that process. I hope that, as a result of those measures, what the Bellerby family went through in 2015 will never be experienced by another family. To support our national policy, the CQC has strengthened its assessment of learning from deaths by trusts.

I will talk about what we are doing to reduce suicides across the NHS more widely. People in contact with mental health services account for around a third of all suicides in England, and arguably some of the more preventable ones. The overall suicide rate among people in contact with mental health services has reduced significantly over the last decade, but numbers remain too high. We must not lose sight of the fact that nobody under the care of NHS services should ever lose their life as a result of suicide. At the start of 2018, we therefore launched a zero suicide ambition, starting with mental health in-patients, but asking the NHS to be more ambitious and look to expand it to include all mental health patients.

Andrew Griffiths (Burton) (Con): I know it is only the Minister’s third day, but the thing that we ask for more than anything else in a Minister is for somebody who cares about their portfolio. It is clear that my hon. Friend really cares about this issue. I am not unique in this, but as one of the few Members who has used NHS mental health services, I can attest to the real value and life-saving contribution that they make. I commend her decision to have that aspiration for zero deaths from suicide in the NHS.

In my constituency, there were 10 suicides last year. That is 10 families ripped apart and hundreds of lives broken as a result of those tragic decisions. Key to a brilliant service is the number of NHS nurses out in the community. Will the Minister, as she develops in her
role, look at the numbers on the ground, so that we can be sure that everybody in our constituencies has access to mental health nurses, who can save lives?

Ms Dorries: I hope that I can reassure my hon. Friend on some of those points as I whizz forward. We have asked all mental health trusts to put zero suicide ambition plans in place. As already outlined, NHS England is providing funding for suicide prevention to every local area, which includes investment in a national quality improvement programme to improve safety and suicide prevention in mental health services across the NHS.

We are also investing £2 million in the Zero Suicide Alliance, which aims to deliver an NHS with zero suicides across the system and in local communities. It is doing that through improved suicide awareness and prevention training, and developing a better culture of learning from deaths by suicide across the NHS. In June, the then Prime Minister announced that we would encourage all NHS staff to undertake the Zero Suicide Alliance training, which makes all NHS staff more aware and gives them a basic understanding of how to recognise when somebody may be in the space of wanting to take their own life.

My hon. Friend the Member for Thirsk and Malton may be aware that yesterday the Office for National Statistics published the final suicide registrations data for 2018. Concerningly, there were substantial increases in the suicide rate amongst the general population, following three consecutive years of decreases. The latest figures are disappointing, but reinforce why suicide prevention continues to be a priority for the Government and for me personally.

Experts are clear that we need more data to draw firm conclusions from the latest data, and we will continue to work closely with academics and other experts to consider the data in more detail. There has also been an issue over the past two accounting periods surrounding coroners and the way the reporting of suicides takes place. We continue to take action to reduce the devastating impact of suicide. Every local area has a suicide prevention plan in place, and we are working with the local government sector to ensure the effectiveness of those plans. NHS England is also continuing to roll out funding to every local area to support suicide prevention planning.

We are continuing to improve mental health services. Under the NHS long-term plan published in January, there will be a comprehensive expansion of mental health services, with an additional £2.3 billion in real terms by 2023-24. Crisis care is a key element of the plan, which commits to ensuring that by 2023-24 anyone experiencing a mental health crisis can call NHS 111 and have 24/7 access to the mental health support that they need in their community.

We will set clear standards for access to urgent and emergency specialist mental health care. That will be supported by further mental health crisis care services by 2023-24, including 100% coverage of 24/7 crisis provision for children and young people, 100% coverage of 24/7 crisis resolution, and home treatment teams operating with best practice by 2021 and maintaining coverage to 2023-24. We are also investing £249 million to roll out liaison mental health teams in every acute hospital by 2020, which I hope addresses the question my hon. Friend the Member for Thirsk and Malton asked earlier, to ensure that people who present at hospital with mental health needs get the appropriate care and treatment that they need.

To conclude, I again extend my sincere and heartfelt sympathies to the Bellerby family and friends. I assure them that we are doing everything that we can to prevent further suicides, as we understand their devastating impact on families and the communities affected. I thank my hon. Friend again for raising this very important issue. I would be happy to meet him, and Mr Bellerby and his family, to discuss their concerns in more detail.

Question put and agreed to.
Policing: Staffordshire

4.30 pm

Ruth Smeeth (Stoke-on-Trent North) (Lab): I beg to move.

That this House has considered policing in Staffordshire.

It is a pleasure to serve under your chairmanship, Sir Christopher. Given the nature of the debate we are about to have, I want to make it clear to everybody listening, especially my constituents, that I believe Stoke-on-Trent North and Kidsgrove is a wonderful place to live. In spite of all the crime that I am about to touch on, nobody should be scared or worried about where we live. We are safe and secure; my issue is quite how safe and secure we are.

Before I move on to the debate, I will take a moment to touch on the life of PC Andrew Harper, and pay the respects of everybody in the House to someone who was so brave and who gave his life in defending his community. We all have police officers in our constituencies who, every day, stand up for us and protect our community. He was a brave man, and my thoughts and prayers go to his young wife, as I am sure do everyone else’s.

I am blessed—I think we are all blessed—by some of our local police officers. I have been lucky to work with three chief inspectors since I got elected—Ade Roberts, John Owen and Mark Barlow—all of whom have served my community well. I could not have asked more of their professionalism and support, especially when I was a brand new Member. They exposed me to different parts of my constituency and made sure that when I was dealing with terror arrests or more complicated, not straightforward crime, they were there to support me as a local politician, to ensure that I did not make things worse but helped to make things better. Their professionalism is reflected every day by their staff, and last month I had the privilege of spending a day with my local officers on shift.

This is where we start talking about some of the challenges in our community. I was briefed on how we are working on local gang crime, meaning gang crime involving young people as well as organised crime. I spent time with the police when they were helping run a food kitchen as part of an initiative to help the homeless and get them off the streets, because one of our local churches does not work in August and there had been a spike in the number of homeless people on our streets. I was then taken around the local hotspots, working with the police and seeing how they engage with some of the most challenged members of my community.

What made it so difficult for me, and for them, is that one of the roles that police officers have to play all too regularly is that of social work. Their job is becoming more and more about tackling mental health issues and working with those who are struggling most. To be candid, they are not resourced to do so. They do it with security guards rather than as police officers, which is the fault of the police, but last year we were the centre of the country for Monkey Dust, which led to huge spates of crime. People who were high on drugs were trying to get into older people’s houses or turning up at community events, with the police having to act as security guards rather than as police officers, which they are not resourced to do. This summer, there was a spike in antisocial behaviour in Clough Hall Park. It became clear that there is only one warranted police officer and one police community support officer per shift for one third of my constituency. Across the borough of Newcastle-under-Lyme, we have 10 police officers and 10 PCSOs per shift. It is not enough for the population.

Gareth Snell (Stoke-on-Trent Central) (Lab/Co-op): My hon. Friend has touched on an interesting point. Does she agree that one of the most disappointing things, not just in Staffordshire but across the country, is that although the Government claim to have protected neighbourhood policing, they have actually made neighbourhood policing areas much larger? Although some places have the same number of PCSOs and police constables, they now cover such a great terrain that the impact felt in certain parts of the community is virtually nil.

Ruth Smeeth: I absolutely agree, and will touch on that later in my speech.

In my constituency, especially in Kidsgrove, we have never seen this level of crime before. One of my concerns is that a lot of the burden is falling on the police, when in fact it is cuts to local government budgets that have led to Clough Hall Park becoming a hotspot. Maintenance has not been done, so as soon as the first example of graffiti happened—as soon as investment in the park was lacking—that park became a crime hotspot, because young people did not think anyone cared about it. We have seen that time after time because of cuts to our local government.

There has also been a spike in knife crime in our wonderful, great city. One of our concerns about that—I think I speak on behalf of the three Members from the great city of Stoke-on-Trent—is that we had been blessed by not having previously experienced very much knife crime. We were lucky that it was not normal on our streets, yet it is now becoming a factor. I thank the Minister’s colleague, the Under-Secretary of State for the Home Department, the hon. Member for Louth and Horncastle (Victoria Atkins), for working with our police and crime commissioner and, more importantly, some of our local teachers, as well as for providing additional support to the three Members of Parliament from Stoke-on-Trent on how to tackle knife crime.

The reality, however, is that our police force is struggling. The demands on it are higher, and the briefings we have received from the Staffordshire Police Federation and Unison have made it clear quite how difficult things are within our force. We are told that morale is at rock bottom, especially among the support staff; our dialogue in this place is always about police officers, not police staff, but the ongoing rationalisation programme means that people are working more hours at a less senior level, doing the same job and getting paid less for it. The 101 waiting times in our city have regularly gone up to
more than 20 minutes, and according to a freedom of information request from the Daily Mirror, a 999 call took eight minutes to be answered by Staffordshire police force. That is not the fault of the police; it is the fault of a lack of resourcing.

At its peak, Staffordshire had nearly 2,400 police officers. Now, we are told that the figure is somewhere in the region of 1,600. Since 2010, we are down 468 warranted police officers plus dozens of PCSOs. Kidsgrove police station has been closed, as has Tunstall police station. Burslem police station is no longer open to the public. In fact, if any of my constituents actively want to speak to a police officer, they have to get on two buses for an hour in order to walk into a police station, because we no longer have access. That police station is in the constituency of the hon. Member for Stoke-on-Trent South (Jack Brereton), and as delightful as I am sure it is, it is not convenient for any of my constituents. We are the 13th biggest city in England, but we have no 24/7 police station access. I say this as someone who wishes I were still a young woman: if I were out and about at the weekend, there is no safe sanctuary in my city. If I felt vulnerable, the only safe place would be the hospital, which would require a taxi. That is a cut too far.

I have already touched on the issue of council cuts, but I think this gives the Minister an opportunity. There have been cuts not only to maintenance—which is wooden dollars, in my opinion, because cutting local government grants does not help the police budget when it then costs the police more money to make interventions—but to youth provision. There has also been no clear guidance on ensuring that local authorities work together to provide CCTV infrastructure, which would save them money and help Staffordshire police force.

I will now ask my questions to the Minister so that everybody else may participate in this debate; I am delighted to see colleagues present from across the House. How much of today’s announcement of £700 million is going to come to Staffordshire police force? Will there be any new police officers for Staffordshire police? When will we get them, given that we are so far ahead, with £468 of our workforce being pulled back from the brink of disaster, so we can confidently step up the funding available to the police. I greatly support the new Prime Minister’s commitment to an extra 20,000 new police officers and an increase in the visibility of police patrols over the next three years.

Sadly, what has been all too visible to my constituents recently is antisocial behaviour, particularly linked to gangs and drugs. I spoke previously in this Chamber in a debate tabled by my hon. Friend the Member for Mansfield (Ben Bradley) about the impact of drugs, especially Monkey Dust, which has been a significant challenge in Stoke-on-Trent, as mentioned by the hon. Member for Stoke-on-Trent North. I am pleased to say that the huge efforts of Staffordshire police have cut off the supply of that horrific drug and have resulted in a significant decline in reported cases.

Last week, I was impressed to witness officers conduct a raid on a property in my constituency suspected of being connected to drugs-related crimes. It was part of a day of action under Operation Disrupt, during which about 25 properties suspected of being connected to drugs, organised crime and violence across the south of the city were raided. Of course, the root causes of gangs and drugs are many and complex. Drugs and gang behaviour are the blight of some working-class communities.

Jack Brereton: I absolutely agree. I witnessed the same thing. In seconds, the door was ripped off. As my hon. Friend suggests, those communities—people who have been terrorised by those activities for a long time—are relieved by the police’s actions.

As I was saying, drugs and gang behaviour are the blight of some working-class communities but they are not the preserve of those communities by any means. In fact, all too often it is the demand for drugs from metropolitan middle-class gangs—dinner parties and social circles, as they prefer to call them—that fuels and sustains the horror of drug and gang-related behaviour in working-class areas.

There is huge concern and anguish in areas such as Meir and Fenton in my constituency that drugs gangs, and gangs that have nothing to do with drugs, have been seen to get away with criminal behaviour, unchallenged by, and unafraid of, the police. The police do not enforce the law by consent; they enforce the law by the
force of the rule of law as decided by this House. My constituents have a deep sense that justice is served when the law is enforced without fear or favour.

I was grateful to be involved, with law enforcement, in securing eight civil injunctions against local individuals who have time and again, provocatively and shamelessly, broken the law and made life a misery for the law-abiding majority of decent people who just want to secure a peaceful life, get on with their jobs or enjoy a well-earned retirement after years of hard work. I congratulate the authorities, the police, the council and everybody else who has contributed to ensuring that we have secured those injunctions.

In Stoke-on-Trent South, the local police have ramped up their efforts over the past 12 months by more than doubling the number of stop-and-searches. Only a year ago, Meir had the highest number of antisocial behaviour incidents in Staffordshire, but thankfully those actions have massively reduced that number. We must do all we can to help to reform those offenders, but the overriding priority must always be to protect the law-abiding majority against the criminal few.

Of course, a very small number of young people enter a life of crime. Most importantly, we must do much more preventative work locally to stop young people being led into antisocial behaviour and crime. I pay warm tribute to the Staffordshire police cadets. I have met the active local group in Longton and was delighted to welcome it to the Palace of Westminster recently. It has focused on giving public service and community spirit back to our local area in a scheme initiated by Commissioner Ellis. It is a great legacy of his years in office.

As the hon. Member for Stoke-on-Trent North has mentioned, Home Office Ministers have been extremely supportive, for which I thank them. I am especially delighted by the £612,000 being invested by the Government, which will be shared between the city council and Staffordshire police to help to deliver more preventative work to reduce youth violence and gangs. I have also been working with local schools, Ormiston Meridian Academy and Trentham Academy, to deliver new 3G sports pitches at both sites to help to improve facilities for young people. In addition, I have supported the YMCA to set up new youth groups across the south of the city. Those actions will help to ensure that young people have the facilities they deserve and are not drawn into ASB and a life of crime.

I welcome the Home Secretary’s assurance that stop-and-search will be part of a reassuring visible policing solution. The police know that they must conduct searches with professionalism and courtesy and make it clear that, for those with nothing to hide, there is really nothing to fear. I trust them to do just that and I respect their judgment. As I have said, I saw only last week the brave work that our outstanding Staffordshire police officers are undertaking in Operation Disrupt, and I am hugely proud to represent many of those officers in this House. I am delighted by the increase in the number of police officers, for which I thank the Government and the Prime Minister. I back them wholeheartedly in their fight against the misery of crime.
that does not make policing feel accessible, even though it might well be. Across the county of Staffordshire, with somewhere between 950,000 and 1 million people, only knive crime there was around 30 arrests in the hours of 9 and 5. I do not care what people's politics are—I cannot believe that anybody would justify to me that that is, for accessible policing, an appropriate access level for that many people dispersed across a county that is geographically quite different, depending on where one goes.

I represent arguably the most urban part of Staffordshire and Stoke-on-Trent. I have the city centre of Stoke-on-Trent and the council estate. If one travels down to the rural villages in the constituency of the hon. Member for Burton (Andrew Griffiths), which has no public transport infrastructure and where there is little ability to travel, suddenly there is no access to policing. Yes, there are PCSOs who do their best, but they are now stretched so thin. The PCSO who regularly visits my office to talk to me about the activity happening in the area will tell me that she will have to walk miles in the course of a day to respond to jobs. On several occasions, she has simply been told, “Don’t respond to that—it is not a priority,” because there are not enough people to respond to crimes.

Over the last couple of months, I have seen a change in the crime that we are dealing with in my constituency. As my hon. Friend pointed out, there has been an increase in knife crime in Stoke-on-Trent. Five years ago, knife crime there was rare. I doubt whether that is not because the police numbers if we cannot give them the resources, they are not dealing with the long-term problems around infrastructure and where there is little ability to travel, it is not just the police numbers. Perhaps the Minister could explain how much of this new money will go into locker space, equipment, uniform and the training that police officers, including Karen Stevenson, who looks after the southern part of my constituency, and Mark Barlow and John Owen, who look after the northern part with Superintendent Geoff Moore. They are wonderful people who are genuinely committed to neighbourhood policing in Stoke-on-Trent in Staffordshire, but they make it clear to us that there is so much more that they want to do. They can just about manage with what they are doing now, but they know there are things that they are simply not doing, and that—with the right resource, support and impetus from Government—they could do to make Stoke-on-Trent and Staffordshire a much safer place.

It is clear that part of this is about money. Some £38 million has been taken out of the Staffordshire police budget since 2010. The police and crime commissioner has tried to recoup some of that by raising the precept, but the precept goes only so far. When we have mainly band A council tax payers having to fund the 2% levy for adult social care and the 2.9% increase in council tax, and also having to try to pay for policing, the available pool of money to fund all this in Staffordshire simply does not exist, because of the demography and house type that we have in our city.

The Government will have to ask themselves: what more can they directly do? I know the Minister will respond by talking about the extra investment going into policing. More money for the police is welcome, but I ask the Minister to bear in mind that it is not just about more money for more police. One of the problems I have been told, “Don’t respond to that—it is not a priority,” was the question of where we would put more police officers coming into Stoke-on-Trent.

The police stations are no longer functioning and the police have moved into fire stations, so the fire stations are now at capacity. The community spaces in private finance initiative fire stations have been taken over. The chief inspector mentioned that she does not have the money to buy lockers for police to put their equipment in. It is all well and good having police officers, but we are not dealing with the long-term problems around police numbers if we cannot give them the resources, the space, equipment, uniform and the training that they need to develop in their own careers.

It is not just the police numbers. Perhaps the Minister could explain how much of this new money will go into extra forensic investigators, extra detective support activity, digital crime prevention and the people who go out and tidy up crime scenes in homes after police have had to do raids. I recently had an incident in which, after one of the stabbings, the police had to follow a suspect into a private residence by kicking the back door down. The police had to pick up the bill for fixing that door and find the resources to replace it. These sorts of things have an impact on policing budgets and activity but are not simply sorted by having more police officers.

Of course, there is also the age-old problem of the magistrates and court system, which I know is outside the Minister’s immediate responsibility—I am sure he will be given that responsibility one day, as he demonstrates his brilliance in his Department. More police arresting more criminals means we need bigger custody suites, more custody sergeants and more space at magistrates courts to process those individuals who have been caught in crime.

I was told by a custody visitor only last week that police look spend more time waiting at the custody suite in Etruria in my constituency, because there are not enough custody sergeants to process all the people whom the police are rightly picking up for the crimes.
they commit. It means that they are not out on the street picking up the next lag who has done something wrong or providing the security that my older and vulnerable residents, and my communities, feel that they need.

I wonder whether I can tempt the Minister to comment on the fact that, out of every police and crime commissioner in the country, Matthew Ellis has the largest percentage office cost of them all—bigger than the West Midlands, Northumbria or South Yorkshire? It is a huge police force, and bigger than the Met. He spends £1.4 million, which, as a percentage of the money available to him, is almost 10% of his total. I wish the Minister would take that up.

I know the commissioner has said he is retiring at the next election, and I wish him well. I assume he is trying to get into this place—again, I wish him well—but surely every penny should be spent on trying to get more police, more frontline support and more officers out on the street, and not on public relations people sitting in a commissioner’s office.

4.59 pm

Louise Haigh (Sheffield, Heeley) (Lab): It is a pleasure to serve under your chairmanship, Sir Christopher. I congratulate my hon. Friend the Member for Stoke-on-Trent North (Ruth Smeeth) on securing this incredibly important debate in the first week back after the recess, and on her exceptional speech.

I welcome the Minister to his place and look forward to, as his predecessor said, keeping him on his toes with the new funding promised. It is good to see that the Government finally recognise that police funding should be a priority, and that they should abandon the dangerous delusion of police funding and crime being completely separate. I add to the remarks expressed by my hon. Friends by offering my condolences to the family and loved ones of PC Andrew Harper, who tragically lost his life over the summer. I also offer our best wishes for a speedy recovery to PC Stuart Outten, who was stabbed in Leyton, and PC Gareth Phillips, who was run over in Birmingham—tragic reminders of the dangers that our police officers face every day they put on their uniforms.

We have heard the consequences of the cuts to police funding and to our public sector over the past nine years across the city of Stoke-on-Trent. We heard from my hon. Friend the Member for Stoke-on-Trent North about the impacts that gang crime, organised crime, serious crime and violent crime has had on her constituency—[Interruption.]

Sir Christopher Chope (in the Chair): Order. There is a Division in the House, so the sitting is suspended for 15 minutes until a quarter past 5 o’clock.

5 pm

Sitting suspended for a Division in the House.

5.15 pm

On resuming—

[Mr Peter Bone in the Chair]

Louise Haigh: It is a pleasure to serve under your chairmanship as well, Mr Bone.

As I was saying before the Division, my hon. Friend the Member for Stoke-on-Trent North spoke about the changing nature of policing and about how demand on policing has changed so much in the past several years—the police now do what we would expect social workers, mental health professionals and care organisations to do. She made the point that the police are insufficiently resourced to undertake those roles, nor are they the correct agency to do so. It is completely unacceptable that in our society, someone having a mental health crisis could receive a police response—someone turning up with handcuffs and, potentially, a Taser—rather than a health response.

My hon. Friend the Member for Stoke-on-Trent Central (Gareth Snell) mentioned that the police are really struggling to provide the proactive and preventive policing that forms the basis of our country’s policing model and enables our police officers to police by consent. The police are not there simply to respond to crime, but to be out in communities, developing relationships, gathering intelligence and preventing crime from happening in the first place. He made an important point about the wider police family and staff.

It is shocking to hear that the Staffordshire police have lost half of their forensic investigators when crime is becoming more complex and particularly when so much crime has a digital footprint. Investment in digital forensics is nowhere near sufficient to bear down on crime. That is exactly why there has been a rise in certain types of crime and a disastrous number of prosecutions and convictions. We know that crime is one of the public’s biggest concerns and, sadly, we know exactly why that is. Some 285 people were stabbed to death last year—the highest ever rate in figures dating back to 1977. Charges for crimes are now at a record low and police recorded violent crime has more than doubled to a record level in recent years.

The police cannot solve everything, but it is common sense that if police numbers are cut, crime will rise. The current Chancellor of the Exchequer, who was until recently Home Secretary, said so himself during the Tory leadership campaign this summer. He said:

“More police on the beat means less crime on our streets. Not exactly rocket science is it?”

No, it is not exactly rocket science, and it is what the Labour party, the Police Federation, the Superintendents’ Association, police staff unions and the public have told the Government for the last nine years. Yet the Government cut 21,000 police officers, 16,000 police staff—those who keep the police service functioning, go to the scene to help with investigations and put the evidence in a fit state for trial—and nearly 7,000 police community support officers, who are the eyes and ears of community policing.

The consequence of those decisions is rising crime across Stoke-on-Trent and nationwide. The damage caused by those broken promises cannot be reversed, and the know-how that experienced police officers and staff brought to the job is gone for good, harming the fight against serious crime. Demand is soaring and continues to rise exponentially.

That brings us neatly to the Prime Minister’s pledge to recruit 20,000 police officers. He clearly thinks, perhaps sincerely, that in one month-long pre-election blitz he can try to reverse the damage that his party has done
over the last 10 years. The chief constable of West Midlands Police—a force on the frontline of the fight against violent crime—recently said that that force “accounts for six per cent of the grant Government allocated to policing. If that was the means to allocate the officers it would be a loss of 1,200 officers over three years.”

However, according to the most recent Home Office figures, West Midlands Police has lost over 2,000 officers since 2010, so the chief constable expects to receive 931 short of the total number of officers that he has lost.

What is more, we understand from leaked letters that the National Crime Agency is reportedly set to receive approximately 6,000 of the 20,000 officers pledged. That is much needed, but it cannot be at the expense of local forces that need to bolster their response. Will the Minister confirm that the allocation of officers to local forces is actually about 14,000—far below the number lost since 2010? The lofty promises made on the steps of Downing Street come apart when exposed to scrutiny. Perhaps that will be the mark of the Prime Minister’s premiership.

For Staffordshire, what would it mean to apply the funding formula? Staffordshire has lost 27% of its police officers since 2010—nearly 600 officers. If the formula assumed by the chief of West Midlands police is applied, 320 officers would return—little over half what has been lost. That is if we assume that all 20,000 go to local forces, which is far from confirmed. I would appreciate if the Minister confirmed whether that is how the numbers of police officers in each force will be determined, based on the funding formula that determines the central grant in each force. How many will that mean for Staffordshire? How much of the additional money announced today by the Home Office will come from central Government funding, and how much will be raised by the local precept? How is the 20,000 being allocated between territorial, counter-terror and national security policing? Will all the officers recruited be fully warranted? Is there any commitment to the uplift to police staff? Does the Minister plan to review the funding formula to ensure that funding is genuinely allocated according to need?

Proroguing Parliament next week means that now is likely the only opportunity that we will have to scrutinise the important promises made to the British people by the Prime Minister and the Home Secretary. We absolutely must have answers to those questions.

5.21 pm

The Minister for Crime, Policing and the Fire Service (Kit Malthouse): It is a great pleasure to speak with you in the chair, Mr Bone. I congratulate the hon. Member for Stoke-on-Trent North (Ruth Smeeth) on securing this important and timely debate. Before I begin my response, I thank her and other hon. Members for their contributions about PC Andrew Harper and the other officers who have been injured recently. The death of PC Harper in the first couple of weeks of my tenure in this job was a shocking reminder of something that I learned in my four years as deputy mayor for policing in London: police officers go to work each day not knowing what they will face. It takes extraordinary courage for them to do that, and causes incredible worry and anxiety to their families, who often are not taken into account. That was thrown into very sad relief by the death of PC Harper, who left behind his new wife. Our condolences are with his family and friends. I take this opportunity to thank police officers across the country for their tireless work fighting crime and keeping us all safe, not least in Staffordshire.

The role of Government is first and foremost to protect the public, but the demands on the police are changing and becoming more complex, as hon. Members outlined. We recognise that the police are under pressure from that change, which is why this Government have acted quickly to rectify that. Policing was the subject of one of our Prime Minister’s first announcements on his first day in the job, and it is at the heart of what this Government will deliver. That is why we have announced plans for the recruitment of 20,000 additional officers over the course of the next three years. That is an unprecedented increase, and probably the largest expansion in policing ever. I am pleased to say that the recruitment campaign for those additional officers will be launched tomorrow morning, following the announcement made by the Chancellor this afternoon setting out the funding envelope for 2021, including £750 million extra for policing budgets to support the delivery of this commitment and associated costs.

That is just the first step in delivering on the Prime Minister’s commitment to put more officers back on our streets. It builds on the 2019-20 police funding settlement, which provided the largest increase in police funding since 2010. Police funding has increased by more than £1 billion this year, including the precept, extra funding for pension costs and the serious violence fund, allowing PCCs to start filling gaps in capacity this year as well. For Staffordshire police, this year that meant total funding of £196 million—an increase of £13.3 million on 2018-19, including council tax.

I understand that when the previous Policing Minister, my right hon. Friend the Member for Ruislip, Northwood and Pinner (Mr Hurd), spoke to the police and crime commissioner for Staffordshire, he was determined to use this year’s settlement to move 100 more people into neighbourhood policing by year end, and to get behind proactive policing to disrupt crime, including drug dealing in hotspots. I am sure that following the excellent outcome of the spending round for policing, we will now go on to even greater achievements, delivering on the Government’s pledge of 20,000 extra police officers, with 6,000 for territorial policing in the first year alone. I hope hon. Members will welcome this plan.

I turn to some specifics mentioned by hon. Members. I acknowledge that too often, police officers step in where other organisations should shoulder their share of the responsibility, and a key area is mental health. The police deal with a very high number of mental health incidents, but we are working with our health and social care partners to relieve the burden on officers and to ensure that people receive the support they need. The Government recently announced an additional £2.3 billion to enhance mental health services by 2023-24 to relieve exactly this sort of pressure. I recently visited Hertfordshire and Northamptonshire police, and both emphasised the amount of capacity absorbed by hunting for missing people, who are often suffering from mental health problems. That is one of the areas on which I hope to focus in the months to come.

The hon. Member for Stoke-on-Trent North rightly raised the issue of violence, much of it drug-related. I was appalled to learn of the recent incident in her constituency. I am sure that we will all be appalled by the incident, and would like to pay tribute to the resilience and bravery of the police and, indeed, the PCSOs, who attended the scene. The response of Staffordshire police to this incident was extraordinary and I am sure that we are all in awe of the courage and professionalism of them and their colleagues. I would welcome any further comments that the hon. Member has to make about that incident and any other. Clearly, we are all in agreement that we need to tackle the root causes of this, which is why we need to put more officers on our streets and why we will continue to work with our health and social care partners to deliver this commitment.
Kit Malthouse: The hon. Lady raises a good point. In many ways, the police, like lots of other organisations, need to modernise the way we contact them. If there are issues with 101 and 999 in her area, I am more than happy to look at the performance data. Lots of PCCs assess their local force on those kinds of performance metrics, and it is fundamentally for the PCC to decide. I was technically the first PCC in the country when I was deputy mayor for policing in London, and we were very hot on those kinds of performance metrics. As well as presence, people want a sense of responsiveness from the police—they want to know that they are going to get some kind of efficient response that makes them feel they are in good hands—so I am more than happy to look at that.

Ruth Smeeth: I appreciate the Minister’s comments about the role of police stations in communities even if they are not open, although I wish they were. One of the issues that compounds this, though, is that more than 20% of my constituents have not accessed the online service. They wait on hold for more than 20 minutes, and in some cases up to two hours—in the longest case, I think someone held on for eight hours—trying to get through to 101, and for eight minutes trying to reach 999. Accessing the police is becoming increasingly difficult for my constituents.

I am reminded of an incident when I was London Assembly Member for West Central. We had a particularly horrible street murder in Shepherd’s Bush, and the then borough commander, the famous—well, possibly infamous—Kevin Hurley, who went on to be PCC in Surrey, held a community meeting. The one thing people all complained about was the fact that Shepherd’s Bush police station was not open 24 hours a day. Chief Inspector Hurley said, “That’s fine. I will open it 24 hours a day if you tell me which police officers you’d like me to pull off patrol to man the front desk during the night.” They all said, “No, no, no, we don’t want that.” He then said, “Well I’ll tell you why. Why don’t I leave the lights on overnight so it looks like it’s open?” They all said, “Oh yes, that’s a terribly good idea!”

That illustrated to me that police stations very often are a proxy for presence. People do not necessarily want to visit them. Very few people ever visit their police station, and we know from footfall counts that their use is decreasing, as the hon. Member for Stoke-on-Trent Central (Gareth Snell) mentioned, but they nevertheless speak to something about presence. We hope that the increase in the number of police officers—in particular the first-year increase of 6,000, which will all be territorial uniformed policing—will increase the sense of presence and decrease anxiety about bricks and mortar, very much of which is often inefficient.
period. One of today’s announcements is that we secured £45 million for in-year funding, to allow recruitment to begin immediately. Some of that will go into the bricks and mortar, if you like, of the campaign itself—advertising and building capacity—but it should result in about an extra 2,000 police officers being recruited across the country, on top of the 3,500 baked in as a result of the settlement last year. Over the next couple of weeks, we will agree with PCCs and forces what the allocation looks like, but it will allow us to get going straight away and means that there will be new officers for Staffordshire. Subject to the force’s capacity to recruit, I hope that that will be pretty immediate.

I am keen to encourage partnership working. The hon. Member for Stoke-on-Trent Central—Stoke is a lovely place, I have been a couple of times—also mentioned that other organisations were happy to take responsibility for gang violence. In truth, the solution to the problem of youth violence in particular relies on everyone sitting around the table to solve it together, and that includes schools and colleges as well as the police. An element of information sharing and a shared sense of mission, especially with local authorities, are needed in particular areas to map the gang activities taking place and then to take steps—hard and soft—to solve the problem. I will look at how I can work with PCCs to stimulate them to be more assertive about bringing organisations together to do exactly that. That might be through local criminal justice boards, some of which perform extremely well—others do not—but we will look at exactly that.

Louise Haigh: The Minister laid out that the allocation of the 6,000 territorial officers will be decided over the coming weeks and that the funding formula, which we expect to be announced in December, will be how we decide further recruitment. Will he confirm that the amount allocated for further recruitment will not necessarily all come from central Government, but might yet come from an increase in the precept?

Kit Malthouse: I was coming on to the hon. Lady’s questions, but no, the money is exclusive of precept—it is on top of the precept. However, I cannot yet confirm the method of allocation. That will be subject to discussion and to announcement in the normal course for next year. We will try to reach an early agreement on the allocation of the £45 million so that people can get going straight away, on top of the recruitment that they are already putting into place.

My hon. Friend the Member for Stoke-on-Trent South (Jack Brereton) interestingly mentioned police cadets. I am a great fan of the police cadets. I remember that when I was doing the job in London, the police cadets would actively go and try to recruit young people who had been through the justice system, who had been in trouble. They had a 100% success rate; not a single police cadet would reoffend. Something about the discipline and self-respect found through being part of an organisation like that helps. That is the kind of theme we need to look at in much of the long-term work that we need to do with young people.

The hon. Member for Stoke-on-Trent Central mentioned space for police officers. He is absolutely right. When I did the first media round after the initial 20,000 announcement, there was much hilarity at the mention on the radio that one constraint might be locker space. Police officers carry a lot of kit, and 20,000 lockers is quite a lot of space. Where are we going to put them all? Interestingly, immediately after that, I had calls from a couple of local authority leaders saying that they would like to help. Local authorities have an estate and spare space, and there are lots of ways that we can get the public sector to work together to try to find accommodation. One thing included in the £750 million for next year is that ancillary costs—for training, equipment, space and all that kind of stuff—are essentially factored in as well.

The hon. Gentleman is quite right that 20,000 more police officers might, one would hope, be more productive in arresting people, which means that there will be criminal justice on-costs. He will today have seen the announcement in the spending round of another £80 million for the Crown Prosecution Service and more money for the Ministry of Justice to look at prisons and their capacity. We are looking at the whole system.

The hon. Gentleman also raised the central costs of the PCC in Staffordshire. I gently point out to him that the PCC is also the fire commissioner, and one would therefore expect the central costs to be a little higher, because he is handling two organisations rather than just one.

Gareth Snell: For clarity, the figure I quoted was from before Commissioner Ellis took on fire responsibility. I understand that, since he has taken on that responsibility, that figure has grown, but I do not have the up-to-date figure.

Kit Malthouse: Obviously, a police and crime commissioner has to face the electorate every four years, just as we do every now and again, and will have to justify that central cost. As I understand it, the Staffordshire PCC has done a pretty good job and has been pretty well praised, certainly by colleagues on this side of the House, for the work he has done over his two terms. It sounds to me like he no doubt has a pretty productive relationship with the hon. Gentleman as well, which is good to see. Finally, I think I have answered most questions from the hon. Member for Sheffield, Heeley (Louise Haigh) on allocation exclusive of precept; finally, yes, those 20,000 officers will all be fully warranted.

Before I conclude, I will address the constant challenge about the number of police officers being related to the amount of crime. The hon. Lady may remember that, back in 2008, when I started my job as deputy mayor for policing in London, we faced exactly the same kind of spike in violent youth crime that we face now. That was at a time when police officer numbers were at an all-time high and money was being spent liberally on policing, so it is not necessarily the case that the link is direct. The causes of crime are significant and complex, and they change. It is key that the Government, and the police, which the Government fund, assist and support, remain agile in the face of changing crime. We heard about exactly that today, with the advent of “monkey dust”, which seems to have bubbled up and become a problem in just a matter of weeks. Giving the police the ability to be agile, through both technology and capacity, is a key part of our plans in the weeks to come.

Louise Haigh: As a special constable for the Metropolitan police in the borough of Lambeth in the immediate aftermath of that serious violent crime spike, I was part
of the response to that spike. The then Mayor of London was able to respond and bear down on that spike because he had record numbers of police available to him. That has not been the case for police forces up and down the country over the last nine years. I will push the Minister on one question he has not been able to answer so far, on the division in the expected 20,000 officers between territorial, counter-terror and national security policing.

**Kit Malthouse:** As I say, that is also yet to be decided. Thus far, for the first year—that is where we have got to in the spending round—we have agreed that the first 6,000 will be all territorial. I think the profile is then for 8,000 and a further 6,000, and we will be in discussion with the policing family about the allocation for that across the board. Part of the announcement today is a serious and organised crime review, and its conclusions will obviously inform the work we do in the future, not least because I am keen that the NCA and serious and organised crime work dovetails as much as possible with the work we will do with neighbourhood forces on county lines and other cross-border issues, where the NCA can bring its expertise to bear.

I am grateful to the hon. Member for Stoke-on-Trent North for raising these important issues. As I said, the policing landscape is ever changing. The Chancellor’s announcement this afternoon clearly demonstrates the Government’s commitment to providing police forces with extra resources to protect the public and tackle crime head on. I look forward to working with the policing sector in the coming months and years to deliver this unprecedented uplift in officers and support what I believe to be the best police service in the world.

**Ruth Smeeth:** It is a pleasure to serve under your chairmanship, Mr Bone. I thank everyone who contributed to the debate, and in particular the two Members who are still here—my hon. Friends the Members for Stoke-on-Trent Central (Gareth Snell) and for Sheffield, Heeley (Louise Haigh). I understand that other business in the House is occupying everyone else.

It is clear that policing will be an ongoing issue for the Government and this Parliament. This has been a good opportunity to air some of the issues and our concerns about our own police force, not least about the number of police officers we have lost and the rationalisation of the estate and its effect on community faith in policing. My concern, which is the one thing I want to leave with the Minister, is that we have lost nearly 600 police officers. Based on the proposed investment and assuming that all 20,000 go into territorial policing, that will give my force 96 officers in the first year and 320 over the three years, so police numbers will still be down by 15% on 2010. Minister, my police force is struggling. It needs more support and double the investment that is currently being promised.

*Question put and agreed to.*

*Resolved.*

That this House has considered policing in Staffordshire.

**5.42 pm**

*Sitting adjourned.*


Westminster Hall

Thursday 5 September 2019

[IAN PAISLEY in the Chair]

BACKBENCH BUSINESS

Artificial Intelligence in Healthcare

1.30 pm

Henry Smith (Crawley) (Con): I beg to move,

That this House has considered involvement of patients in the use of artificial intelligence in healthcare.

It is a pleasure to serve under your chairmanship once again, Mr Paisley. I am delighted to have been granted this important debate, and I am pleased to see a number—particularly for a Thursday—of Members from all parts of the House present to take part. I declare at the outset that I am the chair of the all-party parliamentary group on heart and circulatory diseases. Earlier this year, the APPG conducted an inquiry, with the support of the British Heart Foundation, to better understand patient perspectives on artificial intelligence. It found huge potential for AI to transform the lives of those living with heart and circulatory diseases and a greater need for those affected to be included in discussions about the development and adoption of new technologies.

Before I go further, I want to speak briefly about what AI is. Put simply, AI is the term given to a set of computer actions that mimic human intelligence. Our report outlines that what separates modern AI, such as machine learning, from other types of computer program is that it can learn and improve at tasks. AI is particularly strong at finding patterns and trends in data that are not obvious through human analysis. I have mentioned machine learning, which is one type of AI. It is where algorithms—a set of rules that a computer uses to make a calculation—are used to look for patterns in data, and the computer then uses those patterns to make decisions. It looks for patterns in many different types of data, from scrutinising images to analysing genomic data.

Every day, we interact with something that uses AI. Whether it is entertainment, online shopping, wearable devices, virtual assistants, chatbots or advertising, the use of AI is ubiquitous. Whether it is through faster or more accurate diagnosis, more personalised treatment, better targeting of demand, improvements in service planning and delivery or better predictions, AI has the potential to touch all aspects of healthcare delivery and management.

Our APPG’s report, “Putting patients at the heart of artificial intelligence”, was launched in May this year. It warns that the spread of misinformation risks undermining public confidence in the use of AI in healthcare. The APPG has therefore recommended that policy makers, parliamentarians, the NHS, charities, healthcare professionals and the health technology industry should seek to engage and involve patients in the design, development and diffusion of AI. If they do not, developments in AI might not reflect the needs of the very people who could benefit from it.

It is important to ensure that fake news and the desire for a quick headline do not undermine the public’s trust and confidence in this important area of research and clinical practice. In a survey conducted for the inquiry, 91% of people with heart and circulatory diseases said that the public should be well-informed about how AI is used in healthcare. Some 90% believe it to be the responsibility of the NHS to inform the public about current and potential uses of AI in healthcare, and 48% of patients surveyed strongly support doctors using artificial intelligence technologies to assist them in diagnosing and treating heart and circulatory diseases.

Heart and circulatory diseases, including coronary heart disease, stroke and vascular dementia, affect millions of families across the UK. The halving of deaths from heart and circulatory diseases since the 1970s has been a major health success for the UK. However, such conditions still cause a quarter of all deaths in the UK and are the largest cause of premature mortality, particularly in deprived areas. Together, they make up the single biggest driver of health inequalities and cost the NHS in England at least £7.4 billion a year. As outlined in the long-term plan, it is the single biggest area where the NHS can save lives over the next 10 years.

In assessing the potential for AI, it is important to note the scale of heart and circulatory diseases in this country. The British Heart Foundation, which provides secretariat support to the APPG, reports that heart and circulatory diseases still cause a quarter of all deaths in the UK, on average killing one person every three minutes. The number of people living with heart and circulatory diseases also remains high, at 5.9 million in England. There are more than 42,000 premature deaths from cardiovascular disease each year in the UK. We must therefore utilise the enormous potential of AI across all areas to transform the way we prevent, diagnose, treat and support those living with or at risk from heart and circulatory diseases.

In my constituency of Crawley, 11,000 people were living with a heart and circulatory condition in 2017-18. Of those, 3,679 had coronary heart disease and 1,865 were living with stroke, 774 were living with heart failure and 1,985 were living with atrial fibrillation. In addition, 16,682 constituents have been diagnosed with high blood pressure, including me, and 7,555 with diabetes. While those numbers may seem high, the British Heart Foundation tells me that according to the quality outcomes framework data, Crawley is ranked 548th out of the 650 UK parliamentary constituencies for the prevalence of cardiovascular disease.

In communities around the country, including Crawley, one of the challenges of introducing AI into everyday practice in healthcare is its potential to exacerbate health inequalities. Age, ethnicity, and socioeconomic demographic factors can influence access to the best technologies. Access to new technologies is relevant because AI is currently being implemented in consumer-facing technologies, such as smartphones, which can help manage adherence to blood pressure medication, smart watches, which can track and analyse heart rates, and voice-activated assistants such as Alexa or Siri, which can act as useful reminders to take medications.

As I mentioned, the APPG on heart and circulatory diseases launched its report on AI earlier this year. Our group was grateful for the involvement and enthusiasm of the Secretary of State for Health and Social Care,
who also took the time to speak at the report’s launch. Given the number of people in Crawley who have heart conditions, I wanted to keep local residents updated about my work chairing the group. Shortly after the report’s launch, I wrote in the Crawley & Horley Observer about the importance of tackling such conditions and reiterated the salience of the Department of Health and Social Care ensuring that some of this Government’s increased funding for our NHS is used to address the use of AI and its potential in the health service.

It was very much with that call in mind that, almost a month ago, I welcomed the Secretary of State’s announcement that £250 million is to be spent on the new national artificial intelligence lab to improve the health and lives of patients. The Department of Health and Social Care has said that the AI lab will bring together the industry’s best academics, specialists and technology companies. They will be working on some of the biggest challenges in health and care, identifying the patients most at risk of conditions such as heart disease. That will allow for earlier diagnosis and cheaper, more focused and personalised prevention.

The new national artificial intelligence lab will sit within NHSX, the new organisation that will oversee the digitisation of the health and care system in partnership with the accelerated access collaborative. One of the key recommendations of the APPG report is that NHSX should set up discussions with charities and the public to explore the views and concerns of patients about the use of AI in healthcare, and I would be grateful for the Minister’s assurances that through the development of the new lab, NHSX will be exploring the opinions of patients and thoroughly engaging them throughout that ongoing process.

In the past five years, we have seen AI go from struggling to identify images of cats to being able to identify skin cancer in histological sections of biopsies just as well as a team of specialist doctors with decades of combined experience. In debates on this topic, it is easy to discuss issues in what seem like abstract terms, but when patients go to see their GP, they want to see their GP. In such cases, AI could be used to create automatically the GP’s notes about their patient, reducing the time that the doctor will spend looking at their screen, for example.

There is also the issue of self-management. From dedicated apps that people use while going out for a run to the most basic step counters, more and more people use their own devices, on some level, to keep an eye on their health. AI can be used more and more in this area. Patients could use wearable devices and sensors to manage their condition at home and in the community instead of in hospital. AI systems could then monitor for unusual patient-specific patterns, such as a deterioration in a heart failure patient, and relay that information to a clinical team for further intervention. That also presents an opportunity to put patients in much better control of their care.

Our inquiry heard from experts from the University of Cambridge and the University of Oxford, who told us that NHS health checks could be better at distinguishing the risk of different types of heart condition, to ensure that the most suitable treatment can be received by the patient. On 16 August, the Department of Health and Social Care announced a review of the NHS health check service, which is offered to everyone between the ages of 40 and 74 to spot the early signs of major conditions that cause early death, including stroke, kidney disease, heart disease and type 2 diabetes.

Although the NHS health check programme has identified more than 700,000 people at high risk of cardiovascular disease over the last five years and has saved an estimated 500 lives each year, the Department of Health is right that there is potential for people to benefit even more from an enhanced tailored service. The APPG’s survey of patients with heart and circulatory diseases found that 64% had at least some awareness of the potential future uses of AI to diagnose and treat heart and circulatory diseases. However, only 17% of respondents were aware of any current uses. That represents a huge opportunity to inform patients about the opportunities of AI.

People are becoming more and more wary about the use of their personal data. From cold calls to unsubscribing from mass emails, there is increased caution from people about giving up personal information. When it came to the APPG’s inquiry, however, 86% of respondents were comfortable with their personal health data being used to help better to diagnose medical conditions. Policy makers should feel confident that patients support the use of AI in healthcare if it is done to improve health outcomes.

Trust works both ways of course, and it is important that those implementing policy and programmes are open with the public about how their information will be used. That is why patients, and the wider public, should feel involved with not only the details of what their data will be used for but the wider work of the NHS to use artificial intelligence to improve our health service. In June, when speaking on the use of AI, NHS England chief executive Simon Stevens said that “from April next year we propose to change the way we fund care so that NHS organisations who invest in this world-leading technology will be properly rewarded for doing so.”

I would be grateful for an update from the Minister on what form that is due to take. I am sure that such an update would be welcome if colleagues are to make representations with their own health authorities and trusts.

Our report raised the issue of what patients need to know. Transparency is welcome, and it is important to specify what type of transparency, as well as its intended outcome, in addition to being clear about for whom the transparency is intended. Transparency can include outlining why an algorithm was developed, what types of data were used, and how the development was funded. Some experts have argued that the black box of AI—the difficulty in understanding how AI models reach their decisions—is not really a problem at all, as humans are equally opaque in how they arrive at decisions.

However, the ability to scrutinise, conduct quality assurance, and undertake due diligence are important parts of regulating the health system and ensuring patient safety. In November 2017, the national data guardian for health and care, Dame Fiona Caldicott, told the House of Lords Artificial Intelligence Committee about the challenges of using patient data in technology, saying:

“What we have not done is take the public with us in these discussions, and we really need their views.”
That needs to be addressed. If patients are to trust the use of AI in healthcare, they need to know they are a vital part of the journey.

Our report also looked at the regulatory framework, and how the development of such technological innovations means that health systems are becoming more complex environments to regulate. At the same time, it is important that the regulatory burden is not added to, so that the spread and adoption of new innovations is not stifled. Our inquiry found that a “balancing act between managing expectations and encouraging hope and enthusiasm is always challenging but nevertheless important. When we say patients should be informed and clear on what AI can do for the NHS, it is not a tick-box measure. It is to provide the clarity that is needed for better diffusion of AI.”

NHS England and NICE, the National Institute for Health and Care Excellence, should encourage the development and use of reporting standards for AI research, in order to provide best practice for artificial intelligence researchers. That could also lead to greater recognition of quality in AI research, particularly among the media, policy makers, clinicians and the public.

With regard to my constituents, I mentioned the importance of Government, policy makers and NHS staff, all of whom have an important role to play in supporting patients. I am also grateful for the secretariat support provided to the APPG by the British Heart Foundation, and I pay tribute to the charity’s hardworking volunteers, including those whom I have been pleased to meet throughout Crawley, and those at the British Heart Foundation shops located on Queensway and on the Broadway in my constituency.

There is much to welcome in the NHS long-term plan. Indeed, NHS funding will grow on average by 3.4% in real terms each year from 2019-20 to 2023-24, which is of course welcome. The current funding increase will mean that the NHS can lay further foundations for service improvements. Thanks to our NHS staff, millions more people are being treated every year. Although services return to Crawley Hospital—and I continue to call for even greater provision—it remains the case that the worst decision in the history of Crawley as a new town was the removal of A&E in 2005. Our constituents expect to see improved GP provision, reduced waiting times and enhanced frontline services.

The APPG on heart and circulatory diseases welcomes the great strides made in recent years to speed up the development and diffusion of AI in the NHS. The Office for Artificial Intelligence and the AI Council have huge potential to bolster the UK’s position as a world leader in AI as part of the Government’s AI sector deal. The Centre for Data Ethics and Innovation can also cement the UK’s leadership in ethical AI and ensure that society can shape the direction of travel and reap the benefits of AI, and we hope that those initiatives will continue to be taken forward.

The chief executive of NHS England has called for this country to become a world leader in the use of AI and machine learning, stating that exploiting the boom in AI technology can help meet the target in the NHS long-term plan of making up to 30 million outpatient appointments unnecessary, in addition to saving more than £1 billion in what would have been increasing outpatient visits. The money can be reinvested in frontline care and save patients unnecessary journeys to hospitals. That reminds us that patients must be at the heart of today’s debate, and hopefully future debates in Parliament on this issue.

1.48 pm

Daniel Zeichner (Cambridge) (Lab): It is a pleasure to serve under your chairmanship, Mr Paisley. I congratulate the hon. Member for Crawley (Henry Smith) not only on securing the debate but on his thoughtful and comprehensive introduction to an extraordinarily complicated subject that I suspect will require much more debate in this place in future. I chair the all-party parliamentary group on data analytics and represent a constituency that is, of course, well known for its health services, innovation and tech cluster, not just in the city but around it.

The issue is therefore close to my heart. When I was elected as the Member of Parliament for Cambridge, I never imagined that I would spend quite so much time on such issues, but there are many jobs involved and huge opportunities available, exactly as the hon. Gentleman said. However, I suspect that I will be slightly less optimistic than him, because as I have begun to look at the issue more closely, it has struck me, as he said, that the only way that we will make it work is by maintaining the trust of patients, which is difficult—particularly given the behaviour of some of the major tech companies. It is not a lost cause, in my view, but we are going to need a qualitative change in regulation and protection if we are to secure some of the benefits that have already been referenced. Every day in Cambridge, I hear about new innovations and developments that convince me and, I think, many others that we really are on the cusp of a technological revolution across a range of sectors. Everywhere one goes in Cambridge, one sees people working on the most extraordinary things, and the gains are potentially huge, not just for our citizens but across the world.

It is hard to explain a lot of this to the public. I feel that I am in a privileged position going around Cambridge; I sometimes feel that I am the only person who is seeing all the various things that are going on, and one of my challenges is to try to spread the word about all the stuff that is happening. My worry is that often it is poorly communicated and poorly understood, and that misunderstanding can easily lead to a public backlash. I read with great interest the report from the all-party parliamentary group on heart and circulatory diseases; a very distinguished panel of people was behind it, and I will highlight some of the crucial points.

Ensuring that artificial intelligence really does enhance patient healthcare—and that it does not, as some of us fear could easily happen, get diverted on to a profit-seeking route—requires the following key elements: stakeholder engagement; an exact explanation of the risks and benefits; keeping researchers and academics involved; digital inclusion in general; proper development of policy, focusing on AI for public values; and the development of standards.

There are others, of course, working in a similar field. I am delighted to see present a fellow member of the APPG on data analytics, the hon. Member for North East Derbyshire (Lee Rowley). A few months ago he and my hon. Friend the Member for Bristol North West (Darren Jones) led a very good inquiry and produced,
with a similarly illustrious panel of experts, an excellent report entitled “Trust, Transparency and Technology”. It is amazing how many people are working in this field at the moment. Part of that report—I suspect the hon. Gentleman will refer to it when he speaks—was focused on healthcare. He did the work, so I do not want to steal his thunder, but I will pick out a particular couple of things.

We drew on a 2018 survey by the Open Data Institute, whose statistics reflected those cited by the hon. Member for Crawley. Some 64% of consumers trusted the NHS and healthcare organisations with their personal data, which is more than the 57% who trusted their family and friends. Consumers also trusted the NHS more than they trusted their bank, the figure for which was also 57%; local government, for which it was 41%; and online retailers, for which it was 22%. I do not think they asked about the level of trust in politics; that is probably not recorded. Nearly half of respondents—47%—were prepared to share medical data about themselves. I have seen different figures, and I would also reflect on the fact that 53% were not prepared to share data. However, those people were prepared to share their data provided that it helped develop new medicines and treatments. In terms of the trade-offs for data sharing, they were most keen to participate when it was for medical research.

As we know in politics, however, trust is hard won and easily lost, and we have to be careful. A few months ago, I was asked to write a foreword to a report by the think-tank Polygeia, entitled “Technology in Healthcare: Advancing AI in the NHS”. The report is consistent with other work in this field and comes to broadly similar conclusions to those we have already heard. There is also a sense that NHS staff need to be closely involved in these developments, to ensure that they are not just kept informed but given a sense of understanding and confidence about how this can work. The black box algorithm to which the hon. Member for Crawley referred is still a little baffling and scary to a lot of people. If we are going to make this work, it is crucial that we consult, educate and take people with us. We must rely on the advice of medical and healthcare professionals, who are best placed to understand the concerns of both their patients and their colleagues.

We are constantly seeing new developments in the news. One of the joys of modern life is that when we go on holiday, we still watch our iPad. This summer I noticed the debate about DeepMind and its new ability to predict acute kidney failure; it wins an extra 48 hours to get to the right level of consent, if such consent is not subsequently to be withdrawn with major clinical and value for money implications. In the case of DeepMind, Dame Fiona Caldicott, the National Data Guardian at the Department of Health, concluded that she ‘did not believe that when the patient data was shared with Google DeepMind, implied consent for direct care was an appropriate legal basis’.

There is a significant number of concerns and the issues are profound and difficult. We have a whole range of structures in place to try to deal with some of them, and I have huge respect for the Information Commissioner’s Office. The Information Commissioner frequently tells those of us who ask that that office does have the appropriate resources. Given the scale and difficulty of the task, I must say that I find that hard to believe, because it is a very big task indeed. The hon. Member for Crawley mentioned the Centre for Data Ethics and Innovation, which is at an early stage. Frankly, it, too, will struggle to find the resources to meet the scale of the task.

I sat on the Bill Committee for the Data Protection Act 2018, which introduced the general data protection regulations. Some parts could have been strengthened. I
tabled amendments that would have tightened up the assurance that research institutions must process healthcare data ethically for patient gain, but sadly, the Government chose not to adopt them. I hope that they might look at the issue again. A feature of the lengthy discussions in Committee, particularly in the Opposition’s observations, was that although the legislation is worthy, it felt like it was for the previous period, rather than the future, given the pace of change that we are likely to encounter. We were not convinced that it would keep up.

We need a much more radical set of safeguards. To stray slightly into the technical areas, when my local paper asked what my summer reading was going to be, it was surprised to hear that it was Shoshana Zuboff’s magnum opus, “The Age of Surveillance Capitalism”. It is a thought-provoking work and astonishing in the way she untangles the range of uses to which our data is being put every time we pick up our smartphone—or, in some cases, when we do not even turn it on. Many people are surprised to find that, far from being a phone, it is a tracking device. As she says, the question is not just who knows about us, but who decides what data is used, and who decides who decides what that data is used for. She talks about a shadow text, effectively; there is the data that we put on there and then there are all the connections that are made.

Staggeringly, huge amounts of information are being held about all of us that we do not have any access to—that we do not know about. At the moment, those companies consider that it belongs to them. We have to change that, because, I think if it is about us, it belongs to us. That is a huge challenge; because if it were to happen, it would fundamentally challenge the business model of those hugely fabulously wealthy tech giants, which are hardly likely to give it up easily. The only way to tackle it, however, is through Governments and regulation. I hate to mention the issue of the hour, but that is one reason, of course, why those companies dislike the European Union—because we need large organisations to counter the giant power that we face.

We have a fantastic opportunity, particularly with our national health service, which, as is often observed, has access to huge amounts of data that no other health system in the world has. In this country, we have the fantastic raw material and a fantastic data science industry. We have the expertise and the knowledge. We also, just about, have the good will of our citizens. We have a great opportunity, but we will need much tougher regulatory frameworks to unlock that potential in the right way. I fear that, so far, compared with what we have to do, we have merely been tinkering.

There are huge opportunities. I have raised a range of issues that go beyond the immediate ones. I hope that Parliament will find an opportunity to have those discussions in the period ahead. If I were asked whether we are in a position to meet the challenge, I would say, “Not yet.” I do not think it is impossible, but it will be difficult, so it is vital to start the discussion. I thank the hon. Member for Crawley for giving us the opportunity to do that today.

2.3 pm

Lee Rowley (North East Derbyshire) (Con): It is a pleasure to serve under your chairmanship, Mr Paisley. I congratulate my hon. Friend the Member for Crawley (Henry Smith) on securing the debate. He is a doughty champion and campaigner for this area of public health policy. It is great to have the opportunity to talk about it and the innovations and where it can go in the long term.

I congratulate the all-party parliamentary group on data analytics for its sterling work on this important report, which brings together a substantial amount of work and demonstrates the possibilities for the country and the sector to make progress in the coming years. I also welcome the Minister to her new role and I look forward to the work that she will be doing in this and many other areas—hopefully for longer than the coming days. I hope to see her in her place for many years to come.

I welcome the debate because it is a massively important subject for our country and the health of our citizens. It is a pleasure to follow the hon. Member for Cambridge (Daniel Zeichner), who highlighted some of the work that I have been involved in, in a tiny way, over the last few months. I thank the APPG for its kindness in allowing me and the hon. Member for Bristol North West (Darren Jones) to do that. The commission that we co-chair, which looked into the importance of ethics in the aggregation of data and the use of technology, brought it home to me that we need to have more discussions such as this and that it is important for public policy to focus on these things.

I also welcome the debate because, for once, we are not talking about Brexit. It is a fantastic opportunity not to do that. I slightly regret bringing it up, but I will do it anyway. For me, this is the kind of debate that will be transformative for the people in our society and communities over the next 30 years. It will transform the royal hospital that serves my constituents in north-east Derbyshire and the hospitals in Sheffield, in the same way that automation, artificial intelligence, big data and machine learning will transform my local economy, and the skills we need to teach in my local schools. If there had been more such debates, instead of the ones we have seen in the last few days, Parliament would have been in a healthier place in the last few months.

AI has the potential to be hugely transformative, as I saw as part of the commission. We need to look at it more, not just in healthcare but in education and elsewhere. Again, I congratulate the APPG on the report, which is a great start in the area of healthcare, but that is an area about which we have to be incredibly careful, as the hon. Member for Cambridge has eloquently outlined—much more eloquently than I can. Our population has trust in our healthcare systems and is willing, at the moment, to innovate in those areas, but those things are hard-won, are not particularly guaranteed and will be easily lost if we are not careful. The worst situation that we could end up with is one where there is huge potential in the area but we are unable to do anything because people do not wish it to be utilised or do not have confidence in it being utilised in the way they want.

I am pleased by some of the statistics in the report, particularly the level of confidence that is already there. Some 85% of people support in principle the use of anonymised data that we have seen in the last few days, Parliament would have been in a healthier place in the last few months.

I welcome the debate because it is a massively important subject for our country and the health of our citizens. It is a pleasure to follow the hon. Member for Cambridge (Daniel Zeichner), who highlighted some of the work that I have been involved in, in a tiny way, over the last few months. I thank the APPG for its kindness in allowing me and the hon. Member for Bristol North West (Darren Jones) to do that. The commission that we co-chair, which looked into the importance of ethics in the aggregation of data and the use of technology, brought it home to me that we need to have more discussions such as this and that it is important for public policy to focus on these things.

I also welcome the debate because, for once, we are not talking about Brexit. It is a fantastic opportunity not to do that. I slightly regret bringing it up, but I will do it anyway. For me, this is the kind of debate that will be transformative for the people in our society and communities over the next 30 years. It will transform the royal hospital that serves my constituents in north-east Derbyshire and the hospitals in Sheffield, in the same way that automation, artificial intelligence, big data and machine learning will transform my local economy, and the skills we need to teach in my local schools. If there had been more such debates, instead of the ones we have seen in the last few days, Parliament would have been in a healthier place in the last few months.

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I am pleased by some of the statistics in the report, particularly the level of confidence that is already there. Some 85% of people support in principle the use of artificial intelligence to move that area forward and 86% of people are willing to have their anonymised data shared. The hon. Member for Cambridge has already outlined, however, the challenge with that, because we may all like the idea of our data being shared as long as it is anonymous, but it is almost impossible to anonymise it. There are numerous reports that say that it takes only
[Lee Rowley]

a few data attributes in the same area, even with a population dataset that is not particularly large, to retrofit them and work out where the data has come from and, ultimately, who the data points in it are. That is a challenge that we have to get over if we are to innovate, develop and utilise the technology.

Other aspects of AI’s use concern me greatly, such as security. We have to make sure that we consider security, whatever we are using AI technology for, whether in operations or additions to people. There is also a question about the development of the technology. We have a trade-off to make in which, as the hon. Member for Cambridge rightly said, the development will be judged and accelerated or decelerated by our appetite in this country for how we use data, what we do with it, what consent we have behind it and what the population are willing to do.

Countries elsewhere in the world do not have the same structures, rules, morals and ethics that we do in relation to the usage of data. We see that already in other areas. In China in particular the Government use personal data for the control of their citizens and people are incredibly uncomfortable with how that data is used. We have to create a framework around that. I am a small-state Conservative who believes in as little regulation as possible—not no regulation, as I believe in regulation where it is appropriate, but not in significant amounts. This is one area where, while I am not necessarily convinced that we need lots of regulation, we need to talk about what the regulation is and where we ultimately want to get to. The creation of the Centre for Data Ethics and Innovation is positive. I know the Government, the Secretary of State and the Minister are working hard on this subject, but we need to have more conversations about it. This is a great start. I really welcome the debate and the report.

I have a personal interest, too. My father had a double heart bypass a number of years ago, after a heart attack. Luckily, he came through that. He is now busy doing whatever he is doing today—decorating or whatever. He would not be here today without the artificial intelligence that is used. We have to create a framework around that. The APPG is doing sterling work in ensuring that that is the case.

Finally—not to go back to Brexit!—my last point is that we need more of this sort of debate, please, and less of what we have had in the last few days in the other Chamber.

2.10 pm

Jim Shannon (Strangford) (DUP): I apologise to the Minister and all hon. Members for not being here on time. I was in the main Chamber, as I had a business question that I wanted to ask the Leader of the House. I apologise for my late arrival. I hope that everyone will be happy with me speaking, having arrived more than 10 minutes late.

It is a pleasure to speak on this matter. I thank the hon. Member for Crawley (Henry Smith) for bringing forward an issue on which he and I are much in tandem in thought, deed and speech, as so often; today is another one of those occasions. It is also nice to see the Minister in her place. I promise not to ask any questions that will throw her off guard, as I did yesterday. That was not intentional, by the way. I just wanted to add to the debate. I hope to get a response on that question at some time in the future. No doubt, if we have the opportunity to have debates in Westminster Hall, the Minister will be in a position to answer many of my questions. I also thank the hon. Members for Cambridge (Daniel Zeichner) and for North East Derbyshire (Lee Rowley), as well as those who will follow me, for their contributions.

Mr Paisley, you know that I am not au fait with computer technology. I honestly cannot use a computer. My children can, and my grandchildren can, but this auld boy cannot. It is one of those things. When someone relies on the staff in their office to do all the computer work, perhaps they do not have to. It is only in the last few years that my colleague and hon. Friend the Member for Belfast East (Gavin Robinson), in this very Chamber, taught me how to text; I learned to text just over two years ago. So I have advanced greatly in my aspirations, although I suspect that others will say that if that is all I have done, I have not done very much!

I am not all that au fait with computers, but the presence of modern technology in science and medicine has saved billions of lives and can only be lauded, especially when it is matched with the brilliance of the human mind and human hands—the skill of the surgeon, the knowledge of the doctor and the care of the nurses. All those things coming together are a very important combination. Putting patients at the heart of artificial intelligence is what we are discussing.

The background information on the debate we received pointed out in its news section various articles in the media where the NHS and all those with health problems can see the benefits of artificial intelligence and healthcare. As the hon. Member for Cambridge mentioned, it can be used to tackle staff shortages. We can also use it to address and help those with kidney problems. That is an issue very close to my heart: my nephew had a kidney transplant, so the issue of kidney problems is real for me and my family.

Other articles note that artificial intelligence could “restore the care” in healthcare, that scientists claim to have developed the world’s first AI vaccine, and that smart tech can help people with dementia. How real that issue is in my constituency. Over this last period of time, I have noticed that many more people with issues with dementia and Alzheimer’s are coming forward to make me aware of their problems. It is a terrible disease to watch, as it greatly changes lives.

The role of technology is ongoing and vital to a vibrant NHS, but we can never be in the position whereby it overtakes a doctor who can act on experience hand in hand with their medical knowledge. We need to have both the human element and the artificial intelligence aspect working together as we move forward.

I welcomed the Government’s announcement of 8 August 2019, in which they outlined some £250 million of investment to help establish a national AI laboratory, which would sit within NHSX. That money is incredible. They also purposefully set aside money within that; the investment to help establish a national AI laboratory, 2019, in which they outlined some £250 million of which would sit within NHSX. That money is incredible. The role of technology is ongoing and vital to a vibrant NHS, but we can never be in the position whereby it overtakes a doctor who can act on experience hand in hand with their medical knowledge. We need to have both the human element and the artificial intelligence aspect working together as we move forward.

I welcomed the Government’s announcement of 8 August 2019, in which they outlined some £250 million of investment to help establish a national AI laboratory, which would sit within NHSX. That money is incredible. They also purposefully set aside money within that; the Office for Life Sciences has established five centres of excellence in digital pathology and radiology with artificial intelligence, supported by an initial £50 million industrial
strategy challenge fund investment and a further £50 million to scale up funding from the Department of Health and Social Care.

The centres are working with NHS and industry partners. We cannot do anything if we do not have partnerships, one of which I will give as an example later on. Those partners include innovative small and medium-sized enterprises, and they are working to develop pioneering artificial intelligence-enabled pathology and radiology tools. We need the NHS and partnerships with universities and business to ensure that we can move forward and that we can all benefit.

I read an interesting article that highlighted the fact that medical imaging—where AI can be trained on thousands of scans—has led the charge. This is marvellous technology; clinical trials have proven that it is as good as leading doctors at spotting lung cancer, skin cancer, and more than 50 eye conditions from scans.

If we can advance medical expertise and knowledge, let us do that and encourage it. It has the potential to allow doctors to focus on the most urgent cases and rule out those who do not need treatment immediately, or identify where a minor treatment would do. Other tools have been developed that can predict ovarian cancer survival rates and help to choose which treatment could and should be given.

Diagnosis is, of course, important. Artificial intelligence has the potential to transform the delivery of healthcare in the NHS, from streamlining workflow processes to improving the accuracy of diagnosis and personalising treatment, as well as helping staff to work more efficiently and effectively. With modern AI, a mix of human and artificial intelligences can be developed across discipline boundaries to generate a greater collective intelligence.

I had an early-day motion this week—I am not sure whether hon. Members have had a chance to look at it; I would encourage them to sign it. Mr Paisley, hailing from Northern Ireland, as I do, will understand its importance. It is about Queen’s University in Belfast, which is doing some fantastic work addressing cancer issues. The EDM says:

“That this House congratulates all of those involved at Queen’s University, Belfast for its breakthrough early research findings on discovering a biomarker panel for ovarian cancer that may be able to detect epithelial ovarian cancer two years earlier than existing testing methods; thanks those who work so tirelessly to bring about such a difference to lives of people throughout the globe; and expresses pride in one of the foremost medical research universities in the world.”

Queen’s University is doing tremendous work, as are other universities. A number of my friends over the years have had ovarian cancer—I am sure others here will have also had that experience. Unfortunately, the diagnosis of ovarian cancer is often, “Go home and get your affairs in order.” There is a limited time to live. That work will hopefully predict ovarian cancer two years in advance of what we are able to do now, and is a fantastic, tremendous breakthrough. We welcome it. It shows that partnerships between the health service, universities and big business can make things happen.

As I said, I want to ensure that there is hands-on, human co-operation with AI methods of diagnosis, and another concern I have is safeguarding information. It is important that we protect people in the process. There are people who pride themselves on hacking information from Government services, just for the joy of knowing they have outsmarted them. There are also those who do it to garner information for nefarious use. We had a breach of information in this place that led to my staff’s home details being leaked, which we took very seriously. How much more serious would that be for vulnerable, ill people?

Any investment in AI within the NHS can go hand in hand only with top-level data protection and cyber-security, especially when we bear in mind that in May 2017—it will be real to many of us in the House, and indeed to almost everyone in Westminster Hall—the NHS was hit by a large-scale cyber-attack that disrupted hospital and GP appointments. It was high level, very disruptive and clearly down to someone intentionally disrupting what took place. It is a tight rope that we walk, and I believe that it can be walked. I ask the Minister to assure us that security is a priority in any use and sharing of patient data that is essential to the use of artificial intelligence in the NHS.

I believe we must move with the times and use all tools at our disposal to diagnose early, which allows more effective treatment, and we also need to ensure that our medically trained professionals are on hand and using the tools, and that they are not being replaced by such tools. In some of the futuristic films that we see—I am not sure whether anyone watches them—the robots take over. Everything happens. That is not a society that I particularly want to see. I want to see us working hand in hand with AI, and I want to see the human input into that. Finally, we need to ensure that all information is safely shared.

We recognise the investment by the Government. Let us not be churlish—the Government have made significant progress on this issue, which I welcome, but I also want to ensure that some of the things that hon. Members and I have brought to the Minister’s attention are responded to. I believe the investment by the Government will be money well spent, if we safeguard each aspect of it.

2.21 pm

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): It is an absolute pleasure to serve under your chairmanship, Mr Paisley—I believe it is the first time I have done so in Westminster Hall, which is particularly pleasing to me. I thank everyone who has taken part in this excellent debate, and I particularly thank the hon. Member for Crawley (Henry Smith) for securing it. I think the one thing on which we can have cross-party agreement is that the more debates we have in which Brexit is not the focus, the better. I am sure we could all go through the Lobbies to agree on that.

This is such an important debate, and I think the public and many of ourselves as MPs are just beginning to catch up with how important it is, which is why I am particularly pleased that the hon. Member for Crawley secured it. He linked technology, the NHS and artificial intelligence in such a detailed speech, and he chairs an important all-party parliamentary group. We can see that technological advances are saving lives on the frontline, which is tremendously important to people right across the United Kingdom. That is why we cannot over-focus on this issue. More and more debates will be about it in so many different domains, particularly in health.
The hon. Gentleman brought up an important issue: education of the public, which will be absolutely key going forward. It is such a crucial issue for us all to consider, because it is not just about medical and healthcare professionals becoming educated, and perhaps their training changing over time to incorporate all these new techniques and procedures, and about how the world is becoming much more digitalised, with 5G and so on coming on stream; it is also about public understanding and ensuring that the public are involved in their healthcare going forward, and that they are absolutely able to engage with it.

Like the hon. Member for Strangford (Jim Shannon), I am a real technophobe. It took me over a year to try to pay for things by tapping a debit card on machines in stores. Now, I love it. I probably do not even carry any money now, but at first I was so anxious that I would be walking about and having money removed from my bank account that I avoided using it. That is one of the concerns about the technology. It is about bringing the public and those of us who, unlike my own kids, have not grown up with such technology as the norm.

We have to get people on board and ensure that, across the lifespan, people can really benefit from the digital revolution that is happening, and that people do not become more isolated and left out of society because they are left behind. That is important for their physical health—monitoring prevention and so on—and for their mental health, in terms of feeling really engaged and involved in society. We have to integrate all this with the professionals in our healthcare settings, with the public being a key focus.

As has been said, artificial intelligence will be so crucial at every step of the patient’s journey. It will include prevention—we have already heard about some of the developments. There is some amazing work being done at Queen's University Belfast on early prevention, detection of ovarian cancer—my goodness, how life-saving will that be?—and early interventions, not just for physical health, but for mental health. I am very keen for us to look at how we can engage more with AI and digital technology, perhaps in relation to depression, anxiety and how patients can monitor their mood, and at how technological advances can promote what we want to do: achieve parity of esteem for mental health services and ensuring that the public are involved in their healthcare going forward, and that they are absolutely able to engage with it.

I looked around a few times just as I sat down, and I thought, “Why is the chair behind me empty, and where is the hon. Member for Strangford?” Then I turned round again a third time, and there he was. He never fails to take part in as many debates as possible in the House of Commons, and to ensure that his constituents are so well supported and their issues addressed at every step of the way. I am pleased that he recently learned to text, because it sounds like he is similar to me in being trepidatious about technology. Both our examples show why we have to educate the public and try to ensure that we all become up to speed with the technology. I mentioned the wonderful facilities at Queen’s University Belfast, where I was going to study before deciding to stay at Glasgow University; when I was training as a clinical psychologist, I had also applied to Queen’s. I could have gone to Queen’s if it had not gone to Glasgow, so I have always had a soft spot for it. I am delighted that its research is formative and will make such a difference.

From my experience of working in health, I know that computer programs managing data are very important, but the systems do not link up. For instance, health boards pay millions of pounds for systems that work for child services and for adult services, but the data cannot be transferred between the two. Children become adults, so how do we merge the data across their lifespan? Will the Minister look at that issue? For most people, transferring data seems commonsensical, but it is not happening in practice. Aligning it better would save a lot of money; we should not have to change systems that have already cost the taxpayer millions of pounds.

I was pleased to secure a debate on smart cities just before the recess, in which we talked about 5G. Driverless technology will enable ambulances to get to incidents much quicker when we have 5G technology and the next industrial revolution—this technological revolution—happens. I would be interested to hear from the Minister about how 5G fits in with the issues we are debating and the advances that are being made. Where does she see the future lying?

I have spoken about this issue with some international delegations, particularly from Japan and China. We talked about the fact that technology and artificial intelligence have had an impact on social care. Robotics is being used in care homes—for example, robots can remind patients to take their medication. I would be interested to know a bit more about how we are linking to our international partners. We must collaborate safely in a way that enables patients in social care and the NHS to benefit from technological advances.
We have talked about how important this technology will be for surgical procedures. That was described very well. I agree wholeheartedly that there must be a partnership between robotic surgeons and skilled clinicians. That is what the public wants, and that will always be the safeguard as we take these issues forward.

On the issue of prevention, smartphones and smart watches, technology has had a massive impact on reducing missed appointments in the NHS. Sending patients a text to remind them to come to appointments saves money and clinicians’ valuable appointment time.

Social media must be responsible when it comes to health. Through its technological advances, it is already playing a huge part, but young people in particular often get inappropriate information from websites that are not properly regulated. The large companies must take much more ownership of those issues. I have discussed these issues with Facebook and Twitter recently. There are sites that tell people how to develop an eating disorder or harm themselves. We must look at regulating them further. Will the Minister address their impact on mental health? Will she think about not just mental health treatments that we can develop through technology, but about how we ensure appropriate regulation is in place for sites that are not managed by our NHS or professionals and are causing harm to the public?

I am pleased to say that Scotland is to have its own £15.8 million AI health research centre based at the University of Glasgow. It will be a genuine collaboration between NHS research and other industries. We are keen to ensure that all partners are involved and that we can generate the very best practice in technology and healthcare.

2.35 pm

Julie Cooper (Burnley) (Lab): It is a pleasure to serve under your chairmanship, Mr Paisley. I thank the hon. Member for Crawley (Henry Smith) for securing this debate on a very important subject. I welcome the Minister to her place. I, too, am very pleased to be talking about something other than Brexit. I thank all hon. Members for their informed contributions, and I pay tribute to the hon. Members for North East Derbyshire (Lee Rowley) and for Strangford (Jim Shannon) for sharing their personal family experiences. As the hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron) said, that always adds poignancy to debates and keeps us rooted in reality. I thank the APPG on heart and circulatory diseases for its excellent report, “Putting patients at the heart of artificial intelligence”, which I thoroughly enjoyed reading. I learned a great deal from it.

This is a fascinating debate. When Charles Babbage created the difference engine in the 19th century, he could not have envisaged where modern computing would take us. We are living in a brave new world. We are in the midst of a technological revolution that is already massively transforming our lives. Artificial intelligence is already widely used at our airports and in our homes. Virtual care assistants are being trialled, and driverless cars will soon be a common sight on our roads. It would be strange therefore if we did not take full advantage of the contribution that AI can make to healthcare.

There are many different types of AI. I am not a scientist and do not understand all the complexities of AI—although I can text—but I do understand that it involves a computer equipped with a sophisticated algorithm capable of analysing thousands of sets of data. A computer learns patterns from the data and is able to make predictions based on it. The more data the computer has, the smarter it gets. Tasks that require extraordinary attention to detail, such as radiography, diagnosis, robot-assisted surgery, administration and many others, can be transformed using AI. The prospects are exciting. The ability to deliver early and speedy diagnosis and to develop personalised treatment plans is welcome in a health service besieged by unprecedented demand, long waiting lists and staff shortages.

AI is a game changer for the NHS and healthcare in general. The UK has the potential to be the world leader in digital-assisted healthcare. In our lifetimes, there will come a point when conditions like cancers and strokes can be pre-detected instantly from simple scans, enabling the patient to get the very best early intervention treatment. Only this week, researchers at Oxford University reported that they have developed artificial intelligence that will be able to detect, from a scan of an apparently healthy individual, heart attacks that are 10 years away.

We must be careful, however, in enabling this revolution. Technology is a double-edged sword, and for every monster it destroys, it has the potential to create one in its place, as my hon. Friend the Member for Cambridge (Daniel Zeichner) reminded us. We must be grounded in reality. It is easy to get excited about a vision, but we must keep bringing ourselves back to what it means to real people, and what the potential dangers are. We must proceed with caution. Above all, we must ensure that AI is not something that is done to patients. We must proceed with an engaged and well-informed population. Legislation and regulation must keep pace with scientific innovation. No one wants to see unnecessary regulation. I note the points made by the hon. Member for North East Derbyshire.

It is absolutely vital, however, that the regulation is adequate and keeps pace. Above all, we must protect patient safety. We must act sensibly and legislate robustly, with proper scientific input to ensure that changes are to the benefit and not the detriment of patients. Patients must be kept at the heart of the changes and we must retain their trust, which, as other hon. Members have said, is hard to gain but easily lost.

If patients are to trust and fully embrace this revolutionary transformation of care, they need full explanations and to understand what is involved. People need to understand, for example, that artificial intelligence will not replace their GP with a robot, but will mean that a GP session may be recorded and transcribed by computer, which then produces a diagnosis. We need to pay special attention to the needs of the vulnerable, elderly and, in particular, the mentally ill. We must make it plain to patients that AI is not and never will be a replacement for human health professionals. It should always be clear that AI is not a means of providing health services on the cheap, but a way of enhancing diagnosis and treatments to assist, not replace, well-qualified health professionals.

There are obvious implications for data protection and the misuse of data. Although ideas such as allowing Amazon’s Alexa to use NHS 111 information to guide patients to the most effective non-emergency treatment are beneficial, the idea of inadvertently letting such
companies have unfettered access to patient records, which they could use for other unconnected purposes, is clearly unacceptable.

We must ensure that patients know that our laws protect them from predatory companies. All data used in the NHS—even if through third-party contractors—must stay within the NHS. If we are to embrace this revolution, it must be patient-focused and not a market-centred approach. AI must improve life outcomes and not be used to sell diet pills in the name of healthcare. Patients and medical professionals must be properly educated in what AI will mean for them, and both should be involved as much as possible in the design process.

Artificial intelligence can bring many benefits, but its use in healthcare brings significant challenges. We have nothing to fear from embracing it, as long as all provision is properly regulated in a way that protects patients without stifling continued innovation—there is a fine balance. The key is to ensure that health professionals are involved in every stage of development and, most importantly of all, that the NHS ensures that patients are fully informed and engaged.

The APPG concluded:

“Meaningful, early and proactive engagement on how AI is used in healthcare is essential for effective implementation and sustainability.”

That is well put and I agree. Unless patients are fully engaged, AI will just not progress in the way that it could and opportunities will be lost. I hope that the Minister will outline the Government’s plans for implementing the report’s recommendations. Will she reassure us that the NHS will lead on this with all its resources, ensuring that patients are at the heart of this exciting new technology, and that all patients, irrespective of their socioeconomic background or personal ability to access technology, will be able to benefit?

2.43 pm

The Parliamentary Under-Secretary of State for Health and Social Care (Ms Nadine Dorries): It is a great pleasure to serve under your chairmanship, Mr Paisley. The debate has been really interesting, particularly in the light of the number of Members who stood up and admitted that, although they could not send emails, only recently learned how to text and do not use contactless payment cards, they were very much in support of the potential of AI technology and what it can offer patients, healthcare settings and the public at large.

AI is exciting and innovative. I have been in my Department only a few days and I have learned some more from this debate. I hope to have some answers for hon. Members, every one of whom gave an example of the exciting breakthroughs and areas of application of AI, as well as of what it can deliver for patients. That is incredibly exciting.

I thank my hon. Friend the Member for Crawley (Henry Smith) for securing this debate. He made the point about misinformation and fake news. We need more of these debates because Westminster Hall, and this place as a whole, is a good forum to knock down those myths, get rid of fake news and stop fearmongering about the use of AI, because journalists who are interested in AI will follow these debates and quote what hon. Members say. We should have more debates on this subject in future.

Artificial intelligence has the potential to make a massive difference to health and care. There are significant opportunities to save money, improve care and save lives. AI technology could help personalise NHS screening and treatments for cancer, eye diseases and a range of other conditions, as well as free up staff time.

Almost all health and care services can benefit from AI in some way, but realising its potential for our health and care system depends on the involvement of patients. We are committed to working with patients to ensure that they understand and are involved in the decision making about how we use AI to deliver the impact that we both want and need.

I will give a few examples of how AI is working. Some patients have already benefited from it, as hon. Members have highlighted. John Radcliffe Hospital in Oxford has developed a system that uses AI to improve detection of heart disease and lung cancer, as the shadow Minister mentioned. Currently, 20% of heart scans result in a false positive diagnosis, and the subsequent 12,000 unnecessary operations cost the NHS about £600 million a year. The potential financial savings are huge.

Another fantastic example of the use of AI is that of Moorfields Eye Hospital’s implementation of the DeepMind AI algorithm for retina scans. The AI can correctly recommend patient treatment referrals, to the same or better standard as world-leading doctors, for more than 50 sight-threatening eye diseases. Tens of thousands of scans were taken of people with both healthy and diseased retinas, and DeepMind developed software that could detect—long before a doctor could—sight-threatening diseases and the patterns that lead to them. That is just one example.

The use of AI goes further than just diagnostics. NHS 111 online, once fully implemented, will automatically triage patients by using AI technology. The system sends patients to the most appropriate care setting and reduces unnecessary A&E visits, meaning that patients can access the care that they need faster.

We must make best use of the available resources within the NHS to harness the full potential of AI, which relies heavily on enormous amounts of data to learn and become effective at its task. That data must be shared safely, however. Health data that is shared fairly, ethically and transparently has the potential to improve outcomes for patients, improve the efficiency and efficacy of the NHS, and underpin the next wave of innovative research taking place in the UK.

To help the NHS and researchers share health data in a safe, secure and lawful way, the Government have committed to developing a policy framework that sets out our expectations for how the NHS should engage with researchers and innovators when entering data-sharing partnerships. That builds on the work of the code of conduct for data-driven health and care technology. We are committed to involving patients and the public in the development of that policy. That is key and comes back to the point made by the hon. Member for Cambridge (Daniel Zeichner). Patients must be at the heart of and engaged in projects, understanding how their data will be used in future and reassured of its safety.

To support the NHS in embedding the framework in practice, we will also set up a national centre of expertise. The centre will sit in NHSX and provide hands-on commercial and legal expertise to NHS organisations to
support them in reaching fair, ethical and transparent agreements for data. Although AI has been the subject of much speculative reporting, on both benefits and risks, we know that it will bring big changes to the way in which care is developed and experienced.

While we promote the latest data-driven scientific advances in healthcare, we must always ensure that patient data is respected and properly protected. Data is vital to the delivery of safe and high-quality care, but we need to ensure that an understandable and trusted system is in place, which patients can be confident will protect their data. The Government are clear that patient data will only ever be used and/or shared when anonymised, or with the consent of the individual, unless for direct patient care. That is an important point and one that almost everyone made.

We have therefore put in place several safeguards, including legislation such as the Data Protection Act 2018, enacting GDPR; data and cyber-security standards applicable across the health and care system; and legislation that is under way to put the National Data Guardian on a statutory footing to provide an independent and authoritative voice on how data is used across the health and care system. We have also launched the national data opt-out, which gives individuals choice of how their data is used beyond their individual care. That gives patients choice, which is important.

In some instances, it will be appropriate for patient data to be shared for secondary purposes, such as when consent has been given on behalf of the patient, or there is an overwhelming public interest in sharing. The National Data Guardian is supporting work with NHSX to clarify and update guidance on the lawful use of patient data to support the understanding of the public, clinicians and industry. We do not want to hinder the progression of innovations, but all patient data should be handled with the respect and care that the public rightly expect.

We are also very aware of the ethical issues that can be raised by artificial intelligence at a personal, group and system level. Bias is a current common issue with the use of AI, and we must curtail any bias within algorithms by ensuring that the data feeding them reflects our diverse population and range of health economies. Initiatives such as DeepMind’s ethics and society research group and the Partnership on AI, which counts IBM, Microsoft, Facebook and Amazon among its members, show that industry is alive to the issues. We are already taking steps to ensure the safe development, deployment and use of AI, and the published code of conduct for data-driven health and care technology that I mentioned earlier encourages technology companies to meet a gold-standard set of principles to protect patient data to the highest standards.

NHSX announced that it would set up an “AI lab” to bring together the industry’s best academics, specialists and technology companies to build groundbreaking diagnostic tools and treatments in line with the NHS’s priorities. NHSX is delivering the Prime Minister’s grand challenge to use data, artificial intelligence and innovation to transform the prevention, early diagnosis and treatment of chronic diseases by 2030.

The NHS AI lab will harness the power of data sciences and AI to continue the UK’s great tradition of using evidence-based decisions in health, public health and social care, and to position the NHS as a world leader in artificial intelligence and machine learning. It will collaborate widely to identify impactful ways to improve the NHS through more sophisticated use of its data. Once identified, the lab will develop, test and deploy early-stage software solutions to be handed over to the NHS to implement at scale.

The operations of the AI lab will align to the core values of the NHS. Most relevant to this debate, the AI lab will protect patient privacy—to go back to the substantive concern expressed by the hon. Member for Cambridge in his speech. The AI lab will sit within the NHS and will protect patient data. It will also guarantee that the value of the healthcare data is retained by the UK public.

As well as ensuring that the technology meets the highest standards and sufficiently stringent regulation, we must ensure that the public are aware of that technology. The public must understand the principles well enough to be confident in a particular technology’s capabilities, irrespective of the statistical evidence supporting it. For the NHS to maintain the confidence that the UK public place in its brand, it must ensure that the apps and data-driven technologies that it recommends are examples of the best practice, not simply in transparency but in what they do and where the personal data goes.

There is now an opportunity for the UK to do that well, making the UK’s standards for MedTech an international benchmark, strengthening the position of digital health in the UK and enabling it to make great leaps forward. As I mentioned, the National Data Guardian and NHSX will work together to produce clarifications on the circumstances in which it is appropriate to share data. We recognise the findings of the “Putting patients at the heart of Artificial Intelligence” report produced by the all-party parliamentary group on heart and circulatory diseases and its calls for greater public engagement to avoid a souring of opinion on AI. We will continue to engage patients in the design and development of AI, where appropriate, and to raise the profile of the effectiveness and efficacy of using AI to provide health and care.

I will now go on to the points made by Members and their requests for reassurance. My hon. Friend the Member for Cambridge asked for an assurance that the additional NHS funding that has been announced will go ahead. Yes, the additional funding will go ahead, but we are still investigating how best to distribute it. My assurance to him is that, yes, the funding will be distributed. He himself highlighted the complexity of ensuring the fair distribution of such funding.

My hon. Friend the Member for North East Derbyshire (Lee Rowley) mentioned mitigating the risks. I hope that I covered that in my speech. A huge amount is going into mitigating such risks. For example, the Information Commissioner provides anonymisation guidance. I also refer to the points I have already made about NHSX.

The Scottish National party spokesman, the hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron) talked about mental health and patients. This morning, I heard about a great example of AI
helping a patient suffering with dementia. It is being used to track normal movement and behaviours. When something different or unusual happens in the home to cause concern, an alert is sent out to a first carer who can be on the scene immediately. That is another great use.

The hon. Lady also asked what we were doing about 5G. I will not try to wing this one, but will simply repeat the answer that my officials gave me word for word: we are working closely with the Department for Digital, Culture, Media and Sport, which is leading test beds—is that right?—for 5G in Liverpool and Birmingham, showing how it can improve access to services and exchange of information between patients and clinicians.

The hon. Lady also asked about international collaboration. NHSX will engage with the World Health Organisation through the Global Digital Health Partnership, and the Medicines and Healthcare Products Regulatory Agency has a strong tradition of international engagement with both the US’s Food and Drug Administration and the European Union, which is key to solving difficult regulatory questions.

In conclusion, I reiterate that AI’s potential to transform the way in which we deliver health and care in the UK is huge. Advancements in diagnosis, treatments and prevention facilitated by AI will provide frontline NHS staff with more time to spend providing care to those who need it most. Through our involvement in the Prime Minister’s grand challenge, the AI lab and our work with the National Data Guardian, we will raise the profile of AI as a health and care project, and ensure that the public are fully aware of both its benefits and the expectations they should place on the NHS.

In the last few seconds, would my hon. Friend the Member for Crawley like to wind up?

**Ian Paisley (in the Chair):** Order. I decide who is called to wind up.

**Ms Dorries:** Sorry, Mr Paisley.

**Ian Paisley (in the Chair):** You have about 30 seconds to wind up, Mr Smith.

2.59 pm

**Henry Smith:** Thank you very much again for your chairmanship, Mr Paisley.

I sincerely thank the hon. Members for Cambridge (Daniel Zeichner), for Strangford (Jim Shannon), and for East Kilbride, Strathaven and Lesmahagow (Dr Cameron), my hon. Friend the Member for North East Derbyshire (Lee Rowley), and the Opposition spokesman, the hon. Member for Burnley (Julie Cooper), for their contributions to this important debate. I congratulate the Minister, and I welcome her to her well-deserved position.

The key word I heard was “trust”, and as we go forward with AI, we need to instil that for patients.

Motion lapsed (Standing Order No. 10(6)).
In November 2018, the Health Issues Centre undertook social research to investigate adverse health experiences among Australian men and women who had undergone a medical device implant. The research was product non-specific, to identify any devices that demonstrated a pattern of failure. Many hernia operations are successful. In our job as elective representatives, people do not tell us how good things are; they tell us their complaints. Therefore, we do not always hear about the successful hernia mesh implants, but we certainly hear about the problems.

The issue was highlighted on the “Victoria Derbyshire” programme on 26 December 2018. A spokesperson from the Royal College of Surgeons said that hernia mesh complications “affect more than 100,000” people. They went on to say:

“It is clearly tragic if even a single patient suffers horrible complications from any type of surgery, not just hernia operations. Unfortunately the nature of surgery in general, not just mesh surgery, carries with it an inherent risk of complications which surgeons will always seek to assess, and will discuss with patients according to their individual clinical circumstances before surgery takes place.

It is important to make a distinction between groin hernia, the most commonly carried out repair and other forms of abdominal wall repair where a hernia has arisen, for example, in an incision or scar after a previous operation. These are more difficult and the complications rates are much higher.

A recent 2018 study found that both mesh and non-mesh hernia repairs were effective for patients and are not associated with different rates of chronic pain. The Victoria Derbyshire programme is right to point out how a minority of hernia mesh operations are associated with complications. However, it is also important to stress that such complications range dramatically from minor and correctable irritations to the more serious complications highlighted in its programme. Complications can also occur with non-mesh hernia repairs, and by not operating on a hernia at all. It is extremely important that patients are given the full picture by surgeons, regulators, and the media.”

A large number of studies have looked at the available treatments, but unfortunately we do not have all the appropriate information. The spokesperson continued:

“There have already been a number of scientific studies looking at the use of different types of mesh in hernia and we should continue to review the evidence and patients’ experiences to make sure the right advice is given and the right action is taken. Along with the regulatory authorities, we will continue to listen to patients’ experiences. Patients suffering complications or pain need help, not silence.”

That is very important and we must underline that point. They continued:

“There must also be an ongoing review of the data to make sure that previous studies have not missed any serious, widespread issue. It remains vital that surgeons continue to make patients aware of all the possible side effects associated with performing a hernia repair.”

Those gentlemen who came to see me earlier this year to tell me that they were not aware of the complications. I will give an example a little later. I do not want to criticise surgeons because they are under incredible pressure, but people have told me that they were not aware of the ins and outs and relevant information, so I believe there is a case to answer.

The Health Issues Centre inquiry specifically focused on people who had suffered a hernia, to better understand the nature and the impact of adverse outcomes. Over a period of four weeks, 183 respondents reported hernia mesh-related injury across a range of brands and of categories of hernia. Several serious problems with hernia mesh implants arose, too. It is hard sometimes to explain the physical, emotional and mental effect. The people I met were very clear that in the vast numbers of cases that they knew of, there were several serious problems. The vast majority of respondents—87% of them—did not feel that they were given enough information before their treatment to give informed consent. Indeed, they were never told about the risks and the impacts. They were not aware of any problems.

A senior member of the Conservative party—I will not mention his name—told me yesterday, “I have had a hernia mesh implant, but mine was successful.” Many are successful, but we should highlight those that are not. Some 91% of respondents suffer ongoing post-operative chronic pain as well as other health impacts. For example, some of the men who spoke to me have had serious bouts of depression and allergic reactions. Only 8.7% of respondents said that they had had successful treatment to address the problematic outcome of the operation.

Past cases of mine have involved women who have had mesh operations, which are intimate operations. I have had cases of ladies who have been unable to work or keep relationships going. They have been unable to cope with life, so the impacts of hernia mesh when it goes wrong are very real.

Men represented some 70% of the respondents to the survey. Those figures are from Australia, of course, but I just want to illustrate the matter. I will move on to the United Kingdom, but those figures are relevant.

Years ago in Northern Ireland a man developed a limp four years after surgery. People told him, “We have experienced pain as a result of similar surgery.” Damien Murtagh, who lives in Banbridge and has given me permission to tell his story, has been left with a limp as a result of his operation six years ago. He said:

“For years no one could tell me what is causing this pain. I can no longer ride my bike, go fishing, I work part-time”, because of the chronic pain and the effect it has had on his lifestyle. He continued:

“The pain in the lower stomach and groin area makes me feel physically sick. I have no private life.”

It has been difficult for him to maintain relationships with other people. The issues caused off the back of the surgery are genuine and life changing. I find it odd that this surgery can create such problems. I am not a medical professional. I can make no judgment about the operations, but I can ask whether they should continue without the assurance that every possible investigation has been carried out into the prolonged side effects. The patients should know, at every stage, the potential implications if the operation does not go as planned.

Figures specific to the United Kingdom also outline the problem. In a survey of 653 people, 18.8% said that they had developed antibiotic-resistant infections as a result of mesh complications. A person’s general health can go down dramatically. Some 40% of respondents described their pain levels at worst to be 10 out of 10. Usually, 10 out of 10 means someone is doing well, but in this case it means they are not and that they are in severe pain. In addition, 85.6% of respondents said that they could not sleep because of the pain. The men told me that their sleep patterns had been destroyed. They are in constant, nagging pain that never leaves them. When it gets to that stage and someone’s personal life is so affected, we have to look very seriously at the issue.
[Jim Shannon]

The problems of lack of information are not specific to Australia. Some 91.7% of respondents were not even told that they would be getting a mesh implant. Some did not even know what was happening. They went for the operation and knew there would be a repair job; they accepted that, but they were not aware of the implications. Some 96.2% said they were not shown the mesh implant that they were about to be given, while 91.7% were not told that the mesh implant was made of plastic, and 98% said they were not told the size of the mesh implant. When it comes to serious operations—in most cases it is probably a minor operation, but it has the potential to change lives—we need to make sure that patients are aware of such things.

Patients feel that they are not being told the risks of the surgery and the potential issues. We understand that that is partly because a decision is made when the patient is open and the need dictates the method; sometimes a decision has to be taken when the operation is at an advanced stage and it might not be possible to let the person know. I understand the pressures that surgeons and their staff are under; but I feel that an essential part of the care is an understanding of what to expect, and that can make a difference to the outcome. It would certainly have made a difference to the 400 men in Northern Ireland who have experienced problems. It would certainly have changed their lives if they had known about the implications for them. None the less, we find ourselves in a very difficult position, and they find themselves physically, mentally and emotionally changed. For some of them, their relationships have broken down as well.

Informed consent is fundamental to any surgery. I had three minor operations in 2017 and, to be honest, I would have signed any paper just to get the operations over because the pain was so extreme. At the end of the day, you sign the paper and you understand. In my case, it was a straightforward operation on the three occasions.

I mentioned Damien from Banbridge earlier. Outlining his case could help people make the all-important decision to go ahead with surgery, knowing that there could possibly be some serious downsides, although not in every case. That would be a serious idea for the patients, rather than being struck with post-operation issues without having been aware of the risks. At least they would know that they had taken the risk, not the surgeon, who they might feel had hidden the risk from them. It is a natural reaction. It is not pointing the finger or judgmental. I stress again that in no way can I ever accuse surgical teams of deliberately withholding information from their patients.

In an ideal world, post-operative problems would not exist and the NHS and private hospitals, which some patients are transferred to, would be able to shape the surgery in such a way that the pain that many patients cite would not occur. Problems created by surgery have knock-on effects. Physical problems quickly become mental problems. If Members had heard the stories of the gentlemen I met, they would understand where the mental problems come from. The pain is absolutely unbearable. Many experience depression as a result of surgery. They all cite anxiety, panic attacks and nightmares, and—this is serious—some people hear things that are not there. It clearly affects them mentally.

I congratulate and thank the men for making their information and backgrounds known. I also thank my colleagues from my own party who took the time to let me know about their individual cases. When we hear their stories, we clearly see how their lives have been changed.

In the United Kingdom study, 27.6% of respondents had been formally diagnosed with a mental health condition such as PTSD, which can affect people in many different ways, and 4.7% said that they had self-harmed because of mesh complications. That is probably off the back of the depression and the pain that becomes almost unbearable. I never realised just how much pain can affect people. I met a lady who had a problem following an operation—it was nothing to do with hernia mesh. The pain was so bad that she asked for her right knee to be taken off to remove the pain. Doing that removed the pain, because that is where the pain was, but it was a dramatic step to take, so when people start to self-harm, as some have said they have, because of the mesh complications, we must take serious cognizance of what has happened.

Some 24.3% of respondents had psychotherapy or counselling as a result of mesh complications. Again, the counselling was to try to stop them self-harming, and to help them to deal with a physical, surgical problem that would be long-term. Almost half of respondents—43.6%—revealed that they had suicidal thoughts, which underlines their clear anxiety and the importance of doing something; and 4.7% had tried to take their own lives. Unfortunately, nearly every day of the week we elected representatives deal, in our offices, with people suffering depression and anxiety, whatever the reasons may be. We understand what drives people to the brink of despair. It can be money issues, marital problems, family issues or a physical problem, as in the case we are considering. The figures reveal the dark reality of post-operation life for many of the respondents, and reinforce the urgency of the issue, which needs to be addressed as soon as possible. That is why I have brought the matter to the House for consideration, and it is why the Backbench Business Committee was pleased to provide an opportunity to highlight it. Many complications surround the issue of hernia mesh surgery, and there is a need to give urgent attention to solving them. The figures more than reinforce that point.

I mentioned the effect on families. The gentlemen who came to see me and my colleague, Paula Bradley MLA, on the occasion I spoke of, were able to tell me something about that. More often than not, when someone is sick or ill or having problems they are not the only one travelling that road; their wife or partner and family travel it with them, so there are also family issues.

Post-operation care is prevalent among the issues, and 33.1% of respondents in the UK survey said that their partner was now their carer. When we get married we know it is for better or for worse—and sometimes a partner becomes a carer. Clearly that is a great responsibility for them. Three per cent. of respondents said that they had to put their parents into a retirement home as a result of mesh complications and problems with the surgery. People would obviously have loyalty and feel a duty to try to look after them, so that tells me, and should tell everyone present in the Chamber, that clearly the problem affects all the family. If one suffers, all suffer.

I have been told that there are clear problems associated with mesh implants that need to be addressed. We are dealing with issues, following the surgery, that people
believe are related to it. They include adverse mental health issues and the fact that 78.4% of people experience depression—more than three quarters of the people in question. For the people I met, depression was clearly now a part of life. Some had stopped work altogether. Family relationships had broken down; they were no longer able to hold them together. Some 40.7% of respondents said that their child acted as a temporary carer. I know the good things that many children do for parents and perhaps siblings, but whenever a child, growing up, who should be enjoying childhood and focusing on their education, must be a temporary carer, there are clearly issues to address. Some men cannot have children after surgery, as some of the men I met told me. That is another issue that means we need to hasten an investigation.

There is also a need to address the issue of post-operative pain that lasts many years. I understand that what I have said is perhaps topical and anecdotal. The hon. Member for Linlithgow and East Falkirk will tell the House about some of the cases, but it is clear to me from meeting the men I have mentioned, and from the evidence that I have seen, that some hernia mesh operations in men have led to serious physical problems. That is why I have brought the matter forward today for consideration. It is the reason for this debate in Westminster Hall today.

We need a governmental investigation, and there must be a directive to do that, and funding to enable it to happen. That is why I look to the Minister. I hope that we will get a helpful response. I hope that in the future all the post-operation issues with hernia mesh surgery can be resolved. I hope that the NHS will receive appropriate funding to tackle mental health issues caused by the surgery. I am very pleased that in the Chancellor’s statement yesterday he reaffirmed the commitment to spending on health—I think it was £34 billion. Is the Minister in a position to suggest that some of that money could be focused on enabling the investigation to happen, and getting the data to try to address the issue? The mental health issues can never be ignored, any more than the physical ones. Perhaps the NHS will be able to improve the surgery process so that patients will not have to cope with being left in serious pain for years and perhaps for ever afterwards.

Now that the issue has been raised it is important that it gets the attention that it deserves and that the problems are tackled. I again ask the Minister—and she knows I do so respectfully and sincerely—whether we can start the process of answering the questions and providing empirical data on the side effects of hernia mesh in the United Kingdom. I know that her responsibility is to the mainland, but the inquiry will have to start somewhere, and I hope that it starts here.

David Hanson (in the Chair): The hon. Member for Strangford (Jim Shannon) has summarised the case very succinctly. We move seamlessly to Front-Bench responses. I call Mr Martyn Day.

3.28 pm

Martyn Day (Linlithgow and East Falkirk) (SNP): It is a pleasure to serve under your chairmanship today, Mr Hanson. I am grateful to the hon. Member for Strangford (Jim Shannon) for introducing the debate. He has a brought a number of debates to the House over the years, and I have learned an immense amount about issues that I did not know about. This, however, is one of which I have had some personal experience. Indeed, in my personal life since I have been in Parliament I have had two such hernia mesh operations—in my case, both successful. However, 2015 and 2018 are well within the timeframe that the hon. Gentleman highlighted, in which people have developed complications. So far, touch wood, everything has gone fine.

Hernias are fairly common operations. They usually go without any problem, but not everyone has the same experience, and I am grateful to the hon. Gentleman for highlighting the issue as it affects men. Health issues are, of course, devolved in Scotland, and the Scottish National party Scottish Government have a strong record of ensuring that no one suffers unduly from mesh. In 2014, the SNP Government requested a suspension of the use of medical mesh by the NHS in Scotland, pending safety investigations, and in 2015 the Cabinet Secretary for Health and Sport, Shona Robison, apologised to women who had been left in severe pain by such operations. Between 2009 and 2016, the number of women receiving mesh surgery in Scotland fell from 2,267 to just 135.

An independent review published in March last year in Scotland made eight recommendations—notably that surgical mesh implants should be used only after all other appropriate alternatives have been exhausted. Scotland’s chief medical officer accepted those recommendations in full.

The hon. Member for Strangford mentioned people not being told adequately about the potential complications. I have to be honest: having been through the process myself, I probably agree. We were told some things, but a patient suffering from a hernia is more concerned about when they will get their operation and be able to get back on with their life, so they probably do not pay appropriate attention to what is a fairly minor risk. Perhaps that risk needs to be emphasised to people, or they need to be reminded at a later stage in the process; as I know from experience, it can take a while after having seen the consultant to get the operation.

Although health is devolved, the regulation of mesh is a reserved matter. We therefore call on the UK Government urgently to review its effects and to legislate accordingly. Although regulation of these devices is reserved, we really need a UK-wide clinical audit database for recording device identifiers. We were pleased with the review of the guidelines for mesh following the finding by the National Institute for Health and Care Excellence that the evidence for the long-term efficacy of vaginal mesh implants was inadequate in quantity and quality, but we would like to see a review of the use of mesh to repair hernias.

Scottish Government officials are working with UK colleagues to consider the possibility of an automated implant registry, which would allow unique device identifiers to be entered on the patient’s electronic record. The SNP hopes that Ministers will be willing to work with their counterparts in the devolved Administrations and consider a UK-wide summit on that issue.

It is imperative that the highest possible standards for mesh are maintained. EU regulation 2017/745 on medical devices will change mesh implants for long-term or permanent use from class IIb to class III devices, meaning they are generally regarded as high risk. Those regulations
will not take effect until 2020, after the date on which the Government desire to leave the EU. How will important EU regulations to monitor the use of devices across EU territories be implemented or reflected in UK law and regulation after Brexit? I reiterate that it is important that we maintain the highest possible standards, and I look forward to the Minister’s comments on that.

When I saw the title of the debate, I knew my Whips would be in touch because I had personal experience; having missed various other engagements while waiting for my operations, I knew I could not get out of doing this. In some parts I feel more mesh than man, but as I say, so far, so very successful.

3.32 pm

Mrs Sharon Hodgson (Washington and Sunderland West) (Lab): It is a pleasure to serve under your chairmanship, Mr Hanson. I thank the hon. Member for Strangford (Jim Shannon) for securing the debate and for his characteristically passionate, thought-provoking and knowledgeable speech. Although, for all the reasons he gave, the debate is not heavily subscribed, it is an extremely important debate about an issue we have not yet addressed in this place. I know that all the men and, indeed, women watching—be they wives, partners, family members or mesh sufferers themselves—will thank him for bringing this issue before the House too. I also thank the hon. Member for Linlithgow and East Falkirk (Martyn Day) for his remarks on behalf of the SNP.

I welcome the Minister to her new role. We were both elected in 2005—I remember seeing her at the induction on my first day—but I think this is the first time we have faced each other speaking from our respective Front Benches in this capacity. I look forward to shadowing her on some of her policy areas and to holding her Government to account on all things public health and patient safety, which tends to be the area I cover. I also look forward to her response to the debate, but first I have some questions of my own for her.

As the hon. Member for Strangford said, we have had a number of debates in this Chamber and the main Chamber about the impact of vaginal mesh on women—including, sadly, as I am sure Members have heard, my own mam. She is a sufferer of vaginal mesh, which I have spoken about at length in other debates. Although this debate is about hernia mesh in men, it is clear, as the hon. Gentleman said, that there are similarities between the two that need to be addressed. First, the devices are made of the same material—usually polypropylene plastic, which is also used for plastic bottles. It is hard to believe that it is being inserted inside people; obviously, we are now hearing about the damage that causes. The other similarities are a lack of data and a lack of information about the risks for patients, both of which cause harm to patients.

As we heard, the majority of hernia mesh operations are successful, and the Royal College of Surgeons states that the implants remain “the most effective way” to treat a hernia. However, that does not mean we should ignore the patients who tell us that the operation caused them extreme pain and discomfort. The surgery might be successful in the sense that it repairs the hernia, but if it causes extreme pain and life-changing symptoms for some patients, it cannot be right to call it successful.

As I have said in debates about vaginal mesh, if a car, a washing machine or a drier failed in such numbers, there would be a full recall and sales would cease immediately, no ifs or buts. Research shows that between 10% and 15% of people who have hernia mesh surgery suffer from chronic pain and complications after the surgery. That is just not acceptable. That is not a tiny number of people—it is not just the odd one—and it is devastating for the lives of every one of them.

According to NHS data, 10% of people who have hernia mesh fitted go back to their clinician at some point after their surgery. Some surgical experts claim that complications occur in as many as 30% of hernia mesh surgeries, and that those can be every bit as harmful as with vaginal mesh. Until today, hernia mesh patients have not had their voices heard, because the extent of the problem is just not measured. What assessment has the Minister made of the number of complications following hernia mesh surgery, and what consideration has she given to establishing a hernia mesh database to audit the number of surgeries and any associated complications?

The lack of data collection means patients cannot adequately be informed about the risks before surgery. I hope that changes as a result of the debate. Hon. Members may have heard of Dai Greene, a world-class hurdler who captained the Great Britain athletics team at the 2012 Olympic games and was subsequently treated with hernia mesh. He says he cannot remember being warned about any associated risks but was told he would be back training after a few weeks. That was not to be the case: Greene lost five years of his career due to complications after the surgery.

We all trust that surgery will be safe for patients and will improve their quality of life. Patients trust that they will be informed of any associated risks. With vaginal and hernia mesh, that has not been the case for thousands of patients. How will the Minister address these serious concerns? Patient safety and trust must not be compromised in favour of a cheap or quick procedure. My mam was told, “Oh, it’ll be 15 minutes that will change your life.” My word, it changed her life—but not for the better.

I understand that the independent medicines and medical devices safety review is due to report its findings soon. I attended one of its sessions in Newcastle with my mam. It was very well attended, as I believe they all were. Baroness Cumberlege was there, and she was very attentive and compassionate to all the women in attendance. I look forward to her report. Hernia mesh is not included in the review, but given the parallels between vaginal and hernia mesh, which have been highlighted not just today but consistently—the hon. Member for Strangford cited Victoria Derbyshire, who has also done great work on this issue—the Minister should consider the review’s findings in the light of this debate and treat hernia mesh with the same seriousness as vaginal mesh.

Will the Minister work with NICE and NHS England to ensure that patients are clearly informed in good time before surgery about the risks associated with their treatment so that they can make properly informed decisions, with updates on risks as research develops? This is about patient safety and confidence, which is paramount to our NHS.

In closing, I welcome again the Minister to her role. I appreciate that this week must have been a baptism of fire, trying to get on top of so many issues. I understand
that she has had to respond to three debates—as the hon. Gentleman said, she has got a hat-trick. Nevertheless, I hope she will address these concerns today and take away any that she cannot. No doubt, we will revisit this issue for debate at a later date.

3.40 pm

The Parliamentary Under-Secretary of State for Health and Social Care (Ms Nadine Dorries): It is a pleasure to serve under your chairmanship, Mr Hanson. I was alarmed when you walked in, because I think you have held more ministerial posts than anyone else in the House of Commons—or you are pretty close to holding the record, anyway. So to have you in the Chair, judging me as a Minister, is quite daunting.

I thank the hon. Member for Strangford (Jim Shannon) for bringing up this important debate. You always bring debates to the Chamber that you are heartfelt and passionate about. That is so important. It is a delight to be opposite the hon. Member for Washington and Sunderland West (Mrs Hodgson). We have both been in this place for 15 years, and I know that you also bring the same passion and commitment. You always speak from your heart. We might be a bit similar in that way.

David Hanson (in the Chair): Order. “You” refers to me.

Ms Dorries: Of course, Mr Hanson. I am amazed that after 10 years in the Chair I make these mistakes—it is because I am nervous. I am delighted to serve opposite the hon. Lady; it will be great.

This is a serious subject. It is incredibly important to hear the voices of patients who have suffered as a result of inguinal hernia mesh repair operations, because without allowing those patients to be heard, we cannot move forward to find solutions to deal with this issue. I will go off-piste from my speech, because there has been some conflation during the debate of vaginal mesh repair for the purpose of urinary incontinence and inguinal mesh repair for an inguinal hernia. The two operations are entirely different and have completely different outcomes. Vaginal mesh repair is for urinary incontinence. Inguinal mesh repair is for hernia, and without repair, there is a possibility of death. That is because of the pattern of development of an inguinal hernia. It is due to a break in the muscle wall. The hernia is a part of the bowel that comes through the muscle wall, and it can quickly strangulate and develop into peritonitis. The result of that can be death.

Andrew Griffiths (Burton) (Con): I join the debate late on, but perhaps I can be the example the Minister is looking for. I had a double hernia just a few months ago that was treated at Queen’s Hospital in my constituency, where I received fantastic care. Mesh was used to repair a double hernia, which I got as a result of doing too much exercise—I am not as fit or strong as I thought I was. I was nervous about having mesh because I had heard all the rumours about how damaging it could be, so I questioned the consultant and surgeon. For me, it was brilliant: it meant keyhole surgery and a quicker recovery. I say to all those men out there who might be going in for a hernia operation: do not dismiss mesh, because it makes the operation simpler and the recovery time quicker. I recommend it.

Ms Dorries: I thank my hon. Friend for his absolute honesty and openness in bringing forward his own case. The bowel can come through the opening in the muscle wall, strangulate and develop into peritonitis, with dire consequences. The fact is that the alternative method of repair—just to stitch the muscle wall—is nowhere near as effective, and the same dangers can present. There can be a rupture, and the hernia will present again with the same complications.

Mrs Hodgson: The Minister, with her medical knowledge, can give the details on hernia repairs in men that otherwise would have been missing from the debate. The hon. Member for Burton (Andrew Griffiths) speaks from his experience. Although I do not want to be a harbinger of doom, for him it is very early days; often the pain that comes in 10% to 15% of cases appears a few years later, as the hon. Member for Strangford said in his speech. The Minister rightly points out that it is a good operation for what is a life-threatening condition in men, as opposed to stress incontinence in women, but still in 10% to 15% of cases we are talking about real pain. I would like her to elaborate on what we should do about that.

Ms Dorries: The hon. Lady is absolutely right. No one should suffer with chronic pain. There is a difference between acute and chronic pain, with acute pain happening immediately post operation and the chronic pain continuing afterwards. In inguinal mesh repair operations, the chronic pain is due to the mesh—like a small piece of net curtain—rubbing up against nerve endings and causing inflammation. For many men, the pain is quickly cured by an injection of local anaesthetic such as lignocaine with a steroid, which reduces the inflammation and takes away the pain completely. For many men who present back in out-patients, their pain is quickly sorted.

I do not want it to sound as though I am trivialising in any way the problems of those who continue to suffer pain. I believe that the Cumberlege report covers mesh as a wider issue, as well as issues related to the use of mesh, so we may gather more information from the report that will inform the debate on inguinal hernia mesh repair.

There are, however, other options. The best practice is shared decision making between the patient and the clinician, with the clinician fully explaining the operation to the patient, what is involved and what the options are. One option for patients who present with a hernia is for the clinician to reduce it in the clinic back in through the muscle wall. At that point, the patient may know how to handle it and manage it by not over-exercising and being careful when they cough. The patient will be registered as having had a hernia reduced and, if they want it operated on, they just ring up and go straight on to the operating list. That is a good option for many men if they think they can carefully and responsibly manage the hernia and come back to hospital only if it gets worse, if it pops again or if they need immediate attention. Whatever happens, they will be registered as having had an inguinal hernia and seen a clinician and therefore in need of treatment should it reoccur.

We are encouraging clinicians to have that conversation with patients. I do not know whether the clinicians treating my hon. Friend the Member for Burton (Andrew Griffiths) did, but clinicians should do so that patients can decide whether they want to go ahead with an operation.
Andrew Griffiths: I had exactly that conversation: it was my choice whether I had an operation and how I managed it. And it was just four months between seeing my GP and having the keyhole surgery at my local hospital, which took an afternoon. The service at the hospital was brilliant; I cannot praise it enough.

Ms Dorries: I am delighted to hear that.

I am pleased to say that shared decision making is set out in the NHS long-term plan and I hope we will see more of it in other areas. As the hon. Member for Strangford mentioned, it has the full backing of the Royal College of Surgeons and the Royal College of Anaesthetists. I know from my own experiences in the health service that the role of patient voices is critical at every stage along the treatment pathway. Indeed, as we have said, the Government have asked Baroness Cumberlege to lead a review on the theme of patients’ voices. I will say more about that later.

All of us, including Ministers, regulators and clinicians, must listen to patients, such as the constituent mentioned by the hon. Member for Strangford who has had an ongoing problem, when they raise concerns. Only by listening to those patients’ voices and understanding the issues they have after hernia repair can we learn and develop what we need to do to ensure that it does not happen to people in the future. We must strike a fine balance as we steer through innovation, emerging science, clinical advice and the voices of a multitude of patients.

Hernias are relatively common. One in five men will get an inguinal hernia in their lifetime and it is worthwhile briefly outlining why men are mostly affected. Inguinal hernias are a type of groin hernia, which are the most common type of hernia. Some 98% of them are found in men, as the male anatomy is particularly vulnerable in this region. The main reason to operate on a hernia is to reduce the risk of bowel obstruction or necrosis, which is tissue death. Both of these conditions require major emergency surgery, where there is a risk of death.

Hernia surgery is therefore often a necessity. I have been advised by clinicians that when an individual’s condition indicates surgery, mesh repair is the standard operation for adults with inguinal hernias. It is safer than non-mesh repair in the first instance and is less likely to lead to pain post operation. It is also less likely to lead to hernia recurrence. To address the point made by the hon. Member for Strangford, I hope he understands that I am deeply concerned to hear about instances where these conversations may not have happened, or have not been conducted in a manner that sufficiently informs the patient. Every patient should expect to receive safe and effective care, and to have an opportunity to raise concerns and feel confident that they will be listened to.

I will talk about the pain and suffering experienced by some men after mesh surgery. The vast majority of patients who undergo surgery using mesh to treat hernias go on to live normal, independent lives. While we do not know the exact number of complications, we believe it is low. However, I understand that those who experience the most adverse outcomes are those who suffer chronic pain or long-term discomfort.

I have been advised that 10% to 12% of men experience moderate to severe chronic pain post surgery. While that number is high, it is lower than for those who have non-mesh repair. I have been advised that acute pain is normal during healing, but chronic pain is not normal. As I said, one example of pain management is to treat chronic pain by injecting local anaesthetic and steroid. Long-term discomfort or pain is fortunately rare, but can still occur in one in 20 inguinal hernia repairs. While this number is still concerning, and, I believe, too high, the risk is dependent on the circumstances of each case. For example, there is an increased likelihood of it where patients have small hernias and where the predominant symptom before the operation is pain. Patients present at the clinic with pain and continue to have the pain after the operation. Both these adverse outcomes—the severity and the longevity of pain—remind us that regrettable complications can arise when any person undergoes surgery.

Mrs Hodgson: What we are establishing is that there are still many unknowns with regard to the numbers and when the pain occurs. That is what we need to drill down on. The hon. Member for Burton said that his surgery has been totally successful, however many months it is since it took place. However, the problem is not just post-surgery. Often, as we have heard, people are fine for two or three years and then suddenly, “Boom!”—they are hit with whole host of pain and autoimmune reactions. We need to drill down on that when we are looking at the problem. Will the Minister commit to trying to use the data to do that?

Ms Dorries: I am hopeful that the Cumberlege report will touch on that area to some degree. I will study the report in some detail, as will officials in the Department, and we will decide where we go from it, but I emphasise that the alternative of not having the mesh repair is more dangerous and has more complications, as we know from the data, than having it.
Jim Shannon: To follow on from the shadow spokesperson’s question, has it been possible within the investigation and review to understand why the vast majority of people can have the operation without any side effects, while a large number of people do? There were 400 such people in Northern Ireland. If we take that population across the whole country, that means about 24,000 people across the rest of the United Kingdom, so the figures show a large number of people who have had problems. Is it possible to say why, or to investigate and ascertain why those problems take place, as they did in Australia?

Ms Dorries: We will take that question away. I will come back to the hon. Gentleman, because that is a detailed question with more complexity in it than I could answer today. For those people who suffer from pain, is it alleviated by the steroid and local anaesthetic injection? Are those numbers just people who present back once with pain, or do they go on to have chronic long-term pain, and, as the hon. Member for Washington and Sunderland West says, come back three or four years later? Some drilling down into that data is needed.

Work is under way both within and independent of Government to improve safety and how we listen to patients, in order to gather the information to work with. In July, we launched the patient safety strategy, which sets out the direction of travel for future patient safety. It was developed through speaking to not just staff and senior leaders but, importantly, patients from across the country. As much as it looks at system improvements, such as digital developments and new technologies, it also looks at culture, so that the NHS becomes ever more an organisation with a just culture of openness to concerns, whether they are raised by patients, family members or staff. Concerns of all kinds should be welcomed, valued and acted on appropriately.

We are also waiting to hear back from the independent medicines and medical devices safety review, which is led by Baroness Cumberlege. The review examines how the healthcare system has responded to concerns raised by patients and families around three medical interventions, one of which is vaginal mesh. To do so, the review has focused on meetings with a broad range of stakeholder groups; I think the hon. Member for Washington and Sunderland West may have attended one of those with her mother.

I close by acknowledging just how difficult the subject matter is. No one should suffer from chronic long-term pain without every effort being made to reduce it and find out why it occurs in the first place. This is not an easy subject for men who are suffering from ongoing pain to speak about. We know that men are always very reluctant to come forward and go to the doctors about anything. I pay tribute to the many impassioned contributions of the brave men who have allowed their stories to be told, who have visited their MPs and contributed, because men are not good at sharing information when it comes to their health.

As I mentioned earlier, however, it is vital that the use of mesh to treat hernias continues. It remains the best course of action for patients where the appropriate treatment pathway leads to surgery. As with all treatment, shared decision making should be central to this process. It is vital that we continually examine the evidence together on the best means of treatment. Decisions in healthcare are often about weighing potential benefits against risks, and I thank those in our healthcare system who strive always to offer us the best treatment possible.

David Hanson (in the Chair): Although we have finished early, the hon. Member for Strangford can have three minutes to respond should he wish to, but no more than three minutes.

4 pm

Jim Shannon (Strangford) (DUP): Thank you very much, Mr Hanson. I will certainly take no longer than three minutes. I had that advantage earlier on—I may have taken advantage of it, but there we are. Three minutes is more than enough.

First, I thank the hon. Member for Linlithgow and East Falkirk for his contribution. If we wanted a headline for the hon. Gentleman, it would be “More mesh than man” because of the number of operations he has had, if he does not mind me saying so.

Martyn Day: I have said it.

Jim Shannon: It was the hon. Gentleman’s quotation, so I am just quoting him again. He has personal knowledge of what has taken place. Again, to be fair, his operation has been successful. The shadow spokesperson, the hon. Member for Washington and Sunderland West, brought a lot of information to the debate. The problems are really real.

We set out two subjects in this debate: No. 1 was awareness, which is important, but No. 2 was that everyone should understand, before they have the operation, what the implications could be. That does not mean that they will not go ahead with the operation, but it ensures that they understand it. The hon. Lady referred to the “devastating” effect that this can have on lives. It is not a quick or cheap procedure, either, and patient safety is critical.

I thank the Minister for her response. She first confirmed in her contribution that we are raising awareness, and secondly referred to a safety review. I appreciate that and understand why. That does not in any way dismiss—no one can dismiss—those problems that have arisen out of the hernia mesh operations in men as not real. I ask her, if she has the opportunity, to perhaps look at the Australian investigation, although maybe she has already done so.

Ms Dorries indicated assent.

Jim Shannon: There we are; the Minister is ahead of me there. Well done. That investigation might give us some ideas for what we could do here as well.

I also thank the hon. Member for Burton (Andrew Griffiths), as always when he turns up, for his contribution. I know many people who have had the operation successfully, but my job here is to bring to the attention of the Minister and this House the many others who live with the mental, physical and emotional problems. That is what this debate is about. I thank everyone for their contributions, and I thank you, Mr Hanson, for chairing the meeting admirably, as you always do.

Question put and agreed to.

Resolved,

That this House has considered hernia mesh in men.

4.3 pm

Sitting adjourned.
Westminster Hall  
Monday 9 September 2019  

[Joan Ryan in the Chair]  

Prorogation of Parliament  

4.30 pm  

Paul Scully (Sutton and Cheam) (Con): I beg to move,

That this House has considered e-petitions 269157 and 237487 relating to the prorogation of Parliament.

It is a pleasure to serve under your chairmanship, Ms Ryan. I will read the wording of both petitions into the official record. The first petition is titled, “Do not prorogue Parliament”, and states:

“Parliament must not be prorogued or dissolved unless and until the Article 50 period has been sufficiently extended or the UK’s intention to withdraw from the EU has been cancelled.

That petition received 1,721,119 signatures within a very short space of time. The second petition, which has already closed, is titled, “The Prime Minister should advise Her Majesty the Queen to prorogue Parliament”, and says:

“The Prime Minister should advise Her Majesty the Queen to prorogue Parliament suspending the current parliamentary session until 2nd April 2019”—that is clearly out of date now—

“to prevent any attempts by parliamentarians to thwart Brexit on 29th March 2019. Preparations for no-deal/WTO will continue. The Prime Minister’s deal has been rejected. No further deal is available from the EU. Remaining in the EU is not an option. Extension or revocation of Article 50 is not an option. I believe the British people voted to leave with no mention of a deal and that WTO rules, to which Britain will default on 29th March 2019, are in Britain’s best interests. We may get a better deal after, but not until, we have left.”

As I said, the second petition is out of date; events were moving so quickly at the time that it was difficult to schedule a debate on it and to keep it topical. Naturally, with the Prorogation of Parliament upon us tonight, as I believe has been declared, it was deemed suitable to bring the two petitions together.

It is important that the Petitions Committee should always try to allow people to have their views aired. There is a reason why debates on petitions in Westminster Hall are some of the most read and watched debates: it is because we are talking about what people want us to talk about, rather than what we want to talk about. Unfortunately, or fortunately, the two coincide in this case. I have noticed that over the last three years we have wanted to talk about Brexit quite a lot; and because of the topicality of the issue, and because the Prime Minister has been clear that we will leave the EU by 31 October, come what may, people want to express their opinion, whether they want to stop no deal or stop Brexit in its entirety. It is important that we discuss that in the House of Commons.

There is a clear reason why Prorogation is a sensible idea. The Prime Minister was elected by members of the Conservative party, and people have asked what his domestic agenda will be. It is therefore right that we debate the wider domestic agenda, as well as Brexit, in this place. That can be done through a Queen’s Speech, in which the Prime Minister can set out clearly what he wants to do in the coming year, in a new Session of Parliament, to move the debate on, move Parliament on, and move the bandwidth of the media away from Brexit as we leave on 31 October.

Catherine West (Hornsey and Wood Green) (Lab): I thank my London colleague for giving way. Does he believe that 100,000 votes from Tory party members is enough of a mandate for making such important decisions?

Paul Scully: I will come back to the question of mandate, because in about five hours the Prime Minister will ask Members to vote for a general election. We have all said that we do not want one at this time, because we want to get on with the job in hand, but at the moment, that is the best way not only to resolve the conundrum that we face in the lead-up to 31 October, but to move on and to show that there is a mandate for the domestic agenda.

Julian Knight (Solihull) (Con): As ever, my hon. Friend is doing sterling work in presenting the petitions. The hon. Member for Hornsey and Wood Green (Catherine West) mentioned the number of 100,000; he mentioned the number of 1.1 million—those people who signed the first petition. I have another number for him: 17,410,742. That is the number of people who voted to leave the EU, but due to parliamentary artifice, they are being denied that right.

Paul Scully: I thank my hon. Friend for that intervention. I could not agree more, and I was one of those 17.4 million people. I understand that there are many facets to this complex argument, but we Members are charged with showing political leadership. For three years, we have talked about what we do not want; we have um-ed and ah-ed; we have had political shenanigans; and there have been games afoot. In the last few weeks—it seems a long time since the summer recess—the debate has been like the trash talk in a press conference ahead of a heavyweight boxing match, with people trying to win the fight before the first punch is thrown.

People clearly expect us to get on with the job and leave the EU, with or without a deal. By now, we should be talking about how, not whether, we will leave. The fact that we are still talking about whether we will leave, three years after the referendum, demonstrates the point that my hon. Friend the Member for Solihull (Julian Knight) made: we cannot pick and choose the election results that we want to uphold, and 17.4 million people—the most people to have voted for anything in a British election—have charged us with leaving the EU.

Alex Sobel (Leeds North West) (Lab/Co-op): Do we not need to know whether we are leaving with or without a deal in order to understand what legislation will be required? How can we have a Queen’s Speech on 14 October, before the European Council, and how can we frame legislation when we do not know whether we are leaving with or without a deal?

Paul Scully: To be fair, I have allowed the last two interventions to distract me from the fact that the key purpose of a Queen’s Speech is to set out the domestic agenda—to talk about the 20,000 new police officers,
and to ensure that people see the benefits of frontline funding for the NHS, levelling up funding for schools, and delivering full-fibre broadband across the country. However, as we ramp up preparation for no deal, we know exactly the kind of thing that we will need if we get a deal, although the deal that we are likely to get—if we get there—will be substantially different from the last withdrawal agreement. Also, we have been trying to pass legislation regarding no-deal preparations over the last few months.

Again, I am allowing myself to be distracted. We keep talking about deal or no deal, but actually we mean the withdrawal agreement; the deal is yet to come. We use the terms interchangeably. The deal, in terms of trade deals, is all about the future relationship with the EU, and we have not even got there yet. All we are talking about—I say “all”; of course it is complicated and significant—is how we physically leave the EU. Deciding what the trading relationship will look like will take time. One of my fundamental concerns—albeit from two and a half years ago, so it cannot be revisited—was accepting the sequencing that Michel Barnier and the EU put to us: that we had to get the divorce done before we could talk about the future relationship. It would have been far more sensible—this formed the basis of the Vote Leave campaign—to do both at the same time.

On the backstop, for example, instead of coming up with the convoluted system that has failed to get through this place so many times, it would have been far easier had we known what the ultimate trading relationship between Northern Ireland, in particular, and the Republic of Ireland would be. We would then have been able to work on solutions—alternative arrangements—not just in the last year, but in the last three years. That would have been a far better and more holistic approach to leaving.

Jeremy Wright (Kenilworth and Southam) (Con): I agree with my hon. Friend. That the public are keen for us to move on to the domestic agenda. Is it not the case, however, that we are talking about having a Queen’s Speech either in October, or in November, which would be after Brexit has taken place, given the Prime Minister’s determination to leave on 31 October? As my hon. Friend says, we may leave with no deal, and I agree that it would not be desirable or possible to take that off the table. Does Parliament not have an obligation to scrutinise the Government’s no-deal preparations, and should we not spend the five weeks during which we are to be prorogue doing that, rather than anything else, including holding party conferences?

Paul Scully: My right hon. and learned Friend has a point in theory, but unfortunately only in theory. We have already cancelled two recesses, to the angst of several hon. Members, but what did we do during those sittings? We considered statutory instruments on the Floor of the House, because there was not enough business about Brexit coming from the Opposition. I remember walking around this place and seeing Opposition Members with their coats on, leaving early. If they had wanted to get involved in debates, and to add to the 500 or so hours of debate that we had in this place about Brexit, they could have done so in those two weeks. They could also have cancelled summer recess, but clearly, that would have been a little too inconvenient.

Julian Knight: My hon. Friend inadvertently makes the case for a Queen’s Speech. In reality, the Government have been splitting up Bills to ensure that parliamentary time is used up. We need a new agenda, and a new raft of legislation to put before the House, so that people can see Parliament do something other than argue over and frustrate Brexit. That would restore their confidence in Parliament.

Paul Scully: My hon. Friend is absolutely right. We already have the odd addition of this fortnight, which, when coupled with the five weeks of Prorogation, smacks of, “Look busy, the boss is watching.” We are scratching around trying to find something to do. I do not dismiss the fact that scrutiny of the Government’s legislation and action is important, but I caution that actions need to match words.

Dr David Drew (Stroud) (Lab/Co-op): I have never known a Parliament where the business has collapsed so often, yet the Agriculture Bill, the Fisheries Bill and the Trade Bill all need to come back for Report and Third Reading, and to then go to the Lords. Where are those Bills? Why have they not come back? Why have we not used the time properly? It is quite disgraceful.

Paul Scully: The hon. Gentleman uses the word “disgraceful”; I have been in this place for only four years, but for three of them, I have sat here scratching my head, thinking, “I have some of the most intelligent people around me acting in the most stupid way.” I blame people on both sides of the argument equally: I am an equal opportunity critic. We should be talking about how we leave, not whether we leave.

Brexit is a big issue that divides parties, communities and families. None the less, we were asked a relatively simple question: do we leave or remain? Leave won, and it is not beyond the wit of man to give businesses, communities, EU nationals here and British citizens abroad the sense of certainty that they need and deserve. In the coming weeks, I hope that we move on and reach a resolution, so that we can get back to the domestic agenda that will be set out in the Queen’s Speech on 14 October.

We saw a lot of confected outrage, as the Leader of the House described it, when the Prorogation of Parliament was first discussed. People conflated two different sets of statements. When several Conservative leadership candidates said that it would not be good to prorogue Parliament to bring about Brexit, come what may, they were talking about a Prorogation that straddled 31 October, so that we would fall out of the EU without discussion. That is clearly not what is happening. The hashtag #StopTheCoup started to appear on Twitter and social media, but frankly, that would be the worst coup ever.

Parliament is coming back on 14 October, and on the week following that, we will debate the Queen’s Speech, which will no doubt involve Brexit, because that will clearly be a major part of it. We then have weeks after that, because a Brexit deal will come back to Parliament only if we get a deal on 18 October at the end of the EU Council. Hopefully, at that point we will achieve a deal and bring it back to this place; we can then discuss it. We will have something that we can all circle around, and that will allow us to say, “Nobody gets everything they want, but this is enough to allow us to say that we
have respected the referendum, and to enable us to start looking at the opportunities that Brexit offers, rather than at whether we are leaving.”

Paul Scully: I agree with the hon. Lady. Lady that this is a political crisis. It is grinding the country to a halt—certainly, to boredom. There is one way to sort it out. We can sit here contemplating our navel, or we can go out and speak to the people. We can have a general election, in which we can discuss Brexit and engage 70 million people, not just 650. To me, that is democracy in action.

Some hon. Members might say, “Let’s have a second referendum.” There are clearly issues with that. It took nine months to get the first one through this place and to hold it, and we would also have to decide on the question, and the electorate. Those issues, which would be hotly debated in this place, would have to be decided before we could even get to the referendum. People may say that the current situation creates uncertainty, but that option would perpetuate uncertainty. To those people who say, “The EU referendum caused division,” does the hon. Gentleman agree that that would completely undermine the referendum, and all future referendums?

Paul Scully: I agree with the hon. Gentleman. I have argued passionately in this place alongside me against a second referendum. I agree with everything he said, including about the referendum result being undermined.

I mentioned #StopTheCoup, and how bad a coup the Prorogation of Parliament would be. Instead, parliamentary games are being played by those on the other side of the argument. Parliament took control, and took parliamentary time away from the Government to pass the Benn Bill, which passed due to an amendment that was granted by the Speaker, who was frankly making it up as he went along. The right hon. and learned Member for Beaconsfield (Mr Grieve) has told me that even he did not expect the amendment to be made that allowed him to lay the path for Parliament to take the business away from the Government.

Martin Whitfield: On the question of a referendum, would the hon. Gentleman have a similar concern about a confirmatory referendum? As was the case with the Good Friday agreement, people would be empowered to show their acquiescence with a result that could become law. Hon. Members in this place who seek to disagree with that result are 650 votes, 350 votes, or one vote among the entire electorate.

Paul Scully: I come back to the point that any referendum, confirmatory or otherwise, takes time. We are trying to leave the EU so that we can get on to the next stage of this debate, which we have been having for three years. I am not entirely sure that a confirmatory referendum would resolve anything, although it is a step up from the so-called people’s vote—frankly, we have already had a people’s vote; this would be a second people’s vote.

Julian Knight: A perverse situation would arise from a confirmatory referendum: it would almost predetermine us getting a very bad deal, because the EU knows that if it gives us a bad deal, people will vote not to accept it. Frankly, it is Hobson’s choice.

Paul Scully: My hon. Friend is absolutely correct, as always. As I say, every time we diminish the negotiating position of the Government, we inevitably create a more distinct possibility of a watered-down deal. In fact, why does the EU need to speak to us at this time anyway? Theoretically, the way the Benn Bill works is that the letter that Parliament has written for the Prime Minister to take to the EU allows the EU to dictate the date that the UK leaves the EU. It has been nicknamed the “surrender Bill” for a reason; frankly, it is about as surrendering as it gets.

Jeremy Wright: I am very grateful to my hon. Friend for giving way; he is being very generous with his time.

Again, I agree that it would be wrong to postpone our departure from the EU beyond 31 October. If we leave then, we leave either with or without a deal. If we do not have a general election—we will know by the end of this evening whether we are to have one—we will prorogue. Is the point not that we will come back on 14 October and give ourselves two weeks to either analyse a new deal, pass the old one, or decide how best to the Government can prepare us for no deal—which is simply not enough time?

Paul Scully: We have discussed no deal over the past few months, to quite an extent. There would clearly be more specifics, if it seems that that is how it will go. Rather than us not having enough time, people will probably be moving a bit more quickly and frantically.

I have never voted to take no deal off the table, because it is a serious proposition. I have always wanted to get a deal, but I am prepared to leave with no deal if we have done everything we can to get there. However, too many hon. Members in this place have just dismissed it. This goes right back to the heart of the referendum. Not enough hon. Members have taken seriously what people charged us with doing. Many times, I have had people put me on the head and explain to me why I voted to leave, rather than ask me—and I am a Member of Parliament. Imagine how patronised by the establishment Joe Public feels in parts of the country that voted to leave.

No deal has always been there, whether or not it has been taken seriously by the Government at various points. That is possibly an argument for another day. No deal absolutely should have been discussed as a serious proposition and scrutinised over the past three years. We are at a point at which that proposition has ramped up, and I believe that there will be plenty of time to debate it. I hope that we get a deal. I hope that
being able to say “We will leave by 31 October” focuses all our minds on ensuring that we get rid of the backstop. Bear in mind that although we have said what we do not want to do, that is the only thing that has been voted for affirmatively.

In conclusion, I come back to the point that proroguing until 14 October for a Queen’s Speech allows the new Prime Minister to set out his bold, ambitious domestic vision for this country, which people are absolutely screaming out for. They want us to get Brexit done, so that they can talk about what affects them daily: their hospital, their children’s schools and their safety at home and on the streets. Having more policeman and infrastructure, be it rail or broadband, is what affects people daily when they walk out their door.

4.55 pm

Helen Hayes (Dulwich and West Norwood) (Lab): It is a pleasure to serve under your chairmanship, Mrs Ryan. A majority of the 8,738 residents in Dulwich and West Norwood who signed the petition in opposition to Prorogation—the eighth-highest proportion of constituents in any constituency in the country—and on behalf of all my constituents, who will be denied their voice and democratic representation as a result of Prorogation today.

It has been argued that Prorogation is normal ahead of a Queen’s Speech, and that only three days of parliamentary time are being lost; we would normally break for conference recess anyway. However, we are not in ordinary times. Brexit has riven our country. We know that the Government’s own analysis shows that there is no version of Brexit that does not inflict damage on the UK economy, and that a no-deal Brexit will deliver a calamity for jobs, the supply of medicine and food, and peace in Northern Ireland. A no-deal Brexit poses a catastrophic threat to so many of the things that our constituents hold dear and on which they depend.

To prorogue Parliament at such a time is not normal business; it is an outrage to our democracy. My constituents voted overwhelmingly—77%—to remain in the European Union. I represent one of the most diverse constituencies in the country. We are internationalist and celebrate diversity. Our values are European values. The strength of feeling in my constituency of Dulwich and West Norwood has not diminished since 2016; it has strengthened and deepened. Since June 2016, however, 77% of my constituents and 48% of voters across the country have been told that we must be quiet, and that our views no longer matter. Even in the face of evidence that Vote Leave broke the law to an extent that might have been sufficient to influence the result of the referendum, we have been told that we must be quiet. We have been told that we must be silent in the face of evidence of the impact of Brexit, which was never discussed during the referendum campaign—most notably, the impact on the Good Friday agreement and peace in Northern Ireland. We have been told to be silent as the definition of Brexit, which was not discussed during the 2016 referendum, has become ever more reckless, right wing extreme.

That is not how democracy works. It is never the case that, when we vote in a referendum or general election in this country, people who were on the losing side must simply change their views and acquiesce to those who won. It is never the case that, when we vote in an election in this country, everyone’s views are static from that point on for evermore. In our democracy, it is always the case that orderly discussion and debate continue in this Parliament—it is how we resolve our differences—and that we reflect on the result of a vote, on its consequences and impacts, and on what should happen next.

To shut down debate at this time—the House has not voted on the dates of conference recess, and extensive representations were made to the Prime Minister over the summer that Parliament should be recalled—is an insult to my constituents and an outrage to our democracy.

The hon. Member for Sutton and Cheam (Paul Scully) spoke of the times when business has finished early and we have not had matters to debate before us, but the Prime Minister has not brought any solutions to Brexit to this House for discussion and debate. He wants to close down debate in this place to force through a reckless no-deal Brexit that will inflict harm on constituents across the country. That is irresponsible and will drive even more division through our country.

Jeremy Wright: As the hon. Lady knows, I agree with the thrust of her argument that we should spend the bulk of the five weeks of possible Prorogation here discussing these issues, rather than elsewhere. Would it not be better if hon. Members on both sides of the Chamber made it clear we that we would use that time to discuss the best way for us to leave the European Union, as my hon. Friend the Member for Sutton and Cheam (Paul Scully) said, rather than to re-fight the referendum campaign, as I fear the hon. Lady may be suggesting we should do? Is not the best way of proceeding for us to leave with a deal and forge what cross-party consensus we can to find a deal that we all agree on?

Helen Hayes: It is clear that my constituents do not want to leave the European Union. As a Back-Bench MP on the Opposition Benches, I reserve the right to represent their views and concerns, and impacts, and on what should happen next. I urge colleagues on both sides of the House to continue to oppose this Prorogation vigorously and to remain sitting this evening. This cuts to the very heart of our democracy and the ability of Members of Parliament to hold to account the Executive, who seem determined recklessly to drive us over the edge of a cliff. We cannot stand for that.

5.3 pm

Justin Madders (Ellesmere Port and Neston) (Lab): It is a pleasure to serve under your chairmanship for this very important debate, Ms Ryan. I thank my hon. Friend...
the Member for Dulwich and West Norwood (Helen Hayes) for her excellent contribution: she spoke a great deal of sense. We probably disagree about some of the eventual outcomes, but her defence of democracy was first class, and I wholeheartedly support it.

The hon. Member for Sutton and Cheam (Paul Scully) talked about a lot of issues, but something I regretted hearing from him was that we should not be here contemplating our navels. That is certainly not something that I do when I am here, and no hon. Member I am aware of spends their time here doing that. They are here representing their constituents and doing their very best for them. It would be wrong to suggest to the public at large that our time here is not important: it is normally well spent.

Many of my constituents signed the petition to block Prorogation. More than 10 times as many added their names to the petition against Prorogation as signed the one to support its implementation. I suspect that the number who are concerned about events will continue to rise. Many constituents have contacted me through social media and email. I agree with them that for the Prime Minister to shut down Parliament at such an important time in our country’s history, in the end stages of the Brexit process with by far the largest negotiations this country has undertaken in at least half a century, is nothing short of an outrage.

The Prime Minister is not content with ignoring Parliament: we know that he ignores his Cabinet colleagues, too. The number of people who were consulted about this decision before it was made was small. It is no wonder that most Cabinet members were not consulted, given that many of them spoke strongly against Prorogation during the Tory leadership campaign. For example, the right hon. Member for Bromsgrove (Sajid Javid) said:

“You don’t deliver on democracy by trashing democracy.”

The right hon. Member for South West Norfolk (Elizabeth Truss) said that the idea was an “archaic manoeuvre”. The right hon. Member for Surrey Heath (Michael Gove) said:

“I think it would be wrong for many reasons. I think it would not be true to the best traditions of British democracy.”

I agree with what they said, even if they do not agree with themselves any more.

Paul Scully: Will the hon. Gentleman acknowledge that all three of those quotes were in response to the idea of proroguing Parliament and bridging 31 October—in other words, taking Prorogation beyond the date when we are supposed to leave the European Union?

Justin Madders: I do not know the precise context of those comments. What is clear is that Prorogation is designed to have the same effect—to shut down debate and stop Parliament analysing properly the effects of our exiting the EU by way of a deal or not. I am afraid that it amounts to the same thing—an absolute outrage for democracy.

That is where we are. Parliament will be suspended later today because the Prime Minister desires to avoid scrutiny and force us into a no-deal Brexit, despite the Government’s own analysis showing that a no-deal Brexit would mean food shortages, medicine shortages and chaos at our ports, and despite Parliament legislating to take no deal off the table.

The Government have no mandate from the British people to leave the EU without a deal, but what else would we expect from this Prime Minister? It was reported last week that his chief of staff described negotiations as a scam and an attempt to run down the clock. Even the right hon. Member for Hastings and Rye (Amber Rudd) has decided that she can no longer take part in this charade. She resigned from the Cabinet this weekend because the Government had not undertaken serious formal negotiations with the EU. That exposes the truth of what the Government are about.

Let us be absolutely frank: the Government are about hiding from scrutiny and running away from the reality and the consequences of their decisions. It is a desperate attempt to cut and run before the truth catches up with them. A string of local companies came to see me over the summer with genuine concerns about the impact of a no-deal Brexit. Between them, they employ thousands of people. The Government’s decisions have the potential to wreak havoc on the local economy.

This is about not just the consequences of leaving without a deal, but Government decisions relating to that that could be changed. There are industry-wide issues, and that will almost certainly mean that jobs in other parts of the country will be affected. We are denied the opportunity to hold the Government to account on these matters, because we know that the truth is that they cannot justify their decisions. We are in the middle of the biggest constitutional crisis that this country has ever seen. We are on the cusp of enacting the biggest changes that this country has made for a generation, yet the Government are acting as if there is nothing to talk about. What an outrage!

If we leave the EU on 31 October with or without a deal, we will be woefully underprepared. It is simply inconceivable that all the legislation needed for an orderly exit is place, as my hon. Friend the Member for Stroud (Dr Drew) said. To my knowledge, there are at least six Bills that have not been passed and would need to be enacted for that to happen. If we crash out on the 31st without a deal—let us not forget that, despite what the Prime Minister said, that is still an option if he can persuade Parliament that it is the right thing to do—there is still an enormous amount of contingency planning needed in transport, medicines and food, to name but a few areas. Members of Parliament should be scrutinising the Government and holding them to account for what they intend to do.

I read a very alarming report the other day that suggested that the plans for a no-deal Brexit involve relocating thousands of council staff from around the country down to Whitehall to deal with no-deal fallout. Bizarrely, the council staff will be replaced with members of the armed forces. I have no idea whether that is true—I hope it is not—but surely we deserve to know what is going on. Surely our role as parliamentarians is to scrutinise Government policies, particularly when the effect might be as dramatic as that. We should sit every day until 31 October to sort this out, which is what we were elected to do. The Prime Minister should not be going around the countryelectioneering at a time of national crisis. That is slylygostering of the highest order.

The Prime Minister’s game—that is what it is to him—has been clear for some time: make a load of spending announcements quickly, shut down any scrutiny
of them, and hope that the traditional honeymoon period that all Prime Ministers experience lasts until mid-October. Well, we will not play that game. I have been on to him since his second day in office, when he announced a £3.6 billion fund for towns. When I heard about that, I thought, “That sounds pretty promising and is certainly something that Ellesmere Port and Neston could benefit from.” I was keen to see whether my constituency would be on the list, but as Parliament was not sitting, I submitted a freedom of information request to the Cabinet Office, which said in its response that it had no information at all.

Here we have a Prime Minister announcing a multibillion-pound expenditure, while his office does not have even one scrap of paper to set out how the money will be spent. What a complete charlatan. I want accountability, answers and a Minister at the Dispatch Box to explain where that money is going, how it is being spent and who made those decisions. Anything less than that and it looks like a political fix—a cheap stunt unworthy of a serious party of government.

That is not the only issue on which I want answers. A major employer in my constituency is talking about shutting down in the event of a no-deal Brexit. Two secondary schools are up in arms about the way that they have been treated. There are major concerns about the way that a company contracted by the NHS suddenly went bust over the summer, and about the future of the fire service. There are major problems with access to mental health services. There is rising unemployment and a chronic lack of affordable housing. We should be tackling all of those matters here and now, in Parliament.

In truth, however, we will not be able to talk about those things because the Prime Minister does not want scrutiny as what he says does not stand up to it. He tells us that he cannot negotiate with the EU if no deal is taken off the table, but given his claim that the primary change that he wants to make is on the Irish backstop—a very specific issue—I see no connection between the changes that he says he wants and the need to keep no deal on the table. He also tells us that the first thing that the EU will ask in respect of any proposals made by the Government is whether they have the support of Parliament. How can Parliament say that it supports the proposals if it does not even know what they are and it is not sitting to find out? That does not stack up; it is a nonsense that has unravelled in a matter of days since Parliament’s return.

No wonder the Prime Minister does not want Parliament to sit. The more exposure he gets, the more even his own party walks away from the circus. The clown routine is an insult to the office of Prime Minister, to Parliament and to the people of this country, who he thinks will be duped by Eton’s answer to Arthur Daley—we will not fall for it. One cannot claim, as the Conservative party has, to believe on one hand in parliamentary sovereignty, and on the other in shutting Parliament down.

I put on the record that I do not support the Prorogation of Parliament and believe it to be an unprecedented, antidemocratic and unconstitutional attack on our democracy. Taking back control means Parliament taking back control and standing up to the bully boys who want to shut us down.
MPs from across the House must fight with all our might to stop no deal. That is why I will vote against a general election this evening until the threat of leaving the EU without a deal is ruled out. Otherwise, we are up for a general election and we are ready for one.

5.17 pm

Alex Sobel (Leeds North West) (Lab/Co-op): This is a really important debate, not least because 1.7 million people signed the petition. We have had demonstrations up and down the country, including in Leeds both this and last Saturday. The previous Saturday saw the largest demonstration in Leeds since the protests against the Iraq war, with 5,000 people turning out to hear some of the city’s and the region’s MPs, who are all from the Labour party.

Those demonstrations happened because people think that we need to be in Parliament to scrutinise the Executive at this crucial time, rather than spending five weeks in our constituencies and at party conference. Nor, as my hon. Friend the Member for Ellesmere Port and Neston (Justin Madders) said, should the Prime Minister be electioneering using public money in that time, before general election spending rules apply.

It is vital that we are here because the country is in no way prepared for crashing out of the EU on 31 October as the Prime Minister seems intent on doing. Today, I read in The Times that our EU negotiating team is composed of just four people. How will four people negotiate a new withdrawal agreement with the European Union in the time that we have left before the European Council? That does not seem credible and does not stand up to scrutiny. That is why Parliament is being prorogued: so that scrutiny does not exist.

What else do we need in that period? A number of Bills that have started to go through the House have not completed the process, and they need to be before we reach any watershed moment with the European Union. If they have not been completed, it will be absolutely chaotic—we will live in a chaotic country in which international law has not been properly legislated for; not enacted by our legislature.

The Trade Bill, for example, has not been finished. Why not, because it should have? We were on track to pass the Trade Bill in May—I do not mind if the Minister corrects me on that, but I think we should have completed the Bill then. We have not done so because of the attempts—which I would have supported—to insert a customs union into the provisions of the Trade Bill, and the Government, under both this Prime Minister and the previous one, the right hon. Member for Maidenhead (Mrs May), did not want a customs union. Progress on the Bill was therefore slowed down, so we will not complete it in time for 31 October.

An immigration Bill would have provided some certainty for EU citizens in this country—though perhaps not, depending on what happened with it—and regulated immigration post Brexit. What now happens to those EU citizens if the Prime Minister does not negotiate a withdrawal agreement and we leave with no deal on 31 October? I hope that the Minister has a good answer, because 3 million people in this country are interested to know what their status will be without the completion of such an immigration Bill. They do not believe the promises that have come from Ministers and the Executive.

What about the Fisheries Bill? Central to the leave campaign in 2016 was that the UK would take back control of fisheries and fishing rights, but how will that be possible without a Fisheries Bill? Without that legislation, will not other countries with which we share our territorial waters contest us in international courts? What a laughing stock we will be if we leave on 31 October without the legislation. The Agriculture Bill, too, is meant to frame what we will have post the common agricultural policy.

I am sure the Minister will say, “Oh, but these Bills will be in the Queen’s Speech”—obviously, he cannot give us a decisive answer on what will and will not be in the Queen’s Speech, but he will try to reassure us. However, I want to know how we will legislate for all those Bills by 31 October.

Martin Whitfield: My hon. Friend—yes, I am certainly not—whether any carry-over motions have been tabled to save those Bills? That would avoid the necessity of them having to appear in the Queen’s Speech and mean that we could get back to them in the ridiculously short time that we will have left.

Alex Sobel: We only have a few hours before the House is prorogued. I am sure that colleagues of the Minister are busily preparing to ensure that we do not have to bring those Bills back in the Queen’s Speech, but one Bill we will without doubt need to be in it is an environment Bill. We were expecting an environment Bill to be introduced; we were expecting to be through First and Second Reading and in Committee—I wanted to be on the Committee, as did my hon. Friend the Member for Cardiff North (Anna McMorrin), who is sitting next to me—but we have no environment Bill. I would like to know what regulations will exist, and how we will enforce them from 1 November, if the Prime Minister completes the task that he has set for himself.

In Leeds, we are due to have a clean-air zone, because our air quality is among the worst in this country. Three times the Government have been taken to court by ClientEarth and lost, on the basis of EU regulations forming part of UK law to enshrine, embed and widen air quality through a number of local authorities in the UK. The Government have failed to deliver to Leeds what it needs—a charging system, and equipment for such vehicles—so we in Leeds will be in breach of EU regulations on air quality for longer than we expected.

Who will provide the environmental protection that we need? I asked that question of the hon. Member for Suffolk Coastal (Dr Coffey), now the Secretary of State for Work and Pensions, but until a few hours ago the Minister of State in the Department for Environment, Food and Rural Affairs. She said that in a no-deal Brexit scenario, the new agency would not be formed until the end of 2020 or the beginning of 2021, and that people would have to take environmental action retrospectively: That means that we will have no environmental protection in this country from 31 October until that date. I have an issue with effluent discharge into the River Wharfe, and I hope for some enforcement action on it. Will I be disappointed? Will people have to swim in effluent for two more years because there is no regulation? I would like to know.

The issues are not small and minor; they are huge, and Parliament should be here, sitting to debate those Bills, scrutinising them in Committee, and getting them
through so that on 31 October we are not in a situation in which the people of this country have a far worse quality of life.

Rachael Maskell: I am grateful to my hon. Friend for his speech. So many factors are important. On 5 August, we saw the incursion in Kashmir. My constituents want to debate that issue, and to call the Government to account for their actions in the light of the lockdown in Kashmir and the sheer catastrophic humanitarian risk in Indian-administered Kashmir. Surely proroguing Parliament prevents this House from scrutinising the Government’s actions on important global matters as well.

Alex Sobel: My hon. Friend is absolutely right. In Kashmir, the internet has been shut down, and there is a lack of reporting on the crackdown by the Indian Government. We also have the events in Hong Kong. Britain is a party to the Chinese-British agreement of 1984, so in some senses what happens in Hong Kong is a matter of foreign policy but, equally, it is not. We will not be able to hold any scrutiny of the Foreign Secretary on that matter either.

There is a whole raft of things over and above legislation, but over that period all that people will be able to see are the party conferences, when only one party’s view will be given. In the week of 20 September, it will be my party’s view, which I will support. Once a year, we get a platform and a fair hearing in the media, but that is not the same as the parliamentary scrutiny that we would have if we were here.

The idea that—that is complementary to the remarks made by my hon. Friend. Friend the Member for Dulwich and West Norwood (Helen Hayes)—we could vote tonight for a general election, hold one and come back with the whole issue of Brexit cleanly resolved is absolute nonsense. In the current circumstances, in what would be a general election with only one issue on the ballot paper, no one can predict what the result would be. That would subvert the general election into a vote on one issue, when it should be about the economy, our health, our education system, our environment and every other issue that is important in the country. That is not the way to deal with Brexit; the only way to deal with it is to confirm the decision of the 2016 referendum, or not, by the Government’s negotiating a withdrawal agreement with the EU. The Prime Minister repeatedly tells us he has almost completed one, although today the Irish Prime Minister said that he had no evidence of any progress on it—I am not sure which Prime Minister I would like to believe at this stage, but on 14, 15, 16 or 17 October we will see which one is correct.

Paul Scully: Will the hon. Gentleman acknowledge that the Irish Taoiseach also said that if the UK is to leave, it should do so by 31 October? That was stated to be the viewpoint of the majority of EU member states.

Alex Sobel: This is an evolving situation on the EU side. If we prorogue tonight without a general election, I hope to go to Brussels tomorrow to meet a number of people in the European Parliament and the Commission, so that I can hear at first hand what is happening in the EU. It is difficult to know what is going on in the EU from the trial by media; it is hard enough to work out what is going on in our Government, never mind in 27 other Governments.

The general election is not an adequate alternative to solve our future relationship with the European Union. The only real way to finally address this question, as my hon. Friend the Member for East Lothian (Martin Whitfield) said, is a confirmatory vote on whether to accept a withdrawal agreement, or not to and therefore stay in the European Union. That way, people would go to the ballot box on this issue in isolation and resolve it. Underlying Prorogation are attempts not to allow us the time for Parliament to decide that question. It concerns me that this is a politicised Prorogation of Parliament.

5.30 pm

Martin Whitfield (East Lothian) (Lab): It is a pleasure to serve under your chairmanship, Ms Ryan, and to follow my hon. Friend the Member for Leeds North West (Alex Sobel). This is an interesting debate, founded on petitions launched by people who were desperate to indicate their view to this House and this Government.

I represent East Lothian, where 3,867 constituents signed the petition not to prorogue Parliament, and 86 constituents signed the petition to prorogue Parliament. That made me think about what Prorogation is really about. It dates back to when this House was cleaned to make it ready for the arrival of His or Her Majesty—that was the reason we all had to get out. The effect is much greater at a constitutional level—we heard about the Bills that will be lost, but let me talk about one small problem that comes to mind: I will not be able to lodge any questions on my constituents’ behalf when we are prorogued.

I think of an EU citizen who successfully registered online and received a letter containing a number. The letter confirms that it is not proof of her status; the only way to gain proof of status is to log on, send a code by mobile phone, get an access code and then successfully prove it. She intends to leave this country on 1 November for a holiday, but she is worried that she will not get back in. When she arrives back with her German passport, it will not be read correctly because the data will not have been transmitted. She is genuinely worried about what she is supposed to do when she tries to get access to her data, or when Border Force try to get access, as in some trials nothing has happened. I pose that question, unfairly, in the hope of an answer, because once we are prorogued later tonight, I will not be able to lodge a question. I will not be able to find out what my constituent is supposed to do.

That brings me to the length of Prorogation. We have heard that there were Ministers who disagreed with Prorogation and those who agreed with it. The fact remains that the Government have said in their many charts that, taking out conference recess, the number of days that we are being prorogued is not much greater than in the past. That is not true; it is much longer. The Government did not present the motion for conference recess and I genuinely believe that they had no intention of doing so because they are using that period to hide from being questioned. That is why they want us to go away—so they do not have to answer questions about data, medicines, transport, EU citizens, the missing Bills, the state of the environment and the state of the negotiations.
I have heard, “We have to keep this private. We can’t take no deal off the table. We have to keep our hand secret.” It is strange that the European Union seems to have taken entirely the opposite view. Right from the beginning of the negotiation, it set out the evidence and its asks; it debated them and it put all that in the public realm. We are unable to do that because, we are told, “that is not how you negotiate.” With the greatest of respect, I do not think the way we intend to negotiate—by holding our cards close to our chests and telling nobody anything, with four people left to do the negotiation—is respecting the United Kingdom.

The Government are attacking an element of our constitution. Prorogation is a relatively small backwater of our constitution. To use it to stop Parliament, so the Government do not have to answer questions posed by representatives of constituents around the United Kingdom, is an extremely dangerous precedent to make. With all due respect, if we were sitting on the other side and we tried to defend sending Members of Parliament away for five weeks so that something could happen, those opposite would not be silent.

5.35 pm

Dr David Drew (Stroud) (Lab/Co-op): I am delighted to speak with you in the Chair, Ms Ryan. I thank the thousands of people in my constituency who signed the petition.

I am angry. I am a mild-mannered person, as most hon. Members would agree, but I never thought I would see this in this mother of Parliaments. We created parliamentary democracy, which works because the Government run Parliament—sometimes that is not as clear as it should be—and there is a degree of fair play between Government and Opposition. That has completely broken down, to the extent that there have been a series of guns to our head for a general election and for no deal, as if that is what Parliament should accept. If this were a banana republic, we would understand that a president might manipulate us, but this is the British Parliament. Today is a hard day for Parliament.

I am reminded of an episode of “Whatever Happened to the Likely Lads?” I apologise to all those who are too young to remember that. There is a wonderful episode where they are trying to avoid the result of the England football game. They spend the whole day in and out of pubs because they do not want to know the score and want to watch it on the highlights as if it were a live game. They get to the very end, and they find the result of the game written on a beer mat. That proves to me that, with Prorogation, the Government can hide and they can run, but they will always be held to account somewhere. Prorogation is about trying to avoid being called to account over some of the most important things.

I bear a grudge, because I spent 37 hours of my time debating the Agriculture Bill as the Opposition spokesperson, along with other hon. Members. No matter how badly I did, I tried my best, and I will never get back those 37 hours. I might be fortunate enough to have another 37 hours, because hopefully the Bill will come back in some form. Why does that matter? If I am trying to plan my farm policy—trying to work out what I will grow next year and what animals I will keep—I need to know the system of agriculture, yet that is in abeyance. Yes, we can carry on with the existing common agricultural policy, but I thought we were trying to get out of it—that was one of the drivers for leaving the EU. That is bad enough, but I also spent a lot of hours debating statutory instruments, some of which will be out of date by now.

It was not our decision to have a two-year Session—that happened at the behest of the Government. Some of us feel it was a mistake, and that Parliament should have an annual programme, but this Government decided they would have a two-year programme. It has come back to haunt us. The Agriculture Bill left this place well before Christmas last year. Therefore, we have been waiting for it to come back for the best part of nine months. I understand through the usual channels that we were offered a deal—let it through and we will not say anything else about it. With the best will in the world, we had arguments against the Bill in its current form.

That is bad enough, but as two of my hon. Friends have said, the situation of fisheries is even more drastic. If we drop out with no deal, the scallop wars over the Christmas period will be just a foretaste. People will start taking the law—whatever that may be at this moment in time—into their own hands.

If we had not been debating this petition today, I would have been summing up for the Opposition in a debate about cages, animal sentence and so on. Again, all that is in abeyance. We do not have a clear statement of the law. The law does not exist anymore. We chose not to put it in the Trade Bill. We have an animal sentence Bill, but I do not know whether that will be carried over. Does that matter? Of course it does. If someone is trying to prosecute a person who has mistreated an animal, what law do they use? Do they use the law that used to exist or the law that could have existed if we had allowed it to go through? Those issues really matter. This is not Opposition Members just kicking off; it is about the way we are being prevented from doing our job.

I would have raised this as a point of order, but I have been told by various Departments—the Department for Environment, Food and Rural Affairs, which I shadow; the Department for Digital, Culture, Media and Sport; and the Foreign and Commonwealth Office—that parliamentary questions I tabled over the recess cannot be answered because of the Prorogation of Parliament. We could all go on about how wonderful Speaker Bercow has been, but one of the great things he has put in place is the ability to ask questions for answer during recess. That was a dramatic improvement on our not being able to do our job of holding the Government to account.

I now have three Departments telling me, in advance of Prorogation, while anything could still happen—we could choose not to prorogue tonight—that they will not answer questions. That does not mean they will answer them in the future; it means they will not answer them. The questions will fall. That is wrong—particularly for me, because I will have to table them all again. However, other Departments have answered questions, so will the Minister put on the record, on behalf of the Government, the process for determining whether Departments should answer a question when we are about to prorogue? Dare I say it, some civil servants seem to work very hard to get us an answer, but others just say, “Here’s a two-line thing. We’re not going to answer it.”
[Dr David Drew]

To me, a lot of this demonstrates how Parliament is not really running by the rules any more. The idea is that Parliament should hold the Government to account, but at the moment it seems that Parliament is being held to account by the Government, who say, “Well, we’ll answer when you want to, we’ll let you take part in debates if you have to, but really, this is subject to our whims.” My friend Graham Allen, as Chair of the Political and Constitutional Reform Committee—when we had one—looked at whether we should have a written constitution. I feel strongly, on the basis of the past couple of weeks, that we must. It is wrong that Parliament cannot hold the Government to account. We should have rules on when Prorogation should take place and on whether Departments should answer questions.

This really matters. As parliamentarians, whatever party we come from and whether we are in government or opposition, we must have the security and knowledge that our job cannot be undermined; otherwise, the people will increasingly lose confidence in Parliament, because they will think the Government just use it to rubber-stamp whatever they want. In a time of a hung Parliament—and of a very hung Government, for all sorts of reasons—it is important that we have a justification for what is going on and that that is put into some form of arrangement so the rules are much more transparent, open and fair.

What is going on is undemocratic; it is unconstitutional, given that we do not have a written constitution; and it is a mess. It is not easy trying to explain to our constituents what we are all up to at the moment. Sometimes, when I write an email, I think, “Do I understand what I’m writing?” It changes from minute to minute, and whether we are in government, opposition or whatever, it is very unclear what our stance is. Deep down, I think this is a shameful period for our Parliament. We should do something about it.

5.44 pm

Anna McMorrin (Cardiff North) (Lab): It is a pleasure to serve under your chairship, Ms Ryan. I thank the thousands of people in my constituency who signed the petition to defend democracy against this Prorogation, which certainly is not in the spirit of our values as an open, free and transparent parliamentary democracy—although it is not hard for anyone to see the motive behind the Prime Minister’s actions. This is a blatant act of trickery by the Prime Minister and those around him in No. 10, designed only to shield a weak and divided Government from the wave of dissatisfaction among Members across the House and people across the country. It is a disingenuous act.

The Prime Minister makes much fanfare about our parliamentary democracy and lauds historical figures who led our country through past emergencies. Although he might try to compare himself to those who held the highest office before him and draw similarities between their strife and his own, the situation we find ourselves in is entirely of his making. His attempt to subvert democracy in this way is not at all fitting of comparison to the actions of any of the figures he holds in such high esteem, and it is not fitting of the office of Prime Minister.

The events of the past days and weeks have stretched the capacity of our constitutional norms, but what have they taught us? We have a Prime Minister who is prepared to stretch the limits of democracy and abuse the parliamentary system. I agree with my colleagues that urgent reform is needed, although perhaps that is a debate for another day.

In kicking MPs out and suspending Parliament—in dismissing them and locking the door—the Prime Minister is denying my constituents the right to have their voices heard. In silencing the voices of MPs, he is silencing a nation. People and businesses in Cardiff North all tell me that. People came up to me at the weekend wanting to know what is going on. They asked, “Why is the Prime Minister doing this to our country? Why are the Government doing this?” They are worried about their future and about how this will affect them. They are worried that we are on the path to a devastating no deal that will have an impact on their livelihoods and their families.

All this is taking place in the eye of a storm, amid a growing emergency—a national crisis—during which people expect us to be present here. They want us to be here, standing up for them and working hard to resolve the crisis. As has been said, suspending Parliament means that important Bills, which we all worked hard on, will fall by the wayside. We heard about the environment Bill and the Agriculture Bill. I have my own Bill on plastics and packaging, which will fall by the wayside too. It would have extended producers’ responsibilities to ensure that the packaging they produce is far more environmentally friendly—it would have made them stand up and take notice—but it will fall by the wayside. What will happen then?

I have just come from a meeting with tens, if not hundreds of climate protesters, who are here to meet their Members of Parliament. What message does suspending Parliament send to the country and the world? That we do not care about the climate emergency? I am afraid the climate emergency will not stop just because Boris Johnson wants to massage his ego and get on with crashing us out with no deal.

Joan Ryan (in the Chair): Order. The hon. Lady needs to use the phrase “the Prime Minister.”

Anna McMorrin: My apologies, Ms Ryan. I will say “Prime Minister” from now on.

Paul Scully: If the hon. Lady is referring to the event in the Churchill Room, it is organised by the Extinction Rebellion Sutton group and hosted by me. It is perfectly possible to meet those people in our constituencies, as I did in organising the event, and bring the issue back over a period. We can still do our work when we are not here.

Joan Ryan (in the Chair): Order. If the hon. Lady wishes to use the phrase “right hon. Member for Uxbridge and South Ruislip,” that will also be perfectly acceptable.

Anna McMorrin: Thank you, Ms Ryan. I thank the hon. Gentleman for his intervention. Absolutely, my job all summer and whenever this place is in recess is to work on all those issues in my constituency, as we all do. However, stopping Parliament from sitting stops vital legislation. It means that we stop scrutinising the Government on the action they are taking on this
climate emergency. It is all very well to have words, but we need action, and that needs to be taken at the highest level.

Paul Scully: The hon. Lady is generous in giving way. Does she agree that we did not hear much calling for action or scrutiny about all these other issues over the summer recess, when we could have been talking about any number of things?

Anna McMorrin: I thank the hon. Gentleman for his intervention, but I do not really understand it, because Parliament was not sitting. During the summer recess, I met protesters and held various events in my constituency.

I will not stand idly by while a Prime Minister in freefall runs roughshod over our country; a Prime Minister who will use this time to roam the country, electioneering on public money. Prorogation or not, his attempts to silence us will not work. I am here to protect the livelihoods, futures and businesses of my constituents.

With a threat as big as no deal looming large and with the Government choosing ruin over delay, I will continue to do whatever I can, by joining forces with my colleagues to protect vital jobs, services, communities and livelihoods. I will continue to campaign and fight for what I believe is the best solution to the crisis we find ourselves in: to put the decision on the future of Brexit back to the people for a final say. I will campaign firmly and loudly to remain as a full member of the European Union.

5.53 pm

Jeremy Lefroy (Stafford) (Con): I apologise for not being here at the beginning of the debate; I was giving evidence to the review panel on High Speed 2. That issue is one reason why I am very concerned about the length of this Prorogation. HS2 phase 2a, which is being considered by Parliament and approaching the House of Lords, has a huge impact on my constituents, so it was important to be able to give evidence to the panel. I will come to the other things we will be prevented from doing in the coming weeks by this excessive Prorogation.

It is right that we should have a Prorogation—I am fully in favour of a new Queen’s Speech—but it should not last until 14 October.

My plea to the Government is that we should come back at the latest on 7 October, if not on 3 October; once all party conferences have concluded. That is plenty of time. We are in the midst of a crisis in Parliament and in the country. We need to respect the result of the 2016 referendum and leave the European Union but do so with a deal in an orderly way, as set out by the manifesto on which I stood in 2017.

The problem with coming back from Prorogation on 14 October is that that leaves little time for Parliament to consider the new deal or revised deal that I firmly hope the Prime Minister will bring back—even perhaps in draft, if it is in advance of the European Council on 17 October. It is our responsibility to look at that. Indeed, as a member of the newly formed grouping of MPs for a deal, I will work with Members of Parliament from across the House to ensure that there is an opportunity to arrive at a deal that achieves a majority in this House.

Andy Slaughter (Hammersmith) (Lab): Like the hon. Gentleman, I was giving evidence to the HS2 panel, as well as meeting Extinction Rebellion and indeed Dignity in Dying, and Shelter. I wonder why it can be said that we have little to do here if we have to try to be in five places at once. I admire what he said on Prorogation. Will he go a stage further and say that we should at least remain Members of Parliament so that we can still lobby and come back some time in October? Were an election to go ahead, we would have no control over that whatsoever. As the Prime Minister has said he may be equivocal about obeying the law, an election is to be avoided at all costs.

Jeremy Lefroy: The hon. Gentleman and I were together at the HS2 panel and I listened carefully to the important points he made about Old Oak Common and the surrounding area that is affected by HS2. I am in a quandary about an election. On the one hand, it would be decisive. I suspect it would be run on the lines of remain, leave or leave with a deal, and it would be a chance for the people to decide, in a manner of speaking. On the other hand, I see what he says: if we have an election, we will not be able to make these points. Prorogation leaves us in a halfway house where we cannot raise points in Parliament and we do not have the decisiveness of an election; it is neither fish nor fowl.

There are two main reasons why I do not want to see Parliament prorogued for as long as proposed—and the Government could still request for Prorogation to be for less time. First, we need more time to consider really important matters such as the prospective deal, which I very much hope the Prime Minister is committed to bringing before this House, and which, in some form or other, will be passed by this House so that we can fulfil the referendum result and leave in an orderly fashion.

It is also extremely important to bring up constituency matters. With your permission, Mrs Main, I will give a few examples, because I will not be able to do so at business questions or other times. First, a constituent of mine, Staff Sergeant Proverbs, who has just left the Army after 20 years of active service to this country in a number of theatres, was injured on duty at NATO headquarters in this country, yet because of the intricacies of the rules around pensions and disability, he is being deprived of a proper disability payment and disability pension. I have taken up his case with the Minister for the Armed Forces and the Minister for Defence People and Veterans and had a sympathetic hearing, but the Ministry of Defence is not dealing with my constituent in a proper manner. As a result, he faces a much lower level of income, despite his disability, which was incurred in the course of serving our country.

I also raise the case again—I have done so before in the House of Commons—of my constituent, Mr Gray, on whose behalf on a serious matter I have written to Barclays a number of times to request a meeting, but Barclays has still not replied to me.

I also want to raise the fact that not long ago I had a debate on the manipulation of precious metal prices, which is a serious matter that is fundamental to the financial system of this country and the whole world. We had a good response from the Minister but there are serious outstanding matters that need to be raised in Parliament and discussed here.
I could go on, and I am sure other Members could do the same, but it is clear to me that we need the time in Parliament. Clearly, the Government need time to prepare the Queen’s Speech. I understand that, but a couple of weeks is more than enough. It is not as if they are starting on it ab initio or that as from tomorrow they will start thinking about the Queen’s Speech. They have been thinking about it for a long time, and rightly so. Two or three weeks maximum is more than enough time. I urge my hon. Friend the Minister to communicate to his colleagues in Government and to the Prime Minister that if we could resume on 3 October or, at the very latest, 7 October, it would be welcomed across the House.

6 pm

Tommy Sheppard (Edinburgh East) (SNP): It is a pleasure to serve under your chairship, Mrs Main.

I begin with a couple of points about the procedure we are engaged in here. Before members of the Petitions Committee leap up, I should say I do not intend any criticism of them. I have been at a number of these debates on matters on which the public have petitioned us, and I wonder if our procedures are effective and robust enough to deliver on the expectations of those who petition Parliament.

First, we are dealing with two petitions. I am not sure of the need to lump petitions together just because they cover the same topic, particularly in this instance, where they represent diametrically opposed views. One petition, which I presume has been organised by pro-Brexit campaigners because they believe this Parliament is made up of remoaners who are antipathetic to their case, has taken five months to get to the requisite threshold of 100,000 signatures. The other petition collected 1.7 million signatures in a matter of hours and reflects serious public outrage at a decision taken by the Government. To give parity of consideration to those two petitions is simply not fair.

I wonder how many people who sign such petitions understand that this is the place where their hopes and aspirations come to die on a wet Monday afternoon, in a Committee Room off the House of Commons Chamber, with 10 Members assembled who have no ability to advocate on behalf of the petitioners, or to influence, nevermind change, Government policy. It is too late for this Parliament, but if I come back to this place in the future, I will seek changes to our procedures and how we deal with those who petition Parliament.

My concerns about how we deal with petitions are as nothing to my concerns about the inadequacy of our constitution when it comes to Parliament sitting. Is it not astonishing that our Parliament can be suspended for five weeks in the middle of a major political crisis, the ramifications of which are profound, legion, and no way near being concluded? Most people would find that astounding; I find it astounding myself that this can happen perfectly legally and normally.

The role of Parliament is to scrutinise and hold to account the Executive. It cannot be right that the Executive can relieve itself of that scrutiny by the simple expedient of suspending Parliament. It seems a bizarre situation, yet it is the one we are confronted by. By the time we get to 14 October, the Prime Minister will have held the most powerful executive office in the land for 82 days, and on only four of those days will Parliament have been able to hold him and his Government to account. That is frankly a shocking state of affairs. I do not buy the argument that that is because Government Ministers and their advisers need time to prepare a new legislative programme.

Alex Sobel: The hon. Gentleman just outlined that the Prime Minister will have been in office for 82 days, and that Parliament will have sat for only four of them. That means that there will have been only one Prime Minister’s Question Time. Members of this House will not be able to question the Prime Minister until after the Queen’s Speech, even though by then he will have been in office for over three months.

Tommy Sheppard: I know; it is staggering.

We need to ask ourselves why this is happening. It is because we have a Prime Minister who has no mandate, no majority in the House and no ability to get legislation through Parliament. Rather than compromise with Parliament or seek a majority, he is determined simply to walk away from it and not have the debate. That is a very bad look for our democracy.

It is also bad that we have a Prime Minister who, in his public pronouncements, is uncertain whether he will deliver on the will of Parliament, and now the law of the land, which is that in the absence of a withdrawal deal with the European Union, we should seek an extension until 31 January to allow further time for an agreement to emerge. That the Prime Minister and his advisers are equivocal on that is a matter for deep concern.

I do not buy the Prime Minister’s suggestion that all we need to do in these circumstances is have a quick cut-and-run election. There is no point having an election if the main point of it—to decide whether or not to crash out of the European Union without a deal—cannot be altered by the outcome. We cannot allow an election simply so that the Prime Minister can escape the obligation that Parliament has placed on him. Parliament has not allowed that to happen, and I am sure that it will not allow it later on tonight.

An election will need to come soon; the delay will be only a matter of weeks. As soon as we are confident that we will not crash out of the European Union without a deal, and have more time to consider options and strategy, it will be frankly impossible to advance the process in the country without going back to the people. It is time for them to have another say.

I sense that an awful lot of Members of Parliament, on both sides of the House, understand very well the consequences of Brexit; they are not attracted to them, but they feel that they do not have a mandate to oppose Brexit because of the nature of the manifesto on which they stood in 2017. Shaking up the political cards and allowing a different Parliament to emerge with fresh mandates may open the possibility for reconsideration of this matter. I hope that an election will allow a new Parliament to consider putting the matter back to the people who started the process.

It is not the role of Parliament to overturn, set aside or ignore the will of the people, but it is the role of Parliament to interpret it. If we have found, three years later, that what the people asked us to do—that is, to
leave the European Union and make things better—is simply undoable, and if what they ask cannot be done, and the circle cannot be squared, then we need to go back to the people, explain that, and ask them whether they want to reconsider. It may well be that they do not want to do that, and that they are content to leave the European Union knowing that it will impoverish them and their families, and diminish the character and culture of this country. That choice should be for them, and they should be allowed to make it, but I am confident that if we are given the opportunity to fight that election, we can get an alternative point of view to emerge—one that will look at the benefits of remaining in the European Union, and changing it so that it delivers for people’s aspirations.

When that election comes in Scotland, my party will not just say, “Stop and reconsider the process of Brexit,” and campaign for an alternative Government to the one that we have had for nearly a decade, but demand and assert the right of the people of Scotland to choose an alternative future. It should be their right not to go down the path that they are being led down by the Prime Minister, and to say that they want to consider an alternative, independent future, in which they take political control of their affairs and determine their relationship with the rest of the people in Britain and Europe. That is the manifesto that we shall put before people in the election that I am sure will come in November, and I look forward to returning to this Chamber to argue that case.

6.10 pm

Jo Platt (Leigh) (Lab/Co-op): It is an honour to serve under your chairmanship, Mrs Main. I thank all Members who have taken part in the debate for their speeches, which have highlighted the seriousness of the debate. Tonight, Parliament is to suspend for up to five weeks at this most crucial time in our country’s recent history. That slippery manoeuvre by the new Prime Minister is designed to suppress proper accountability and silence scrutiny when it is most needed.

The Government are already operating with even more secrecy than the previous Government, who were certainly not known for their transparency. As we know last week when the Chancellor of the Duchy of Lancaster came to the House to provide an update on Brexit preparations, the Government are determined to conceal what is really going on. Indeed, what we know about the Government’s preparations for Brexit has come mostly from leaks, and from insight from former Tories, including the former Work and Pensions Secretary, the right hon. Member for Hastings and Rye (Amber Rudd), who resigned this weekend in protest at the inaction. According to newspaper reports, the Yellowhammer papers, which outline scenarios in the event of a no-deal Brexit, speak of delays at the channel stretching over two days, food and medical shortages, and potentially even protests on the streets.

Depending on who we listen to, the Government’s negotiations with Brussels are either going well or going nowhere at all. I suspect that the Minister himself does not know which, such is the way the Government are run. They are run by a small ring of unelected advisers who are more concerned with their reputations than the interests of the country. Clearly, then, there are serious questions that Parliament and the public need answers to over the coming weeks, but in closing down Parliament, the Prime Minister has denied the chance for questions to be asked, let alone answered. As my hon. Friends have pointed out, he has shown contempt not only for Parliamentary democracy, but for the British public, who deserve reassurances that the Government have their interests front and centre. It is yet another case of the old Etonian, entitled arrogance that seems to characterise so much of this Government’s policies. What this boils down to is the feeling among the Prime Minister and his allies that they know best. Clearly they do not, and every time the Prime Minister loses yet another vote in the Commons, we are reminded that far from knowing best, they have misjudged Parliament. Labour believes that they have also misjudged the mood of the public.

If the Government use the suspension of Parliament to ram through a no-deal Brexit, as many believe they will, they will not be delivering on the will of the people, but setting the country up for a period of more stagnation and hardship. We must expose no deal for what it is. It is not a quick fix to solve Brexit, but a path of more chaos, more negotiations, more unrest and no consensus across the country. Far from settling the chaos, it will take us back years, while we build from scratch the economic relationship that we want with our closest and nearest trading partners. It would be a path of more delay, rather than allowing us to forge our future relationship with the EU. We would see years of turmoil that we simply cannot afford. After a decade of Conservative austerity, that is the exact opposite of what our country needs at this key turning point.

That is why Labour is determined to use every possible means to expose and prevent the no-deal Brexit that has only ever been the desired option of a small group of hard-liners in the Conservative party, obsessed with deregulation and mythical free trade deals. Indeed, it is their obsession with a no-deal Brexit and the failure of successive Prime Ministers to show leadership that has stopped us reaching a consensus and getting a deal that works for the whole country. The Chancellor’s repeated refusal to rule out an electoral pact with the Brexit party only confirms that this Government are prepared to hang on to the coat-tails of hard-liners, just like the last one.

Setting aside the question of Brexit for the moment, let us consider the shock with which so much of the public reacted not only to the news that the Prime Minister was closing down Parliament, but to the very fact that he could do that. For many people, the past few weeks have provided a crash course in how the British constitution works. I hear that Parliament overtook “Love Island” in the TV viewing ratings. Viewers are probably unhappy with the characters in both programmes.

People often talk of our unwritten constitution in glowing terms; they say it is flexible, but that flexibility has allowed the Prime Minister to sidestep Parliament completely. Consider for a moment the precedent that sets—a Prime Minister who does not like the view of Parliament simply shutting it down and silencing elected representatives. In doing so, he has shown contempt for democracy, but he has also revealed how archaic our political system really is. Brexit is about many things, but for many people, it was a chance to express their dissatisfaction with how our political system works—and they are right to be dissatisfied. The Westminster system is over-centralised, and the second Chamber is
unelected. Parliament is dominated by those from privileged backgrounds, and our elections are captured by big and dark money.

That the Prime Minister can suspend Parliament so easily is yet another feature of our political system that points towards the urgent need for reform. That is why the Labour party is committed to delivering a constitutional convention when it is in government—a convention that will examine and advise on reforming the way Britain works at a fundamental level. We hope that the convention will provide the impetus for a programme of democratic reform that puts power in the hands of the people. However, in the meantime, it is essential that the Labour party, working with the other Opposition parties, does everything it can to prevent a disastrous no deal. The suspension of Parliament will make that task all the more difficult, but as the last week has shown, the Government’s tricks and attempts to rig the system are collapsing like a house of cards. If they continue to show contempt for Parliament and the British public, they may find themselves leaving No. 10 as quickly as they entered it.

6.17 pm

The Parliamentary Secretary, Cabinet Office (Kevin Foster): It is a pleasure to serve under your chairmanship, Mrs Main. I thank my hon. Friend the Member for Sutton and Cheam (Paul Scully) for opening the debate on behalf of the Petitions Committee and for speaking to the petitions that are before the House, which more than 1.7 million people have signed.

It has been quite an interesting debate and I have enjoyed sitting here listening to all of it. I have heard many passionate speeches with statements about not wanting to silence voters, about there being no mandate and no majority, about the Government not having a mandate, and about voters being silenced. If Members have those concerns, there is an opportunity to do something about it later this evening—have a general election and ask the country and electorate to make the decision about who they want to govern the country. It is somewhat telling that it is the Opposition who are likely to block that, although I hope, after some of the speeches we have heard today, that Opposition Members will get into the Aye Lobby this evening to vote for a general election. I hope they will vote for their constituents to have the loudest say of all—their vote in a general election.

Martin Whitfield: Will the Minister give way?

Kevin Foster: Briefly, and then I will answer the hon. Gentleman’s other question.

Martin Whitfield: I am grateful for the Minister’s indication that he is seeking debate. On the off-chance of tonight’s vote being unsuccessful, would he consider revoking the Prorogation motion so that we could have the debate here?

Kevin Foster: No. The reasons for the Prorogation have been set out. To the arguments of those who have been shouting “Stop the coup!” and “Defend democracy!” but then do not want to have a general election, it must be said that I cannot think of any example of a coup in history where a free and fair general election was offered immediately afterward. That argument is absolute nonsense.

Coming on to the more serious question that the hon. Member for East Lothian (Martin Whitfield) asked, he decided to raise a bit of a scare story about what would happen for an EU citizen coming to our border on 1 November. Luckily, he can visit the Government website; it is being promoted now and he can have a good read of it afterward. There is a section on crossing the border after Brexit and another section on EU citizens moving to the UK after Brexit, which would have answered his question.

However, the hon. Gentleman will be pleased to know that, as people come across the border on 1 November, which was the example he gave, nothing will change. They will still be able to use e-gates if they are travelling on a biometric passport, and will not face routine intentions testing. The website also goes on to say that those coming here between 31 October this year and 31 December next year will be able to move to the UK and live, study, work and access benefits and services as they do now. Bluntly, a simple Google search would have revealed all that interesting information, and I certainly encourage people who have queries to look on that website.

It has been pointed out in the debate that these petitions are clearly distinct from one another in what they ask of the Government. The first, from March 2019, calls on the Government to advise Her Majesty to prorogue Parliament. The second, launched last month, calls on the Government not to prorogue or dissolve Parliament unless and until the Government either revoke article 50 or seek a further extension. Like so much in Brexit, that makes it a debate where we cannot please everyone. In responding to these petitions, I will begin by setting out the process for proroguing Parliament, before turning to the specifics of the points made in the petitions.

Jeremy Lefroy: May I gently point out that there might be a way to please everyone, which is to prorogue for a shorter time, as I have suggested? A Prorogation for two or three weeks would be in accordance with previous precedent and allow the Queen’s Speech to be prepared while, at the same time, hon. Members would have more time to discuss all those matters. That is in addition to the international crises that may occur during this time. We are talking about more than five weeks here.

Kevin Foster: I always have great respect for my hon. Friend, but the Government have set out the period of Prorogation and the reason for it, which is the Queen’s Speech. I can reassure people that we will still be sitting for three weeks before the scheduled exit date and, as we have seen over recent days, it does not take long, if the House is minded, to pass a particular piece of legislation. There will still be ample and adequate time to debate Brexit and, as many would reflect on, we have certainly not been short of opportunities to do so over the past year.

Justin Madders: Can Minister indicate how many days the Government intend to schedule for debate of the withdrawal agreement Bill, assuming that we have one?
**Kevin Foster:** Of course, any discussion of the number of days will be a matter for the usual channels when and if a deal is agreed. Unlike my hon. Friend the Member for Stafford (Jeremy Lefroy), the hon. Member for Ellesmere Port and Neston (Justin Madders) likes to shout, “No to no deal!”, but he regularly voted no to a deal earlier this year.

Prorogation is the normal end to a parliamentary Session. It remains a matter for the Prime Minister to advise the sovereign on, as it is a prerogative power. That has not changed since the Labour party was in Government. It is for the Government to determine the length of a parliamentary Session and to advise the Queen on the date for the state opening of Parliament. The state opening is marked by the Queen’s Speech, which sets out the programme of legislation the Government intend to pursue in the forthcoming parliamentary Session.

Normally, each parliamentary Session runs for a period of 12 months before Parliament is prorogued. The current parliamentary Session is an exception to the ordinary 12 months, as was touched on during the debate, with the last state opening of Parliament having taken place more than two years ago, on 21 June 2017. This has been the longest parliamentary Session for almost 400 years, far in excess of any of the others.

**Tommy Sheppard:** Very briefly, why does it take five weeks?

**Kevin Foster:** The Prime Minister set out in his statement on 2 September 2019 the many reasons why we want to have the Queen’s Speech on the date when we will be having it. The Government have committed to recruiting another 20,000 police officers, improving both national health service and schools funding, and completing 20 new hospital upgrades. It is to progress the Government’s agenda on these and many other fronts that the Prime Minister has sought to commence a new Session of Parliament with a Queen’s Speech on 14 October.

As I have touched on already, if Opposition Members are confident in their argument, they will have the chance tonight to take that debate out to the whole country, to go and face their constituents and explain their position on this subject. If many of them are thinking of voting no this evening, that will be a rather interesting contrast.

**Anna McMorrin**

**Ben Lake** (Ceredigion) (PC)

**Tommy Sheppard:** Will the Minister give way?

**Kevin Foster:** I will not give way for now; I will make progress.

Interestingly, senior Opposition MPs have been calling for a Queen’s Speech. The shadow Leader of the House has called for a new Session and a Queen’s Speech five times in five months, while the Shadow Chancellor called for a new session back in May. As I have said, the Government want to bring forward a strong domestic legislative agenda, and ending the parliamentary Session and bringing forward a Queen’s Speech is the legal and necessary way to deliver that.

It is worth pointing out, though, that the larger petition asks that Parliament is not dissolved. Parliament is only dissolved before a general election. The effect of a dissolution is that all business comes to an end and every seat in the House of Commons is vacated until a general election is held. The Prime Minister has been clear that an election should take place ahead of the European Council on 17 to 18 October. That would allow the Prime Minister, elected by the British people—either my right hon. Friend the Member for Uxbridge and South Ruislip (Boris Johnson) or the right hon. Member for Islington North (Jeremy Corbyn)—to go to that European Council and for a newly elected Parliament to be in a position to consider what is agreed, and hopefully to pass the withdrawal agreement Bill.

Colleagues will be aware that, as I have referred to several times, a motion for an early general election will be debated later today. They will have the opportunity to give a voice to their constituents, who they have repeatedly claimed in this debate will be silenced. They can give them the most powerful voice they have in this country—their vote in a general election. I look forward to seeing many of those hon. Members in the Aye Lobby. I hope that nobody will make what are, in some ways, contradictory arguments by shouting about defending democracy and stopping a coup, and then vote no on the biggest exercise of democracy that we can have in this country—a general election.

The Government’s position remains clear: we will not revoke article 50 or seek a further, pointless extension. The UK will leave the European Union on 31 October. I point out to some Opposition Members that there is no automatic right to extensions. An extension is not a solution in itself. After three years, merely kicking the can will not solve the problem.

The 17.4 million who voted to leave the EU represent the largest mandate ever given for any UK Government to deliver. Both main parties pledged to respect that result in the 2017 election, and now we must deliver on that pledge. The Prime Minister believes that Parliament must have time to consider further the UK’s withdrawal from the European Union, and to hold the Government to account. Parliament has sat ahead of the European Council and will sit for three weeks prior to exit day. That means there will be ample time to debate the UK’s leaving the EU in the coming weeks, on both sides of the summit on 17 October—ideally, with a mandate from the British people to resolve this matter.

The Government would prefer to leave the EU with a deal, and we are working in an energetic and determined way to achieve that. The Government are very willing to sit down with the Commission and EU member states to talk about what needs to be done to achieve that. If it is not possible to reach a deal, we will have to leave with no deal. The Government are preparing for that outcome, and further delay will only increase the sense of distrust that many in the public feel and the uncertainty that is so damaging to our economy.

We take note of all of the points that have been raised in the debate today, but the decision to prorogue Parliament is one for the Government, because Prorogation is a prerogative Act of the Crown, exercised on the advice of Ministers. Therefore, in responding to both of these petitions, I must be clear: it is for the Government to determine when is the appropriate time to bring about an end to a parliamentary Session and bring forward a Queen’s Speech.

The Queen’s Speech and the debate that follows form one of the great set-pieces of the parliamentary calendar, where the Government are rightly scrutinised and held
to account. The decision to prorogue Parliament is one for the Government of the day to make, as it always has been. We have set out our reasons for doing so—to ensure that a fresh, new domestic legislative agenda is put before Parliament.

There are those who, in recent weeks, have claimed that they wanted to stop a coup, to defend democracy and to give people a say. Tonight, they have the chance to do just that, and to give the electorate the chance to pass its own judgment. If they do not, many voters across the country will conclude that those comments were as hollow as their pledges to respect the people’s vote in the referendum in 2016.

6.29 pm

Paul Scully: It has been a pleasure to serve under your chairmanship for the second half of this debate, Mrs Main. I thank colleagues for their contributions.

Earlier today, the Taoiseach, after meeting our Prime Minister, said:

“If it comes to a request for an extension, I think the vast majority of countries around the table would prefer that there not be an extension. We would like to see this dealt with. If the UK is leaving, it should leave on the 31st of October.”

Pretty well every other debate that we have had over the last three years has boiled down to Brexit. We have failed over the last three years. What we are asking for by moving the Benn Bill, not proroguing Parliament and not having a general election continues our failure. Too many people in this place have caused Parliament’s failure, and we continue to fail. We are voting to continue to fail, because there is no clear plan as to what would be achieved by simply kicking this issue into the long grass to 31 January. That is not good enough for the vast majority of people in this country.

We have seen quotes used out of context for why Prorogation would not be a good idea if it were to kick this issue beyond 31 October. We have talked about the lack of ability to debate other issues, but I did not hear Members asking for recesses to be cancelled when it would have affected their holidays, at Easter or other recess periods in which the House was not sitting. There are always unfortunate events around the world that we can discuss and debate. We can raise them in a variety of ways, or we can stock them up, or we can recall the House.

Jeremy Lefroy: Will my hon. Friend give way?

Paul Scully: I think I only have two minutes, if my hon. Friend does not mind.

The no deal that people have been talking about is the default option in terms of article 50, but not of the Government, as we have heard. It is really important that we retain that in our minds. There are simple ways to avoid no deal. So far as we are concerned, we could have voted for the withdrawal agreement, which Opposition Members did not do, or we can now vote for an election, to try to unlock the situation ahead of 31 October, so that someone else could go to Brussels to ask for that extension that Opposition Members want.

However, 14 October has been determined as the date for the Queen’s Speech because we want to set out our domestic agenda. We want to set out our ambitions apart from Brexit over the next 12 months. It is so important that we do so; it is what members of the public are crying out for.

Question put,

That this House has considered e-petitions 269157 and 237487 relating to the prorogation of Parliament.

The Chair’s opinion as to the decision of the Question was challenged.

Question not decided (Standing Order No. 10(13)).

6.33 pm

Sitting adjourned.
Westminster Hall

Tuesday 1 October 2019

[SIR CHRISTOPHER CHOPE IN THE CHAIR]

Park Home Residents: Legal Protection

9.32 am

SIR CHRISTOPHER CHOPE (IN THE CHAIR): Order. In the absence of the Member we hoped would be chairing the sitting, it falls to me as the only member of the Speaker’s Panel present to take the Chair and to invite Sir Peter Bottomley to move the motion on my behalf.

SIR GREG KNIGHT (East Yorkshire) (Con): On a point of order, Sir Christopher. In view of the fact that the debate is starting just over two minutes late, are you, as the Chair, prepared to give yourself injury time?

SIR CHRISTOPHER CHOPE (IN THE CHAIR): I am advised that it is in order to give injury time for time missed.

SIR PETER BOTTOMLEY (Worthing West) (Con): I beg to move.

That this House has considered legal protection for residents of park homes.

Thank you for starting the debate, Sir Christopher. I hope I will soon be able to resume my place and that you—you were originally going to move the motion—will be able to pick up and give the speech the House is looking forward to.

May I first pay tribute to you, Sir Christopher, for leading the all-party group on park homes? This is one of those areas where, for far too long, there was too little publicity and too little Government action.

I pay tribute to the Ministry of Housing, Communities and Local Government, which looks after park homes, for the way it has picked up the initiative by Nat Slade, an officer in Arun District Council, and his colleagues, who have worked with the Ministry to get the Government to come forward with measures to deal with some of the appalling abuses. If I were a tougher Member of Parliament, I would name some of the rogues and crooks—some have left the park home business, but others continue. My belief is that, with publicity, they will be shamed into stopping the exploitation of some of the most vulnerable people in our communities.

Few people choose to live in a park home as their permanent residence if they have better options, but the fact is that many do not. Too often, people have taken on a home that is, in theory, licensed only for holiday use, but everyone, including the freeholder and owner and the operator, knows that they are there to make permanent use of it. If, by chance, the operator manages to get the licence changed to permanent, the innocent resident to use a lawyer who works for or is recommended by the park home operator.

I shall now resume my place so that my hon. Friend for Christchurch (Sir Christopher Chope) can start his debate.

MR PHILIP HOLLOBONE (IN THE CHAIR): I am grateful to you, Sir Peter, for moving the motion. I shall call Sir Christopher—it is his debate—but for the avoidance of doubt I should say that I am not late; I am the replacement.

9.36 am

SIR CHRISTOPHER CHOPE (Christchurch) (Con): It is a great pleasure to serve under your chairmanship, Mr Hollobone. I hope that in due course you will be correctly described on the nameplate that currently refers to the missing chairman.

I thank my hon. Friend for Worthing West (Sir Peter Bottomley) for moving the motion and ensuring that we got under way as quickly as possible, and I thank you, Mr Hollobone, for coming along at very short notice to fill the vacancy.

I welcome our new Minister. When he looks back at his career many years hence he will recall that his first debate was one with procedural irregularities that, with a bit of help from the Clerk, had to be overlooked.

When this debate was selected, I had the privilege of being able to speak to the Housing Minister, my right hon. Friend the Member for Tatton (Ms McVey), who told me that she would have liked to be able to respond to the debate because the subject is close to her heart. She is, however, in Manchester doing a lot of other debates, but she said that in her absence her new junior Minister would be well briefed and able to respond, and she offered to meet me to discuss my concerns and said that she would attend an early meeting of the all-party group to discuss our concerns.

Sixty years ago, in 1959, Sir Arton Wilson produced a report for the Government that found that the legislation applying to people living in caravans was both unclear and insufficient. The Government’s response was quick, enacting the Caravan Sites and Control of Development Act 1960. The Act stipulates that occupiers of land who must acquire a licence from the local council before using the land as a caravan site. The Act defines a caravan site as,

“land on which a caravan is stationed for the purposes of human habitation and land which is used in conjunction therewith. Section 29 defines “caravan” as including, “any structure designed or adapted for human habitation which is capable of being moved from one place to another”.

Over the years the term “caravan” in relation to permanent residential accommodation has been replaced by the expression “park home”. In law and practice, however, park homes—and mobile homes—are caravans. They are chattels rather than real estate. Section 1(1) of the 1960 Act provides that “no occupier of land shall...cause or permit any part of the land to be used as a caravan site unless he is the holder of a site licence”. Section 1(2) provides that any occupier of land who
"contravenes subsection (1)…shall be guilty of an offence".

Section 3(3) provides that a local authority may issue a site licence only if
“the applicant is, at the time when the site licence is issued, entitled to the benefit of a permission for the use of the land as a caravan site granted under Part III” of the 1947 Act.

Local councils have the power to refuse, revoke or impose limitations on a site licence if it is deemed necessary. The conditions that can be attached to such licences are set out in legislation. The most recent addition was the Mobile Homes Act 2013, a private Member’s Bill facilitated by my right hon. Friend the Member for Waveney (Peter Aldous), whom I am delighted to see in his place today. He used his place in the ballot to ensure that such an important issue would be the subject of private Members’ legislation in the absence of parliamentary time for Government legislation.

The 2013 Act contained a power for the Government to introduce a fit and proper person test for anyone applying for a site licence. That provision has been the subject of a recent public consultation, to which I am sure my hon. Friend will refer in closing. There has therefore been extensive and growing regulation of those who own or operate sites for residential park homes, but none of the legal protections afforded to residents of such homes by the 1960 Act and subsequent Acts applies if the site on which the park home or caravan is situated is unlicensed. The main purpose of this debate is to raise public awareness of that issue, and to highlight the failure of local authorities to enforce the requirement for site licences.

The unwillingness of local authorities to protect vulnerable residents is leading to a proliferation of unlicensed sites on which residents are at the mercy of unscrupulous site owners. The problem has become even more widespread because of recent controversial planning decisions that have enabled many caravan parks that were previously used and licensed only for touring and for non-residential purposes to be reclassified as year-round fully residential sites.

One such decision is that of 15 February 2018 in respect of two appeals against the refusal of Christchurch and East Dorset Councils to grant a certificate of lawful existing use for the permanent residential use of 45 caravans on land on the north side of Matchams Drive. At the time of the appeal, the site was subject to a licence granted to the Bournemouth and District Outdoor Club for use by touring caravans, but following the appeal decision the site is being developed and used for the siting of permanent residential caravans, despite no variation of the original site licence having been granted and without any transfer of that licence to the new owners.

Paragraph 49 of the appeal decision in respect of Matchams Drive, which is now being renamed Silver Mists, referred to the fact that the site licence conditions would protect infrastructure with respect to issues such as hard standing and drainage. The inspector said that the council retained control “by virtue of the manner in which the licence is framed. This might include the need for planning permission for certain works, as set out in the licence”.

He went on to say, in paragraph 58:
“Trees on the site are the subject to a Tree Preservation Order...and that would apply irrespective of the outcome of this appeal.”

In paragraph 45, he stated:
“The site is secluded with a perimeter fence and gates. When entering the site it is surrounded by mature planting. There is nothing in the LDC application that would lead to a finding that this would change.”

If you visited that site today, Mr Hollobone, you would see that it is more like a moonscape—devoid of vegetation, with monumental earthworks having taken place and most of the trees and vegetation having been removed, despite the site being in a protected heathland habitat. These issues should have been controlled by the local authority through the site licence process, but there has been a reckless failure to take action. One of the park homes that is currently being advertised on that site is 50 feet by 20 feet, with two bedrooms and two bathrooms, and priced at £379,950, but it does not say anywhere that it is on an unlicensed site.

Silver Mists is within 400 metres of protected heathland. Under the severe restrictions in the habitats directive it would never have been given planning permission as an ordinary residential development, but there will now be 45 new permanent dwellings on the site, making a mockery of the protections that Natural England seeks to enforce on environmental grounds. Paragraph 3.4 of the supplementary planning document, “The Dorset Heathlands Planning Framework 2015-2020”, states that “caravan and touring holiday accommodation” is “likely to have the same effect” on the heathland as residential development. That is not the opinion of Natural England, but that organisation seems unable to enforce its own rules against caravan sites, even though it imposes the same rules with total inflexibility and rigour on any new proposed residential development, however small.

Although the issues relating to Silver Mists are matters for the new unitary Dorset Council, the largest number of unlicensed sites in my constituency are in the new Bournemouth, Christchurch and Poole unitary authority area. The property section of the current edition of the Christchurch Times, a popular weekly newspaper, contains two full pages of advertising that promotes park homes provided by RoyaleLife. These include New Forest Glades in Matchams Lane and New Forest Glen, currently known as Tall Trees, in Matchams Lane. Despite their names, both sites are well outside the New Forest. What is more serious, however, is the description of the homes, which are offered for sale as “single storey” and coming from “the UK’s largest bungalow provider”. They are not bungalows. The “Collins English Dictionary” defines a bungalow as “a one storey house, sometimes with an attic”.

It also quotes the origin as coming from the 17th century Hindi word “bangla”, meaning a house of the Bengal type. To describe a caravan as a bungalow must surely be a breach of advertising standards.
The promotional material omits any reference to the fact that the homes are caravans or park homes—and, therefore, chattels rather than interests in land. It highlights one of the consequences flowing from such status—the exemption from stamp duty—but fails to mention liability for 10% to be paid on resale. Furthermore, it does not refer to the fact that, as caravan sites, they have to be licensed under the 1960 Act, but are not.

New Forest Glades, formerly known as Port View Caravan Park, benefits in planning terms from a certificate of lawfulness permitting the siting of caravans for residential use on the land identified in that certificate. An application has been submitted to Bournemouth, Christchurch and Poole Council for a caravan site licence, but the land identified in the application is not co-extensive with the land identified on the approved plan. When I first complained to the council I was told that the applicant had not even paid the required fee for the application. The council is advising the applicants that unless their current application is amended it will be refused. New Forest Glades is, therefore, being heavily marketed as a site for expensive new luxury bungalows, some of which are, I believe, already occupied. The caravans are not bungalows and do not even enjoy the benefit of a site licence, and gullible members of the public are being seduced by sharp marketing and misleading advertising into buying homes that are no more than chattels on unlicensed and therefore illegal sites.

Scott Mann (North Cornwall) (Con): My hon. Friend highlights some of the poorer practice in the industry, but to shine some light on the situation I would like to highlight some of the better practices. I had an email from Mother Ivey’s Bay Holiday Park yesterday, telling me that it champions the real living wage on its park homes, gifts 1% of its hire fleet to families in need through the Family Holiday Association, and never permits residential occupation of its holiday parks. Is there a lot we can learn from holiday parks such as Mother Ivey’s Bay, which are industry exemplars?

Sir Christopher Chope: My hon. Friend makes an important point. We can learn a lot from them and the best way to encourage them is to take strong action against rogue traders. I shall come on to those points later.

Sir Greg Knight: Does my hon. Friend agree that those who seek to occupy a park home need the best possible advice, and some information about the law in the area, and will he join me in congratulating Age UK on preparing a wonderful factsheet—factsheet 71—explaining that law?

Sir Christopher Chope: Absolutely. That is important. In that context, the Government have given new responsibility to the Leasehold Advisory Service to advise potential purchasers of park homes. I, and indeed the all-party parliamentary group, had a meeting with Anthony Essien, its chief executive. The trouble is that although it can give advice someone must approach it for advice before it can do so, and many people do not because they are seduced by the sort of information that I have referred to.

Sir Peter Bottomley: I am sorry that a pre-existing commitment prevents me from staying for the rest of the debate.

It seems to me that the Advertising Standards Authority should get a complaint, and should quickly adjudicate, rule out of order and condemn the advertisements that my hon. Friend refers to. May I point out that Sonia McColl, the champion of park home owners, had her 40 foot, 10-tonnes mobile home stolen? My hon. Friend might join me in appealing to Devon and Cornwall police to find it and to find the people who stole it. Death threats are one thing; having your home stolen is another.

Sir Christopher Chope: That last point is really important because Sonia McColl did an enormous amount of good work on behalf of park home residents across the country. She was the victim of a vendetta and a serious crime and I have seen recent correspondence suggesting strong evidence against two potential perpetrators, but the prosecuting authorities are not taking the action they should be taking in that respect. As always, my hon. Friend makes a very good point.

May I refer to another site in my constituency that is now called New Forest Glen but is better known as Tall Trees, in Matchams Lane? No application has been received by Bournemouth, Christchurch and Poole Council for a caravan licence, despite more than 100 of my constituents living and having their permanent homes in Tall Trees park. I have been told by the council that officers from both planning enforcement and environmental health have met the site owners to try to regularise the situation on several occasions, but without success. They are now advising the site owners that they are considering formal action to secure the necessary permissions for both planning and site licensing. Although such promises of action are welcome, they must be considered in the context of many years of inaction during which residents of Tall Trees have been denied the rights and protection that would be available if they lived on a licensed park home site. These rights include the ability to form a recognised residents association and restrictions on the amount by which ground rents can be increased, and on service charges being imposed.

Silver Mists, New Forest Glades and New Forest Glen are owned by one organisation, RoyaleLife. In March this year, I requested through the representative of Mr Bull, the chief executive of Royale Parks, that he address the problem, especially on Tall Trees. I referred to the fact that despite being recognised by Christchurch Council as enjoying residential status for 12 months of the year, many of the residents of Tall Trees were still paying site fees of £4,730 per year as well as council tax. If they had the benefit of formal residential status through a site licence, their fees would be £1,900 rather than £4,750. By not even applying for a site licence, Royale Parks is benefiting by being able to charge much higher fees. Residents also suffer because they must pay VAT on those fees. That situation should have been brought to a head by the council taking enforcement action against Royale Parks for not having a licence, thereby forcing the company to comply with the law. In my letter to Royale, I suggested that a meeting between Royale and the residents—who have been trying to have such a meeting for many months—would be useful, and I hope that such a meeting will now take place on 11 October.

Last Thursday I received the latest word from the council’s corporate director for environment and community in response to the concerns that I have expressed on
[Sir Christopher Chope]

behalf of residents. It is not wholly reassuring. Although she says that she hopes the requirement for Royale Parks to regularise the situation and obtain the appropriate site licences or face formal action will provide some comfort to the residents, she could take action now to ensure that all those park homes for which residential use is recognised benefit from a residential site licence. I do not understand why the council has been so slow in acting against a site owner who is refusing to apply for a site licence. The site owner, unreasonably, is refusing to obtain a licence for the existing residential park homes, instead choosing to put pressure on residents to support his appeal in respect of other park homes on the Tall Trees development that do not currently have certificates of lawfulness or valid planning consent for residential use. Residents have been told that the site owner will address the issue only if the appeal against the refusal of certificates of lawfulness on other parts of the site are successful. In other words, residents are being held to ransom. Those appeals have been delayed inordinately, not least because the appellants want a full hearing.

I then got involved in writing to the chief executive of the Planning Inspectorate to see whether we could bring this matter forward. We now have an appeal fixed for 10 December, which is good news, but in the meantime, there can be no justification for denying Tall Trees residents, who are lawful occupiers of their caravans, the protection of a site licence.

People in Tall Trees who wish to sell their home are unable to get full price for it because of the constraints to which I referred. One constituent estimates that the value of his home has been depressed by £100,000 as a result of the site owner’s actions and the council’s refusal to take enforcement action.

So far, I have concentrated on cases where no site licence has been issued, but even where licences are issued they are often not enforced, leaving residents exposed to exploitation. One such site, in Ferndown in my constituency, is Lone Pine Park, which is owned by Premier Park Homes Ltd. Two of my constituents there have been harassed because their park home is old and regarded by the new owners as being out of keeping with the new image of Lone Pine Park, which is described in a brochure as offering “bespoke homes…nestled within Millionaires’ Row in Ferndown…Dorset.”

My efforts to engage with Dorset Council on the concerns expressed by my constituents have largely fallen on deaf ears. I wrote to its chief executive, Mr Prosser, on 5 August, but despite repeated requests for a reply I received a response only very late yesterday evening. In my letter, I referred to: the failure of the owner to deposit new site rules; residents and the emergency services having restricted access to estate roads because of the construction of new homes; rodent infestation; the dumping of rubbish and waste; and the proliferation of potholes, which prevent the local general practitioner car service from accessing the site. The chief executive says in his answer that he understands which provides the site operator with a number of permitted rights. He goes on to say:

“There are some outstanding matters which would require planning permission that are not covered by the terms of the site licence, and for this reason there is an open enforcement case on the site until such matters are regularised.”

Despite having had my letter for two months, he goes on to say:

“planning/enforcement officers will visit the site again to check the situation to ensure the site is not being operated in a manner that would breach the permitted rights under the provision of the site licence or the permitted development order”,

and that

“the enforcement file will remain open until the site has been regularised.”

I refer to that letter at some length because it seems to show that the council has a very relaxed attitude to these important issues, which directly affect so many residents.

Dr David Drew (Stroud) (Lab/Co-op): The hon. Gentleman makes a compelling case. One of the problems is that local authority officers have no experience in this area. It is vital that we give advice to residents nationally, because they are being penalised. Does he agree that the Ministry of Housing, Communities and Local Government has to take this up as a matter of urgency?

Sir Christopher Chope: Absolutely; the hon. Gentleman is right. Indeed, the British Holiday & Home Parks Association suggested that what we need in England is one centre of expertise that can not only give advice but take action on these matters, just as happens for trading standards and large companies that operate on many different sites. There is every reason for saying that we should do something similar in the park homes sector.

John Stevenson (Carlisle) (Con): I congratulate my hon. Friend on securing this debate, which is timely from my perspective, as I visited Great Orton park homes last week. The main issues for the residents I met were the state of the park and the responsibility of the park owner.

I have two points to make. First, does my hon. Friend agree that introducing the fit and proper person test would go some way towards giving councils more powers to intervene where appropriate? Secondly, does he agree that it would be appropriate for residents to have the opportunity to acquire ownership of the park in certain circumstances, similar to the right that long leaseholders in blocks of flats have?

Sir Christopher Chope: My hon. Friend’s second point is a suitable subject for a separate debate. One problem is that the land on which the caravans are situated is in separate ownership from the caravans, so to introduce a right to buy that land might legally be quite complicated. Having said that, it has been suggested that, to get round the site licence provisions, some operators are offering long leases on the small area of land on which each caravan or park home is situated, which leads to the situation where each separate park home on a site has to have a separate site licence. That is the latest way in which the law is being stretched. At my suggestion, Bournemouth, Christchurch and Poole Council and the leasehold advisory group are interested in looking into the issue to see whether we will have a situation rather like the one we had with some Traveller sites, where an acre of field was divided up into lots of very small plots.
I am sceptical about my hon. Friend’s earlier point about the fit and proper person test. I will illustrate my scepticism by referring to the controlling director of Royale Parks Ltd. Robert Lee Jack Bull, born in May 1977, was appointed as the director of Royale Parks Ltd on 7 September 2018. Directly or indirectly, he holds between 25% and 50% of the shares and voting rights in that company, which is part of a complex group of companies. The information that I have seen from Companies House suggests that Mr Bull is the director of no fewer than 74 companies, which between them have assets of about £80 million and liabilities of about £110 million. Royale Parks Ltd controls 75% or more of the shares and voting rights in some of those subsidiary companies, such as Royale Parks (Dorset) Ltd. In marketing the properties, however, RoyaleLife describes itself as “a family-owned business with a heritage dating back to 1945.”

There may be such a heritage, but what is probably not well known is that Mr Robert Lee Jack Bull was convicted at Cheltenham magistrates court on two pieces of information brought by the trading standards department, as described in the register for 10 January 2013. They are in similar terms, so I will refer only to the first one, which says:

“Between 13/08/2009 and 08/11/2009 at Gloucestershire, being a trader, engaged in a commercial practice which, by omission, was misleading under regulation 6 of the Consumer Protection from Unfair Trading Regulations 2008 in that its factual contract omitted material information, namely by making representations to Phillip and Mary Bentall, being average consumers, with respect to a park home, 101 Cotswold Grange Country Park, Meadow Lane, Twyning, which representations caused them to take a transactional decision namely to sell their home at 32 Quay Lane, Hanley Castle and purchase 101 Cotswold Grange Country Park which they would not otherwise have undertaken if they had known that planning permission only existed for holiday homes at Cotswold Grange Country Park and that 101 Cotswold Grange Country Park was a holiday home, not a permanent residential property, contrary to Regulation 10 of said regulations and as a result caused or was likely to cause the average consumer to take a transactional decision he would not have taken otherwise.

Contrary to regulations 10 and 13 of the…Regulations 2008.”

Mr Bull was fined £4,000 on that and the other count, and ordered to pay costs and a victim surcharge.

If we go for a fit and proper person test, will Mr Bull fall foul of that test? I suspect that he would not, which shows the weakness of such a test. That is why I express openly my scepticism about it, but I think that if my constituents, certainly at Tall Trees, knew about Mr Bull’s background they would be very concerned, because many of them were the victims of mis-selling. They bought their park homes at Tall Trees around the same period, between 2009 and 2013, having been told that those park homes carried with them full residential rights over a 12-month period.

John Healey (Wentworth and Dearne) (Lab): If the hon. Gentleman does not agree with the concept of a fit and proper person test, what does he propose to put in place to try to stop exactly the rogues that he has described in such detail to the Chamber?

Sir Christopher Chope: I am saying that I am not in favour of the fit and proper person test proposed by the Government. The alternative suggestion—I was going to refer to it, but I will now do so directly—is that the British Holiday & Home Parks Association, which is basically a trade body, should be given responsibility for introducing some policing in this area. The right hon. Gentleman will know that, as a result of the Parking (Code of Practice) Act 2019, which was introduced by my right hon. Friend the Member for East Yorkshire, rogue parking operators are no longer able to get access to the Driver and Vehicle Licensing Agency database unless they belong to the British Parking Association, an organisation that ensures high standards in the parking industry.

Similarly, we could have a situation where an organisation such as the BHHPA was able to enforce the fit and proper person requirements through its membership code, so that it would not admit into its membership organisations that fell below those standards. That might be a much more direct way of addressing this issue, rather than going down the route of the fit and proper person test. Which of those 74 companies to which I referred would be regarded as an unfit and improper company because of one director? This is a complex area, but the main point I would make is that the fit and proper person test is not the panacea that some people are suggesting it is.

In my capacity as the chair of the all-party parliamentary group on park homes, I am well aware of the laid-back attitude of many local authorities in discharging their responsibilities to park home residents. I have received lots of information from members of the public, including information on operators: the Elmstead Residential Park in Andover, Lakeview Residential Park in Romford and others frequently referred to in Private Eye. There are serious continuing problems. We will hear about some of them during this debate. Successive Governments have engaged in window-dressing gestures rather than taking effective action against the rogue operators.

The fit and proper person test may be just such an additional issue. I hope that the Minister, in his response to the debate, will be able to set out the Government stall in respect of what the Government will do to force local authorities to meet their statutory obligations, and to protect the many thousands of park home residents looking for a strong lead in this area. It is recognised that there are a large number of reputable park home operators, but there are still rogues operating in this industry.

Several hon. Members rose—

Mr Clive Betts (in the Chair): Three Members wish to make a speech, giving us about 10 minutes each, without putting a formal time limit on it. Thank you, Sir Christopher, for starting this debate, and I apologise for my late arrival.

10.11 am

Jim Shannon (Strangford) (DUP): I congratulate the hon. Member for Christchurch (Sir Christopher Chope) for introducing the debate. There have been a number of park home debates, questions, interventions and Adjournment debates in Westminster Hall and the main Chamber, and I have been there to participate in every one of them. That is because we have three park home sites—not caravan parks, but park homes—in my constituency in the area in which I live, and it is concerning to hear the issues raised by the hon. Gentleman and his tale of woe with park homes in his area.

Mr Betts: Order. The hon. Gentleman has had his say. The debate is now open to Members.
For the benefit of the Minister, I will explain the situation in my constituency so that he can respond. There were many problems in the past with park homes, but a new business has been assisting people over the last few months. I met the business on two occasions—the week before the last week, and a month earlier. Ards and North Down Borough Council and Newry Bourne and Down District Council in my constituency have a responsibility in this area in conjunction with the business, and they brought forward legislative change and recommendations. The Minister will not have that information before him right now, but it would be beneficial for his Department to contact directly NILGA or Ards and North Down Borough Council to find out what those legislative changes are.

It only works if the councils have the knowledge. Some people, including the shadow spokesperson, have referred to the knowledge of councils and their staff. Sometimes that is not in place. In my constituency area of Ards and North Down, a change has been made that will bring benefits. Park home owners and site managers are important too. I would like to highlight the helpful meeting I had recently with a site manager and new owners about the changes they are introducing to enable park home residents and owners to participate fully in the process, and to have a say in what happens. They have introduced a new system whereby people with park homes will meet every second week, with an advice centre that residents can visit and where they can express their views, ask for things and take things forward, rather than having confrontation all the time. We heard about that in the introduction to this debate.

Some things are in place, so again I ask the Minister to consider whether it is possible to check those things and chase them up; if he does, he might find a system that works. By the way, it only works if the park homes people are committed to it as well, but the council has a legislative responsibility.

Protection for park home residents is an issue that has been in play recently at local council level, as the council has submitted responses to the proposed model licence conditions for caravan sites, and there were a few issues that made it clear that both the park home owners and the residents needed help and protection. As we have three park home sites in the Ards peninsula, this is essential legislation for our area. It is important that the Department understands the needs of both residential and tourist parks.

In particular, I commend one of the local councillors, Councillor Nigel Evans, who has been at the forefront in putting forward the ideas, with the park home sites, and ensuring that legislation and the change that comes through with the consultation process can end up in the right place.

The council would welcome the inclusion of a condition that permits cars to be parked between units—that is just one of the small things that people in park homes have concerns about—if there is no obstruction of access or egress to, from or between the units, particularly in the case of an emergency. In addition, parking between units has the consent of the site owner. We believe that there should be no permanent fencing erected, due to fire safety rationale.

In the past, decking and planting of trees—the hon. Member for Christchurch referred to trees in particular—have become issues, where the park homes want to enforce things. However, there has to be a way of finding that middle ground, so that we can move forward and strike a balance, whereby both park home owners and the residents can feel that they are part of the process.

I am aware that regulations in the corresponding Welsh legislation allow for a non-combustible temporary awning to be in place, as set out by the Welsh fire service, which is underlined by a Northern Ireland Fire and Rescue Service recommendation. I believe that we should have a similar approach to the issue of awnings. It is the same with decking; any permissible decking must be non-combustible, for fire safety reasons.

Not only are we doing all this in my constituency, and in my council area of Ards and North Down, but it seems that the Welsh authorities are taking some steps in that direction as well. Again, it is good to look about the regions and see what others are doing, because we can all benefit collectively from good process and good practice.

It is very difficult to have sweeping legislation that can adequately address the needs of a Traveller site, a residential park and a tourist holiday park, as they are polar opposites. I believe there must be a segregation within the legislation and that we should have segments for each individual main category, to which the hon. Gentleman referred in his opening speech.

At the heart of my concerns is the fundamental difference in the use and therefore the nature of such parks. Holiday and touring caravan parks offer the infrastructure and environment for holiday makers; private owners may not use their caravan as their main residence. There is a difference, because residential parks provide pitches for park homes where the homes’ owners make their permanent homes, with security of tenure. This is permanent housing. We have recognised that in Northern Ireland and in my particular area.

Although park homes, in rare exceptions, are sometimes found on mixed parks, where holiday and touring caravans are also located, the fact that park homes are housing while holiday caravans are used for tourism must not be overlooked. There is a balance to be struck, and the difference must be addressed. There must be a consistent application of model licence conditions for each type of caravan site, and it should be made clear that model licence conditions for holiday and touring caravan sites do not vary according to the length of time an occupier stays in a particular type of caravan.

The investment that individual owners make in their residential homes—in their park homes—can be £100,000-plus, which is a big investment. Obviously, prices have risen dramatically over the years, but that is the sort of investment that we are looking at in this moment in time. It is important that the people who have a caravan or a park home have security of tenure and know what they are buying into.

There must be consistent application of model licence conditions for each type of caravan site. It should be made clear that model licence conditions for holiday and tourist sites do not vary. That is very important, and I am not persuaded that the amalgamation of model licence conditions is helpful in achieving that aim. Therefore I do not believe that a consultation that
requires residents or Travellers to comment on holiday sites, or vice versa, is fair or appropriate. The difference is important for holiday caravan and residential park home owners, to ensure that the holiday or residential character of the park they use is maintained, as well as for park owners, and I believe that any blurring of these lines is a step in the wrong direction.

I conclude with the comment that there are many issues that need clarifying in the law, to enable residents to have full protection, and as much power over their property as is possible. I look forward to hearing from the Minister; I welcome him to his post and wish him well. I hope he can and will implement UK-wide legislation to enshrine protection for those choosing to live life in park home communities, the needs of which are separate and distinct from tourism and travelling models.

10.19 am

Peter Aldous (Waveney) (Con): It is a pleasure to serve under your chairmanship, Mr Betts. I am aware that this is a sector you are interested in through your chairmanship of the Housing, Communities and Local Government Committee. I welcome the new Ministers to their places and congratulate my hon. Friend the Member for Christchurch (Sir Christopher Chope) on securing the debate.

In the past four years, there has been quite a lot of work done to assess the impact and effectiveness of the Mobile Homes Act 2013, much of which has been instigated by the Government. However, much of this activity has been taking place beneath the radar, elbowed out of the spotlight by the Brexit debate. It is therefore good news that we are using this unexpected opportunity to review the situation and to consider whether we are on the right course to ensure the sector is fit for purpose, that the rights and welfare of residents are properly and fully protected, that local authorities have the powers and resources to enforce legislation, and that site owners who play by the rules can earn a realistic return on their investment and are incentivised to carry out further improvements to their sites.

Generally, I believe we are moving in the right direction—though we should be moving quicker and there are some significant obstacles to overcome. The 2013 Act has been a qualified success. In saying that, I do not wish to damn it with faint praise; indeed, many would say I have a vested interest in not doing so. The Park Homes Working Group 2015 has come up with the right course to ensure the sector is fit for purpose, that the rights and welfare of residents are properly and fully protected, that local authorities have the powers and resources to enforce legislation, and that site owners who play by the rules can earn a realistic return on their investment and are incentivised to carry out further improvements to their sites.

In the remaining time, I shall briefly highlight the significant problems that need to be tackled and the potential pitfalls that need to be avoided. First, we have the rogue site owners. As we have heard, they still exist and are finding ways of circumnavigating the legislation that was intended to put an end to their intimidating and sharp practices.

Alex Sobel (Leeds North West) (Lab/Co-op): I know the hon. Gentleman has done significant work on this through the all-party group and he is making an excellent speech. On that point, is it not true that people have been jailed for breaking the law while owning park homes and, after their release, have been able to purchase new park homes because we do not have a fit and proper person test and a proper legislative framework to prevent that?

Peter Aldous: I thank the hon. Gentleman for his intervention. He is correct and we need to address those particular issues, but we need to make sure we do so in an effective way, with the desired consequences. The introduction of the fit and proper person test was provided for in the 2013 Act and is intended to eliminate these rogues. However, the feedback from Wales is that it has not done that and that a dispersed system with a tickbox approach, which has been pursued there, has not led to one application being refused. If introduced—I have no particular problem with that—the test must be properly co-ordinated and consistent across the whole country and it must plug the loopholes whereby a rogue site owner either puts forward a manager for licensing purposes yet continues to direct business themselves or pursues the type of dubious practices highlighted by my hon. Friend the Member for Christchurch.

Secondly, more needs to be done to ensure that local authorities have the necessary expertise and resources to enforce the legislation. From my own experience, I know that East Suffolk Council is very good and proactive in addressing a problem when it arises. However, there is more work to be done on day-to-day management and the guidance and advice given to both home and site owners. Such pre-emptive work will nip potential problems in the bud and ensure they do not develop into the major incidents that cause people so much distress and turmoil. I take the view that, if seen through, the recommendations of the working group and the Government’s response to the review will address many of the concerns.

Thirdly, we have heard a great deal today about the sharp practices that are blighting many people’s lives, but it is important not to lose sight of the fact that many site owners behave responsibly, fulfil their obligations and build good working relationships with the homeowners on their sites. It is vital that we do not create a system that forces them out of the sector to be replaced by the rogues who circumnavigate the arrangements and exploit the loopholes about which we have heard so much. In my experience, some good site owners are already deciding to leave the sector.

Fourthly, it is important to continue to distinguish between park homes and holiday homes and to guard against holiday parks morphing into park home sites, as my hon. Friend the Member for Christchurch highlighted. The two sectors are completely different, with two different systems of protection against mis-selling and misuse. It is important that they remain as such and that we enforce the two systems fully and effectively.

Sir Christopher Chope: Does my hon. Friend accept that, in the light of recent planning decisions at appeal, the two sectors are now morphed together, and that the only way to resolve the matter and make them distinct again is through legislation?

Peter Aldous: My hon. Friend is correct to highlight the problem, and the situation has evolved and been allowed to develop at individual sites around the country. It may be like separating Siamese twins, but we must try,
because the two sectors are completely different, serving completely different markets. If at all possible, they need to remain as such.

My final point relates to the 10% commission on sales. That is an anomaly in many ways, yet it has to a large extent underpinned the sector's financial viability over time. The Government are right to be carrying out an assessment of the likely impact of a change to the rate of commission, and their findings should be fully scrutinised both back in this Chamber and, I am sure, by your Select Committee, Mr Betts. However, before making any changes we need to guard against and properly consider any unintended consequences, which could lead to a jacking up of pitch fees, for example.

Park homes have often been a forgotten part of the housing sector, but they play a vital role, particularly in certain seaside communities, such as those that my hon. Friend the Member for Christchurch and I represent, and for people at or approaching retirement. The sector has been overlooked in the past, and it is important that that does not happen in the future. We must continue to scrutinise the sector to ensure that homeowners have peace of mind, good site owners receive a fair return and the rogues are sent a clear message that they are not welcome and that we will send them packing.

Mr Clive Betts (in the Chair): We will start the winding-up speeches no later than 10.40 am.

10.29 am

Lee Rowley (North East Derbyshire) (Con): It is a pleasure to serve under your chairmanship, Mr Betts. I congratulate my hon. Friend the Member for Christchurch (Sir Christopher Chope) on securing the debate and on all the work he does via the all-party parliamentary group on park homes. I have been part of several of the APPG’s meetings, and I am grateful that he continues to push the importance of reform—albeit there is a debate to be had about what form it might take.

I have been an MP for two and a half years, and this is an area of which I had no real knowledge or experience prior to becoming involved in local politics. I am very proud to represent, though, a number of park homes across the constituency of North East Derbyshire—in Old Tupton, Staveley, New Whittington, Tupton, and Marsh Lane. Those are the large park home sites, but there are a number of smaller sites across the constituency. I come from north east Derbyshire and north Derbyshire, and when we were driving past these sites, they looked superficially quiet, tranquil and well managed. I do not recall ever thinking that there would be the issues that I can now see, having taken an interest in the work that has been done by right hon. and hon. Members sitting in this Chamber and elsewhere, and having had the opportunity to talk to local residents about the challenges.

Fundamental for me is the fact that, at the moment, the processes, procedures and frameworks around park homes are largely personality driven. If there is a good owner of park homes who is willing to engage with local residents and have good interactions, the park is generally well run and, on the whole, people like and enjoy living there. When there is an owner who is not interested in working through the niceties, people can get into great difficulty in a very short time and it can become highly problematic—particularly for local residents who perhaps have moved there to enjoy a quieter time in their lives—to manage that.

As happened in our local area, we can see the difference when park home ownership changes from owners who have not necessarily given a focus—rightly or wrongly, for good or bad reasons and whatever the underlying purpose—to somebody who wants to engage with local residents and manage the park in concurrence with them. There can be an incredibly quick turnaround in perception, management and actuality on those sites; we have seen one of those in the last year or so.

There is an immensely personal element to this. As somebody who is somewhat “small-state”, who traditionally ascribes to the principles of regulation where necessary but not everywhere, and good regulation rather than just chucking it out and seeing what happens, and who is reluctant to introduce new forms of regulation, I think this is an area where further attention is needed. As hon. Friends and hon. Members have done in the last few minutes, I acknowledge the work of the Government over the last 10 years. There have been successive consultations and legislation has been brought forward, which park home owners on the sites that I am privileged to represent say has incrementally improved things.

There is no panacea here; the situation will not be fixed at a stroke, but we must continue to find ways incrementally to improve it. When I arrived here in Westminster, I was pleased to see some of the Government consultations, and I am pleased also that the Government have followed through on them over the last few months and years. I held a park homes forum in my constituency for a number of residents a few weeks ago, where we discussed the fit and proper person test that the Government were consulting on over the summer. Like others, I welcome the principle of a fit and proper person test, or something equivalent, which moves us on from the challenges we have at the moment—particularly around the personal nature of the difficulties that park home sites can get into.

At that forum with local residents, we quickly saw some of the pitfalls, challenges and difficulties that can arise when trying to create a fit and proper person test. I acknowledge the difficulties of making such a test watertight and am interested in the suggestion from my hon. Friend the Member for Christchurch around looking at alternatives.

The residents who came to talk to me can see holes in this proposal before it has even started: owners need either to take a fit and proper person test or to nominate somebody else to be a fit and proper person—which means that an entirely inappropriate person may be involved in park home site ownership. As long as they nominate somebody who nominally meets the local authority rules, they can continue to act, operate and manage with relative impunity. Furthermore, as my hon. Friend the Member for Christchurch indicated, there are owners who refuse to engage with the regulations today, so they are therefore highly likely to refuse to engage with the regulations tomorrow, despite the threats that have been put into this consultation—if it is eventually turned into legislation.

We were also interested in the management order in the fit and proper person consultation. The logical extension could be that somebody was deemed not to
I welcome the debate, and it is good that we have the opportunity to talk about these issues, which affect residents up and down the country. I welcome what the Government are doing to try to improve things, even if further consultation is required, as I have outlined. I hope we can make some progress in the coming months and years.

Mr Clive Betts (in the Chair): We now come to the Front-Bench speakers, who have 10 minutes each. There will then be time for Sir Christopher to wind up.

10.38 am

John Healey (Wentworth and Dearne) (Lab): It is a pleasure to serve under your chairmanship, Mr Betts, as it was to serve under that of Mr Hollobone. Could you pass on our thanks to him? I enjoyed your team tagging at the start, just as I enjoyed the team tagging with the hon. Member for Christchurch (Sir Christopher Chope) to get us under way. I pay tribute to him for securing the debate.

This is a significant issue. The hon. Member for Christchurch is the chair of the all-party group, which is industry backed. It is highly significant that we heard from him and others the detail of the way in which park home owners and residents are systematically ripped off by some site owners, as well as his call for legislation and tougher enforcement and sanctions.

I welcome the hon. Member for Thornbury and Yate (Luke Hall) to his place in what may be his first debate as Under-Secretary of State for Housing, Communities and Local Government, and I congratulate him. There were 10 Tory MPs present at the start of this debate—I had not realised quite how compelling the debate would be compared with the attraction of the Conservative party conference in Manchester. I just hope everyone got refunds on the rooms they booked and had to cancel.

We have heard again today why an estimated 85,000 park home owners require better protection, stronger rights and Government action. Many of the residents are older people on low incomes, and they are without the means of redress that we would expect to be available to residents in any well-functioning market. The speakers in the debate have listed some of the common problems: unlicensed sites; lack of rights and means of redress for park home residents; unfair pitch fees and unjustifiable increases, sometimes annually; mis-selling, with some site owners encouraging those buying a home on their site to use their lawyers in the transactions; indefensible rules that allow site owners a take or commission of up to 10% when people sell their home; rogue park owners resorting sometimes to bullying, thuggery and even criminality; and, as my hon. Friend the Member for Stroud (Dr. Drew) said, a lack of clear, independent advice from Government to park home residents and owners.

I say to the hon. Member for Christchurch (Sir Christopher Chope) that, given the vivid and detailed descriptions we have heard of the deep problems in the market, a membership code for the trade body’s members is not sufficient to resolve those problems—it simply will not cut it. A fit and proper person test may not be the single solution, but it must be part of the system to deal with what he described as rogue operators in the industry. My hon. Friend the Member for Waveney (Peter Aldous), from his constituency experience, powerfully made the case why a fit and proper person test must be part of the answer.

I enjoyed the contribution from the hon. Member for Strangford (Jim Shannon). As you well know, Mr Betts, he is probably the most regular contributor to debates in this House on housing generally and to debates on park homes in particular. He encouraged us to look to Northern Ireland and the experience in his area to see that we can work through co-operation, rather than confrontation. I hope that Ards and North Down Borough Council and his three park home site owners have responded to the current Government consultation. I also pay tribute to the hon. Member for Waveney (Peter Aldous), who spoke about how the Welsh have implemented tougher steps and how we in England can learn from them. I hope that the Minister will heed some of the practical points his hon. Friend made.
The hon. Member for North Cornwall (Scott Mann), who has now left, and the hon. Member for North East Derbyshire (Lee Rowley) both pointed out that the best site owners are dragged down by the worst. The hon. Member for Worthing West (Sir Peter Bottomley), who has also left, said that for too long there has been too little action by the Government. I regret the fact that the hon. Gentleman is correct: no progress has been made in the past decade. As you will remember, Mr Betts, I was the Housing Minister in the Labour Government in March 2010, when we published the conclusions of a consultation we undertook on park home regulation, including proposals and plans for a new fit and proper person test as part of new licensing requirements for park home owners, and a range of new offences relating to licensing, with tough financial penalties when the rules were not observed. However, as with so much else to do with housing, the Government who came to office in May 2010 were concerned first and foremost with cutting regulation and investment, and from that point on they resisted any case for new regulation and new rules, which have since proved to be necessary.

We have had a lost decade for housing and for park home residents and owners because of the lack of action. The only legislation to be passed in the past 10 years was not Government legislation, but the Bill introduced by the hon. Member for Waveney that became the Mobile Homes Act 2013. I pay tribute to him, but the fact is that, four years after that the passage of that Act—a qualified success, as he described it, but flawed—the Government had to undertake a consultation on what to do, and finally, in July, a full year after the consultation had concluded, they published their proposals. Will the Minister tell me today when the promised primary legislation will be introduced in Parliament? Will it be part of the Queen’s Speech in two weeks’ time?

With respect to the capacity of councils to do the vital enforcement job that all hon. Members have described, I say to the hon. Member for Christchurch that it is not necessarily that they are unwilling; given that the Local Government Association tells us that by next year councils will have lost 60p in every pound of their funding over the past 10 years, it is that at present they are unable. Will the Minister confirm how much will be available to councils to help fund the new licensing role to accompany the legislation? Given that the problems that park owners face are part of the wider problems facing leaseholders who buy their home and find that they do not own it, will the Government back the plans that I have set out for Labour: ending leasehold on all new homes and giving existing leaseholders the legal right to buy their freehold for 1% of the property value?

This narrow issue, which nevertheless affects the day-to-day lives and prospects of tens of thousands of people, poses at a small scale the bigger choices that the Government face. The housing market is broken, and the Government must decide whose side they are on: whether they will remain, as they have been for the past 10 years, on the side of the commercial developers, the big landowners, the private landlords and the managers of park home sites, or whether they are—as Labour is—on the side of the hard-pressed homeowners, the first-time buyers, the leaseholders and the park home residents. I say to the Minister that it is “make up your mind” time, before the voters make up their mind at the next election.

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Luke Hall): It is a pleasure to serve under your chairmanship, Mr Betts. I congratulate my hon. Friend the Member for Christchurch (Sir Christopher Chope) on securing this hugely important debate and on his work as chair of the all-party parliamentary group; I know that he has been and will continue to be a constant and powerful voice on these matters.

The park homes sector plays a crucial role in housing, particularly for older people; I say that not only as a Minister in my Department, but as a local MP who represents a number of park home operators and residents. Park homes provide a home for approximately 180,000 people across our country—mostly older people, many of whom are vulnerable, as has been referred to several times in this debate.

Some sites can be a dream move into the countryside, or by the sea in Christchurch, but we have heard too many examples today of that dream quickly becoming a nightmare. Hon. Members have raised numerous cases of exploitation, intimidation and coercion, and we know that some site owners exploit vulnerable residents financially through the use of complex ownership and management arrangements; I am aware of one case in which residents were asked to pay £40,000 per home for their written agreements to be renewed. Such practices are unjustifiable and unacceptable, particularly where the majority of residents are pensioners on low incomes whose park home is their only or main asset. All residents of park homes should be confident that they will be able to stay on their pitch as long as they choose to; they should not be worried about where to live or what unforeseen financial liabilities they may have in future.

We have seen vivid examples of the extreme misuse of variable service charges to extract ever more cash from those who may already be on low or fixed incomes, and I know of a case in which a resident lost their home and life savings as a result. There are examples of threats, intimidation and even violence to coerce residents into selling their homes way below the market price. Even at the less extreme end of the spectrum, there are examples of the market simply not functioning as it should. Some of them have arisen or been able to persist partly because the park homes sector is unique; over the decades, the sector has evolved much faster than the legislation we have passed to govern it, and there has been insufficient understanding of and information about the rights and responsibilities of park owners and residents. That has created a huge number of problems, which we are committed to resolving.

A unique aspect of the sector is the crucial relationship between the site owner and the resident. When it becomes unconstructive, as it has in the past, it leaves some residents exposed to unscrupulous site owners, which is why strong legal protections are necessary and why the Government continue to take the matter seriously. Legal protections are of course in place. The 1983 Act, which we have discussed this morning, gave residents security of tenure, which means the site owner can end the agreement only for certain reasons and with the approval
of the courts. Although the legal changes were important, they clearly failed to address a lot of the overarching challenges in the sector. That is why the 2013 Act, introduced by my hon. Friend the Member for Waveney (Peter Aldous), strengthened the rights and protections of residents and gave local authorities more enforcement powers. There was a new process for selling mobile homes, which required the use of statutory forms to reduce the potential for sale blocking; the new pitch fee review process; and a new process for making sure that, when new site rules were introduced, residents were consulted.

We have also banned certain types of site rules that give site owners an unfair advantage. We have given local authorities more powers to issue compliance notices, which we have heard a lot about this morning, to carry out necessary work to the site, or face prosecution or an unlimited fine. To better tackle instances of harassment, the 2013 Act strengthened the criminal law by removing the requirement that acts of harassment have to be persistent before a prosecution could be brought by a local authority. Such measures have led to tangible improvements in the lives of many residents, although it has been highlighted again today that there is still a huge amount of work to do to improve the lives of park home residents and to really make the sector work.

The Government want to go further. In 2018, we conducted a review of the park homes legislation to understand how far the 2013 Act had gone towards addressing the overarching issues in the sector and to help expose what more can be done. We have been strong in our response. First, we said we would consult on the technical detail of introducing a fit and proper person test. There has been much discussion about that this morning. We are certainly committed to learning the lessons of what happened in Wales and making sure that the test is as thorough and fit as it can be. I certainly take on board the representations made about that by hon. Members in the Chamber this morning. The consultation closed on 17 September and we are now analysing the responses. We will seek to publish the Government response as soon as possible. We will certainly make sure that that is done by the end of the year. In answer to the question asked by the shadow spokesman, the right hon. Member for Wentworth and Dearne (John Healey), the statutory instrument will be laid before the House as early as possible next year, subject to parliamentary time.

**John Healey:** Is the Minister saying that the only legislation he has in mind is a statutory instrument and not primary legislation?

**Luke Hall:** Not at all. Perhaps the right hon. Gentleman will bear with me for a minute or so.

Secondly, we said we would establish a park homes working group, and we have done that. The group has been working since October last year to explore how rights and responsibilities can be communicated more widely and administrative processes improved. Thirdly, we said we would conduct research into the 10% commission charged on the sale of park homes, and I expect that to be under way by the end of this year. Finally, we will introduce primary legislation to address other challenges in the sector, including issues such as the definition of a pitch fee, the use of variable service charges and the use of complex company structures that can limit a resident’s security of tenure.
Sir Peter Bottomley: Will the Minister join me in paying tribute to the Park Home Owners Justice Campaign, and does he agree that one of the best ways to identify and deal with bad operators is publicity? Can I through him invite people to copy anything that they say to rogue operators to strobesh@private-eye.co.uk, which is one of the great campaigners in this field?

Luke Hall: Absolutely. Such debates are an excellent way to shine light on poor practice in the sector. Park homes represent about 180,000 households and can house some of the most vulnerable people in society. Too often, those people are exploited and suffer poor treatment. They deserve our protection and support, so it is right that the Government have given and will continue to give significant attention to the sector. Good progress has been made in recent years. We have heard this morning that there is still a huge amount to do. I trust that I can count on the support of the Members present this morning, as we press ahead with our vital reform of the park home sector.

10.58 am

Sir Christopher Chope: May I give a warm vote of congratulation to my hon. Friend on his maiden speech as a Minister? Brilliant! He responded admirably to the shadow Minister, the right hon. Member for Wentworth and Dearne (John Healey), and he understands our frustration and said that he will pass on those expressions of frustration to the Minister for Housing when she gets back from the conference.

I am most grateful to everyone who has participated in the debate, because it has shown that we regard the issue as a high priority. In the end, government and legislation are all about priorities. I hope that, because of the debate, the Department will start to draft some legislation. As we know, when the current Transport Secretary was the Housing Minister, he was told that there was no space for legislation in the Queen’s Speech, but he had prepared the legislation and the drafting. One of the most depressing things that the all-party parliamentary group heard when we last met officials was that no work was being done on that. May I suggest that the Minister get draftsmen to work quickly on addressing the issues we have been debating today?

Question put and agreed to.

Resolved.

That this House has considered legal protection for residents of park homes.

Improving Healthcare: Isle of Wight

11 am

Mr Bob Seely (Isle of Wight) (Con): I beg to move, That this House has considered improving healthcare on the Isle of Wight.

It is a pleasure to serve under your chairmanship, Mr Betts. It is good to see the Minister here; I thank her very much for attending. This is an important debate for the Island; I will demonstrate that to the Minister with an example from just yesterday, when, by coincidence, a friend of a friend went into St Mary’s A&E, on a doctor’s recommendation. They were seen and assessed quickly, within 15 minutes, which is great; but they then sat there for nearly 10 hours, with a cannula sticking out of their arm, and with “urgent” written on their paperwork. One o’clock, 2 o’clock, 3 o’clock and 4 o’clock came and went, and they left at 10 pm.

This is not a criticism of NHS staff—quite the opposite. I have friends and acquaintances who work at St Mary’s and in the NHS on the Isle of Wight; I know their dedication and professionalism, and I am very grateful to them for it. Nor is this criticism of the leadership at the trust under our new executive, Maggie Oldham; I am a big fan of her leadership and her team, who are doing good work. We need that leadership on the Island; frankly, we have lacked it in recent years. What I wish to discuss with the Minister is the NHS funding system and how that relates to the Isle of Wight as an island.

The broader context for this debate is my proposal for an island deal that recognises the additional costs—which are not massive; sometimes they are small—of providing on the Island good public services equivalent to those on the mainland. I have had several conversations with the Prime Minister about my proposal for an island deal, and I am delighted that he has agreed to it in principle; he most recently talked of it in the House on 25 September, when he spoke of “the island deal that we are going to do—I can assure him that we are, do not worry.”—[Official Report, 25 September 2019; Vol. 664, c. 803.] I am delighted with that.

This is not us asking for something that we think we deserve because we feel that our need is greater; this is an assessed case, based specifically on the fact that the Isle of Wight is an island and so suffers from issues to do with economies of scale and distortions in the market. The additional cost of providing public services on islands, with their limited markets and fewer possible economies of scale, has long been recognised. If the Minister wishes, I can send her an extensive list of academic research on the subject, the most recent piece of which was done for the Isle of Wight by the University of Portsmouth.

The Scottish islands have the special islands needs allowance, which gives additional funding of about £6 million per Scottish island to recognise the additional costs and challenges of providing public services to isolated island communities. We have no equivalent in England, and because of that, we have been structurally underfunded for generations, no matter whether Labour or the Conservatives have been in government; that is how the formula was designed. I wish to look briefly at three key aspects of this.
There are probably five or six elements to the settlement under the island deal that I am discussing with the Prime Minister, but today, I am looking specifically at healthcare costs. In July, the Secretary of State for Health and Social Care said that the Isle of Wight is “unique in its health geography, and that there are places in this country—almost certainly including the Isle of Wight—where healthcare costs are higher”—[Official Report, 1 July 2019; Vol. 662, c. 943].—by dint of isolation and, in its case, of being an island.

The 2019 sustainability plan of the Island’s NHS trust estimates the following costs, which I will discuss in slightly greater detail and then put some questions to the Minister. I know that she will want a decent amount of time to reply, so I will not speak for more than another 10 or 15 minutes, so I can listen as well. The trust estimates that the additional cost of providing acute services on 24 hours-a-day, seven-days-a-week wards is £8.9 million. It assesses the additional cost of providing ambulance services, including a coastguard helicopter ambulance, as £1.5 million and the cost of patient travel by ferry as £500,000, although I suspect it is slightly more, as I will come on to.

Those figures come from the need to provide a baseline service by law for a smaller population than average for the size of a district general hospital. As the Island’s NHS trust states, “the Island’s population is around half of that normally needed to sustain a traditional district general hospital.”

Because of that smaller population, we do not have the throughput of people, which means that we generate fewer tariffs. To explain it to a layman, we have fewer people going through our hospital, so we claim less money for those procedures, but we still need to keep the wards open and up to the decent baseline standard that people expect.

It stuns me that I still have to explain this. I was having a conversation about the Island this summer with a friend of mine, a Secretary of State and someone I hold in high regard, who turned to me and said, “You have to get it by ferry, don’t you?” The Isle of Wight is not an island like the Isle of Sheppey or Anglesey in many different ways. For example, we need to run an acute service on 24 hours-a-day, seven-days-a-week wards, but we have four, which is why people wait for 10 hours rather than two—as happened yesterday.

It also costs more to attract permanent staff due to isolation, because of the island factor, so we tend to spend more on agencies and specialist services. Our use of agency and locum staff is frankly bad. We need to find solutions to it, and we are having to do so. To get a locum to come to the Island, we may have to offer to pay the ferry fare, because our ferries are probably the most expensive per mile on the planet. The use of locums and temporary staff also has a knock-on effect on training for our young doctors and nurses. The General Medical Council found issues with foundation training due to inconsistent supervision, up to and including earlier this year.

That is the first point, on acute services; I will speed up, because I want to get as much in as possible. Secondly, our ambulance service has suffered, too. Why? Because we cannot use an overlay of ambulance. When someone is taken ill and needs an ambulance and they are on the Hampshire-Sussex border, if there is not a Hampshire ambulance willing to take them, we can pretty much guarantee that there will be a Sussex ambulance coming along.

We cannot have that. We do not have that on the Island, because it would take an hour and a bit for a Hampshire ambulance to get on the ferry to come over. We cannot call on out-of-area ambulance services from Sussex, Hampshire, Dorset or Cornwall to support us. At busy times, when we are taking folks to the mainland, the additional overtime and manning costs stack up very quickly as soon as there is a slight pressure on our ambulance service. We estimate that cost to be £1.5 million, and I am very happy to discuss that, along with the £8.9 million and the £500,000 for patient travel. This is not based on people being poor and earning a bit less than the national average; they are specific costs associated with islands.

Finally, there is patient travel. In 2017-18, there were 31,314 episodes of planned care—sorry for the bureaucratic terminology—on the mainland relating to Isle of Wight patients, which translates to 44,608 related journeys from the Isle of Wight to the mainland. Through our plan to improve quality of care on Isle of Wight, with the use of telemedicine and better-integrated IT, we hope to reduce the amount of travel to the mainland, but I believe that NHS England should be funding some of that patient travel.

At the moment, the council funds £60,000-worth of chemotherapy visits; the ferries, to their credit, subsidise others, but I want the ferries to spend that subsidy money on other things and I want NHS England to pay for this. I look at the Scilly Isles as an example: the
National Health Service (Travel Expenses and Remission of Charges) Regulations 2003 set out that any Scilly Isles resident not entitled to free NHS travel will pay a maximum of £5 for their travel costs. I ask for that £5 maximum return fare to be funded as part of this Isle of Wight settlement and for NHS England to take on the cost of patient travel to the mainland, such as for chemotherapy and other specialist services, which is estimated at £500,000 per annum, or maybe a little bit more, depending on how it is calculated. I would like NHS England to fund that cost. That would also act as a spur to improve IT integration and telemicine, because the Island wants to become a model.

I am delighted that we got the £48 million from the Department of Health and Social Care recently—thank you very much indeed. It was a fantastic bid put in by Maggie and her team, which I was delighted to support and meet Ministers about. Some of that money is for improving A&E, but some of it is for telemedicine.

I have met some of the guys and girls doing the telemedicine work; we have 42 nursing homes on the Island, and in, I think, 18 we now have a little blue box so that residents in the nursing home can have their vital statistics checked on an almost daily basis, which saves money and time and means that their information is sent every morning to the GP or district nurse so that they can be checked up on. It is much more proactive. This is the future; it is really good and very exciting, and we want to be in the forefront of that. It would make not only ethical and medical, but economic sense for us to do that, because there would be fewer trips to the mainland, lower costs, fewer trips to St Mary’s and even fewer trips to GP surgeries.

Those are the three areas I am focusing on: the cost of acute services, £8.9 million; the cost of ambulance, £1.5 million, including coastguard and air ambulance; and the cost of patient travel. I stress that this is not related to wider problems. We have problems with deprivation on the Island, which sometimes surprise people. Areas of Newport and Ryde are among the 10% most deprived in England. Our disease prevalence is significantly higher than the national average for dementia, stroke, learning disabilities, arthritis and some cancers. I am not yet making a case for additional funding for those things, because the priority is for the Government to recognise the additional costs of providing healthcare on the Isle of Wight.

We are doing our own thing. I stress to the Minister that we are not covering up for a poor-quality NHS trust. It is in special measures, but we have new leadership, we are turning it around and we are going in the right direction. Again, I pay tribute to the leadership of the NHS team on the Island. We know that we need to do more to improve our productivity. We had 149 nurse vacancies earlier this year. By the new year, we expect that figure to be under 90—by getting Filipino nurses in, for sure, but also by training up Islanders and giving them jobs as nurses. We have new models of care, particularly in mental health and acute services, which in the past have been too—I think the word is paternalistic. We are significantly improving those fields, especially mental health, which is still seen to be inadequate and failing.

We are also sharing consultants more. This is the way ahead. We cannot afford specialists on the Island, given our size, but by working with Southampton or, more likely, Portsmouth, we can afford to gain those specialties. We are about to sign a memorandum of understanding with Portsmouth, so that we make greater use of efficiencies, sharing consultants, specialisms and specialists, so that when they are not working in Portsmouth, they can jump on the ferry and come over to St Mary’s, or wherever they are needed on the Island, and support us.

As we know, there have been recent failings, which is why we are in special measures on the Island. Some recent episodes that concern me include patients leaving hospital without a discharge summary. That has been happening too often—it was raised in a coroner’s court recently—and it is not good practice.

I cannot make things in the past right, but I can do my utmost to make sure they do not happen in future. I am trying, in my role as Member of Parliament for the Island, to be a critical friend to Maggie and her team. When I hear complaints from my fellow Islanders about certain things, I will pass them on to her, in the hope that she can focus on them, while I understand the importance of supporting the new leadership team. What I ask in return from that team is honesty, to ensure that we are transparent about any past or current failings—not to lay blame or have a go at people, but to work collectively towards raising our standards and giving Islanders the quality of healthcare that, frankly, we deserve and that I want to see for the Island. Until that time, what we have will not be good enough, because the Government have never taken into account the additional costs of being an island.

Overall, things are getting better. I am delighted about the £48 million, and I have discussed telemedicine and IT, so I will not go over them again. To sum up, we face special circumstances—severance by sea—hence the need for an island deal, which I have discussed with the Prime Minister. In this debate, I am looking at healthcare and additional costs in three specific areas: acute, at £8.9 million; ambulance, including coastguard helicopter, at £1.5 million; and patient travel, at half a million. Those are what we accurately and honestly assess to be the additional costs.

I am hugely grateful to the Minister for being here. I hope that she is not missing conference on my account—or perhaps she is very happy to be; I am not quite sure nowadays. My questions to her, finally, are these. Will NHS England accept our costings for the additional costs of providing services on the Isle of Wight that are due to the requirement for baseline services, yet with fewer people coming through and therefore less funding? Or will NHS England provide its own costings, and if so, on what basis? I would like to know whether NHS England disputes our figures and when we can expect official comment. I am not trying to bounce the Minister into a decision today, as well she knows. The most important thing is that we get a considered response and that the conversation now begins, so that I can deliver what I need to deliver for my people.

Can the Minister please outline for the public record, or write to me if need be, a route by which the Island and NHS England can work together to identify the additional costs of providing healthcare on the Island and look at the timeframe for decision making? Finally, where does she feel the additional healthcare pressures...
21st-century challenges, so we are actually at a point of need to change and implement new systems to meet what we all want. The plan recognises that the NHS live longer, healthier and more independent lives, which high-quality healthcare for all and ensure that people entire system to work better.

The Island is beginning to address those challenges, co-morbidities, which puts a higher pressure on the average. That elderly population is living with multiple dementia, cancer and arthritis rates on the Island, so we are not only dealing with some acute and chronic diseases that have rates higher than the national average, but we are dealing with the island factor as well. I thank the Minister for her time.

11.20 am

The Parliamentary Under-Secretary of State for Health and Social Care (Jo Churchill): It is a pleasure to serve under your chairmanship, Mr Betts.

First, I thank my hon. Friend the Member for Isle of Wight (Mr Seely) for bringing forward this important issue and securing this debate. I recognise his support for the trust and his desire, and the desire of others, to improve services. Today, however, he has highlighted three specific issues.

We recognise that the Isle of Wight faces different challenges from those on the mainland. As my hon. Friend said, the Island represents a very distinct healthcare environment. It is heavily dependent on acute services close by, but there is the difficulty of travelling across water and the challenges that that lack of accessibility brings to the Island.

I know that the local Sustainability and Transformation Partnership is considering how to put healthcare on the Isle of Wight and in Hampshire on a sustainable footing, with the high-quality care that my hon. Friend has asked for, in the interests of the system as a whole and for the long term.

The impact that those challenges have on local NHS systems needs to be discussed. I reassure my hon. Friend that we are committed to providing the high-quality care that he seeks to meet the needs of people across the Island and to accommodate people irrespective of where they live.

It is important that we do not let the NHS stand still, and my hon. Friend alluded to telemedicine and to making use of all such technologies in the future. We know that people are living longer, and the Island has an elderly population that is higher than the national average. That elderly population is living with multiple co-morbidities, which puts a higher pressure on the service, as he said. However, he also spoke about how the Island is beginning to address those challenges, using blue boxes and using the whole system to help the entire system to work better.

The long-term plan sets out how we will provide high-quality healthcare for all and ensure that people live longer, healthier and more independent lives, which is what we all want. The plan recognises that the NHS needs to change and implement new systems to meet 21st-century challenges, so we are actually at a point of opportunity.

We are committed to delivering high-quality universal care, irrespective of location. That is particularly important given the challenges that Island life brings and that my hon. Friend outlined. He knows that there are benefits of being on an island, but that there are also some constraints, which we must now sit down and work through.

We accept that there are additional costs for providing healthcare on the Island. It has individual challenges, arising from delivering care on the Island with the diseconomies of scale. Today hon. Friend spoke about so well. Earlier this year, we committed £2.7 million in extra funding for the Isle of Wight under the fair funding review, to help to start working through some of these issues. This money is to support the plan of the clinical commissioning group, the NHS trust and the local council for integration of public services, which will improve the care that patients receive. I hear what he says about how we must work together to find solutions for the long term.

As my hon. Friend said, the Isle of Wight will also benefit from the announcement of the 20 hospital upgrades, and I am grateful that he mentioned the £48 million for the Island. This extra investment will lead to improvements in patient care, and hopefully will allow flexibility for Maggie Oldham, the trust’s chair, and the rest of the team to progress their ideas further, allowing the Island better to utilise innovative technology, improve efficiency and improve the quality of care, which he has highlighted is his key objective.

I pay tribute to all those who have been involved with the trust, given the difficult circumstances it faced when it received a rating from the Care Quality Commission of “inadequate”. It has begun the positive journey to make things better. I recognise the hard work that everybody has put in across the health and social care system in the area, which is a really positive start.

We will now look at the local system, supported by NHS England and NHS Improvement, to protect and build on those achievements. I have already spoken to the Minister for hospitals, my hon. Friend the Member for Charnwood (Edward Argar), who is more than pleased to use the overlay ambulance services and on similar islands, to support patients and to meet CCG obligations to commission the best possible care.

Moving forward, it is vital in the medium term that the Island develops a strong joined-up plan across its health and care system to deliver the vision of a person-centred, co-ordinated health and social care system that gives patients the support they need. That is a unique system that cares for people from birth to end of life. My hon. Friend highlighted the challenges around the ambulance service, for example, such as not being able to use the overlay ambulance services available more easily to those on the mainland. I have also heard his request about patient travel costs. I have been assured by my hon. Friend the Minister for hospitals that NHS England and NHS Improvement have been involved in the development of plans and will continue to work closely with colleagues on the Isle of Wight. I therefore hope that my hon. Friend the Member for Isle of Wight realises that we are all here to support both him and the development of the broader health system on the Island.

While I recognise the concerns of Members who represent island constituencies, I hope that they will be reassured by our ongoing work to ensure that appropriate NHS resources are available, both on the Isle of Wight and on similar islands, to support patients and to meet CCG obligations to commission the best possible care. The Government are committed to ensuring that all patients receive high-quality healthcare that meets their
Social Care Funding

Sir Charles Walker (in the Chair): Order. There are plenty of speakers, so we will have a time limit of four minutes, perhaps dropping to three as the debate develops.

Sir Vince Cable (Twickenham) (LD): I beg to move, That this House has considered social care funding.

I should like to introduce a discussion on the funding of social care and narrow that to adult social care and the specific areas covered in the admirable Library briefing around the Green Paper in its absence.

It is a relief to debate something that is not about Brexit, although there is probably some indirect connection. Attempts have been made to blame the delays on Brexit, but the Secretary of State was candid enough to acknowledge that deep-seated disagreements going back 20 years explain why we are at an impasse on the basic principles.

There are a couple of contradictions or paradoxes that we must try to unravel. We all say that the only way forward is to have an all-party consensus, but at the same time the issue is increasingly weaponised. We all say that this is an incredibly urgent problem, but it stays for longer and longer in the long grass. Until we get to the root of those problems, we are not going to make any headway.

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

Sir Vince Cable: Will the hon. Gentleman wait a moment? I will happily take interventions in a few minutes.

At the root of this—and trying to be generous to all parties—is a lot of public misunderstanding. This is a complex subject. To take just one point, half of the adult social care budget is not about old people; it is for younger adults. The public fundamentally misunderstand the nature of the means test—most people do not realise it exists until they encounter it. Consequently, people are frightened when they see proposals that are characterised on one side as a death tax and on the other as a dementia tax, apparently unaware that we have a death tax and a dementia tax now.

I cannot in my short contribution solve such a fundamentally difficult problem that has been going on so long, but we need to try to disentangle issues that are fundamentally different. My primary concern is social care—how we support people in the community so they can function with a proper life, preferably at home, outside of hospital.

A totally different set of problems—wealth, property and inheritance—leads to a lot of the emotional angst caused by what is sometimes called catastrophe risk: people landed with financial obligations as a result of having long-term personal care and the expense of £50,000 a year or whatever in a residential home. However, that is about wealth, distribution and assets. It has nothing to do with health and we have to try to separate the two.
Kevin Hollinrake: I am grateful to the right hon. Gentleman for giving way. I am also grateful for the opportunity to discuss this matter on a cross-party basis. He mentioned a cross-party consensus earlier. Is he aware of last year’s joint report by the Health and Social Care Committee and the Communities and Local Government Committee on the future funding of social care? That report came to a cross-party consensus on how we can move forward, and one of the solutions was a social care premium.

Sir Vince Cable: Yes, there is a lot of joint thinking. We have the joint House of Commons Committees, and my hon. Friend the Member for Totnes (Dr Wollaston), as Chair, was critically involved in that. There is also a very good piece of work by the House of Lords, and the considerable brains of Lord Lawson and Lord Darling contributed to a cross-party consensus. A lot of think-tanking is going on in the vacuum created by the Government’s non-publication. There is no shortage of ideas, but we need to be clear what the problem is—and it is a very serious one.

Mr Jim Cunningham (Coventry South) (Lab): Will the right hon. Gentleman give way?

Sir Vince Cable: If the hon. Gentleman lets me go through this, I will take an intervention.

The first point is the rapid growth of demand as a result of an ageing population. We all know that. As far as we can establish, because of ageing and the onset of dementia in particular, we have a growth in demand of about 3.5% a year. That is considerably in excess of the growth of the economy and the resources to fund it. That is the fundamental problem at the heart of all this. We have 800,000 people with dementia at the moment, which goes up to 1 million in 2025, rising to 2 million in 2030. At the moment, there is no clear picture of how this demand is to be met.

My second point, related to that, is that we have a large and growing hidden cost that is not quantified—unpaid caring. If we take dementia alone—just one dimension of adult social care—we have 350,000 carers at the moment, of whom 110,000 have had to give up their job, which is a cost to them, the Exchequer and their employers.

Several hon. Members rose—

Sir Vince Cable: I will take an intervention, but I will return to the theme in a moment.

Mr Jim Cunningham: I congratulate the right hon. Gentleman on securing this timely debate. He refers to costs. The costs to families and individuals hit with dementia are 15% higher than they are for any other illness. They are about £3.5 billion because people have had to give up their jobs for all sorts of reasons. I hope that further assists him and I hope he agrees that we have to think about it.

Sir Vince Cable: Yes, that is quite right. We tend to use dementia, particularly the work of the Alzheimer’s Society and others, to illustrate the problems here but they are not unique. Many people with arthritis, diabetes and serious stroke conditions face the same set of problems.

Tim Farron (Westmorland and Lonsdale) (LD): I am grateful to the right hon. Friend for giving way. He rightly points out the importance of unpaid carers. Any new consensus, which must come, should make clear provision to support those who do the caring—12,000 unpaid carers in my constituency alone. If they were to cease caring—if we do not care for the carers—the social care burden on the taxpayer more generally becomes even more unmanageable.

Sir Vince Cable: Indeed. My hon. Friend is right, and he reinforces the central point I am making.

Bill Esterson (Sefton Central) (Lab): A constituent of mine raised the case of her father who had been assessed by the health service as needing 24-hour, one-to-one support. That was withdrawn when he went into a care home, because the burden fell back on social care. There was then the problem of who was going to pay. He immediately had a series of falls and became more frail and more vulnerable, causing him and his family enormous stress. The right hon. Gentleman mentioned Labour’s proposal that we will support particularly those with dementia and their families in paying for social care costs. In the spirit of cross-party consensus, does he agree with that?

Sir Vince Cable: I will come to that point later and to the heart of what I understand to be the Labour proposal—on free personal care—in not too polemical a way. It presents opportunities but also serious problems.

We have the growth in demand, the hidden costs, and the burden on local authorities. It is easy to score political points, and I will put my hand up immediately: after the financial crisis I was part of the Government and we cut—in real terms—per capita spending in this area by about 11%. It did not start then. The number of people with so-called moderate needs who were excluded in the previous five years rose from 50% to 75%. It is an old problem as well as a new one, and we are all faced with the challenge of how to finance local authorities. If local authorities are underfunded, we all know the problem gets passed back to hospitals in delayed discharge.

There is the problem of the labour force. It is horrendous. Until I saw the figures, I had not realised just how bad it is. There is an annual turnover of 450,000 care workers for a mixture of reasons, a lot of it to do with pay and conditions. We currently have 100,000 vacancies, and there is the potential for stricter immigration controls, which would create even more vacancies and make them even more difficult to manage. The business model for the companies involved, partly in residential care but also in domiciliary care, is just not viable; as I understand it, four of the leading providers are now up for sale and one is in administration.

The problem, as we all recognise from our constituencies, is that there is a two-tier system: on the one hand, luxurious and comfortable homes for those who do not need to worry about money, but on the other crumbling homes with minimal standards, overseas workers on minimum pay, and a nasty smell of urine—we have all seen them. An intermediate level of care that is attractive and affordable is simply not available.

Those are the problems, as I think we all recognise, but the question is: what can be done? As has been mentioned, a wide variety of brains in and outside this
place have been contributing and thinking about it; one of the unintended benefits of the Government’s delay has been that others have filled the vacuum with ideas. The most useful ideas that I encountered seemed to be from organisations such as the Health Foundation and the King’s Fund, which have no political axe to grind that I am aware of. They suggest that rather than trying to deal with all these complicated problems together, we should deal with them in sequence, starting with those that are more manageable. Essentially, they suggest that there are four stages to dealing with them, which I will briefly outline.

First, we should identify what we need to do simply to stabilise the current position, unsatisfactory though it is, because there is a real danger of going even further backwards as a result of lack of resource. The King’s Fund identifies a need for an extra £8 billion by 2021 and £6 billion by 2030 simply to keep the system at its present level, unsatisfactory though it is. I hope we can all agree that that is the absolute minimum that we should aim for.

The second level up is improvement. As the King’s Fund identifies it, that means going back to the standards that prevailed in 2009–10, although they were unsatisfactory even then, and filling in some of the holes in availability of social care. It costs at approximately £8 billion a year, rising to £10 billion after five years—a significant sum. My party, including colleagues present, has come with up with one suggestion: creating a ring-fenced fund based on a penny in every pound of income tax. That would raise £6.5 billion, which would get us most of the way there. I do not want to be doctrinaire about the best way of doing this, but I hope that there can be some understanding that that contribution, which is very limited in terms of public funding, could get us back to a more acceptable standard. People have different views about which taxes we should use and how we should ring-fence the money, but that seems to me to be the minimum level of ambition—and it could happen without legislation if the parties agreed that we should proceed in that way.

We then get on to the more difficult level, which relates to charging. One thing that has come through to me from reading the various think-tank reports is the growing interest in the idea of free personal care in the Scottish model. I confess that I have always been sceptical about it—I have the traditional economist’s scepticism of free things—but its proponents note two practical advantages that have nothing to do with ideology or party thinking: it aligns social care and healthcare, if we are going to integrate the two systems, and it brings in a lot of people who are currently excluded from social care provision, so that they are more likely to stay at home rather than going into hospital. It has potential benefits as well as costs.

Karen Lee (Lincoln) (Lab): I am an ex-nurse. Does the right hon. Gentleman agree that it is right to offset the costs of social care against what we would save the NHS? I regularly had eight patients, and probably three of them would be medically fit for discharge and did not want to sit in a bed, although they had to do so. When we consider the cost, we must also balance that issue.

Sir Vince Cable: That is the case, and I hope that when the Green Paper appears there will be a proper, objective look at free personal care. In the past this has been an ideological issue, but there is no reason why it should be. It is a practical proposition. As I understand it, the Scottish model has pluses and minuses—it is certainly very popular with the people who benefit from it, but there are much stricter tests for eligibility in terms of physical functioning—but at least let us consider it objectively. It is costly, however—about £8 billion a year over and above the other items I have mentioned.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): This was a flagship policy of the coalition Government in which I served in the Scottish Parliament, and I am proud of that. One problem that we never got around—I think this also applies to rural English constituencies and Welsh constituencies—is the issue of sparsity and distance. How do we deliver this service when there are vast distances between the various old people involved? When there is a low population base, how do we find the number of carers that we desperately need to tend to those elderly people, who deserve dignity at that stage of their life? It grieves me to say this, but in north-west Scotland in my constituency we have a distinct problem with finding those carers. People have come to see me in the last few weeks who have not had a carer for three, four or five days, which is terrible.

Sir Vince Cable: My hon. Friend is right to point out the practicalities of this issue. That links to one of the current difficulties with domiciliary care, which is that providers are often not compensated for travel. I imagine that in a remote constituency that would be accentuated many times.

Dr Sarah Wollaston (Totnes) (LD): Does my right hon. Friend accept that this could be done in a step-wise fashion? We could probably start immediately by introducing free personal social care for people at the end of their life, and we could then move forward to try to bring more people within that sphere. There is certainly a strong economic and moral case for introducing such care at the end of life.

Sir Vince Cable: That is a helpful and humane suggestion, and if we approach this whole question in terms of its practicality, rather than with abstract ideology, we might make some headway. What my hon. Friend seems to be saying is, rather than moving forward to a comprehensive policy, we should move by stages. The last and most difficult issue is the one in which successive Governments have got hopelessly bogged down: the so-called catastrophe risk for the small number of people who are caught with prolonged expenses as a result of residential care. When I was in government the Dilnot report attempted to address that issue, but I think we have moved beyond that now. This is a classic problem of insurance, and it is now recognised in a way that it was not before—I think the current Prime Minister said this publicly—that the private insurance market cannot, and will not, deal with this problem. If there is to be insurance it must be social insurance, and large numbers of people will have to make a contribution to prevent the burden falling on a small number of unfortunates who contract long-term conditions, with all the costs involved.
That could be done in a variety of ways. One idea is a supplement to national insurance. Another idea from 10 years ago, which I had no problem with, is that if we are to solve the problem of people losing their inheritance, everyone who pays inheritance tax should pay a small supplement. That struck me as a good social insurance principle. Whether or not that formula was right, we have now got to a point of accepting that this is a social insurance problem, and there are different mechanisms for dealing with it. If we are reasonably grown up politically, we should find a way of closing that gap.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): The right hon. Gentleman is making a fantastic speech on what we will all agree—Brexit aside—is the issue of the day. I visited Parkinson’s UK in East Kilbride, and Parkinson’s sufferers are particularly affected by social care catastrophe burdens because theirs is a degenerative condition that can start in their 50s, or even earlier, and go on for the rest of their lifespan. Does the right hon. Gentleman think the Government should look at conditions that particularly affect people and start by focusing on those as a priority, as the hon. Member for Totnes (Dr Wollaston), the Chair of the Health and Social Care Committee, said?

Sir Vince Cable: The hon. Lady is quite right. We are talking about a variety of conditions. I listed some, and Parkinson’s is clearly one. With Parkinson’s, it is difficult to separate the health and the social element, which is one of the problems with a lot of these conditions and why the current distinction is so arbitrary and unsatisfactory.

Perhaps I could finish with a quotation from Her Majesty the Queen, although it does not relate to her need for social care. Two and a half years ago she made a speech in which she said:

“My Ministers will work to improve social care and will bring forward proposals for consultation.”—[Official Report, House of Lords, 21 June 2017; Vol. 783, c. 6.]

That was two and a half years ago, and the basic question is: where are they?

Several hon. Members rose—

Sir Charles Walker (in the Chair): Order. We have lots of people. I am going to start with a time limit of four minutes, but do not be surprised when I drop it to three.

2.51 pm

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): It is a pleasure to serve under your chairmanship, Sir Charles.

I think we all accept that there is an ever-increasing demand for social care. In fact, when I was looking at data for this speech, I found out that 5,000 people a day are trying to access social care, according to NHS Digital. However, we sometimes forget the human being behind the figures, and although I was not going to use this story in my speech, it has stayed with me, and I want to share it with Members.

A couple of weeks ago, I knocked on a family’s door. I was talking to the woman there, and she told me about her sister. She was really keen for me to read some research about why adults with learning difficulties die earlier than adults without, when there is no physical reason for that to happen. She told me that, despite being the younger sister, she had helped her older sister to learn how to speak and that, when she was younger, she had helped to look after her. She used to visit her, and they were very close, despite the fact that her sister had numerous learning difficulties.

Two years ago, however, the sister died, at the age of 51. The woman was clearly still very upset. She said her sister had died because there was no reason for her to get up any more. There was no reason for her to get out of bed; there was nothing for her to do. She said that her sister had been involved years ago in volunteer work placements, and that she would get really excited when she earned her money and was given a bit of a wage at the end of the day—she felt like she had a reason to get up. The woman told me there used to be activity co-ordinators in the care homes, who went in and did work and activities such as gardening and all sorts of other things. However, over the past few years, everything has gone. She said there was no reason for her sister to want to be alive, so she stayed in bed. Her condition degenerated, and she developed serious health conditions, which resulted in her passing away at only the age of 51.

We sometimes forget about those things. We talk about care, and we ask whether 15 minutes is enough to go and care for someone. It might be enough to stick a meal in the microwave, and it might be enough to give someone their medication, but is it enough to care? It feels like we have lost the caring from our caring system. We have lost the time to actually sit down and be with each other and to have that human contact and human care.

As automation increases, it feels like that human interaction could disappear even more. For example, there are fantastic new homes that are run by voice activation. People can tell them to open the curtains or the drawers. All these advances in technology are a reason to decrease the amount of human interaction, and I worry about that. I worry about where we are going as a society. We are replacing humans with automation, and we are replacing caring with just functioning. It feels like we have developed a system where people function but do not get cared for.

We need a fundamental rethink. The time for tinkering around the edges has definitely ended. I am obviously pleased with the Labour party’s proposals for free personal care. I hope we look at giving those free personal carers the time to care, and give the quality and status to carers, so that instead of their being dismissed as insignificant people on the minimum wage they are given that quality and status. We should view our carers in the same way as we view our nurses—as people giving a quality service and making a difference to our society.

It is time for us all to put the care back into caring, raise the status of the profession and give people the time they need, and I am very proud that that is exactly what the Labour party intends to do.

2.55 pm

Dr Dan Poulter (Central Suffolk and North Ipswich) (Con): It is a pleasure to serve under your chairmanship, Sir Charles.

It is also a pleasure to participate in this debate, albeit briefly, and I pay tribute to the hon. Member for Kingston upon Hull West and Hessle (Emma Hardy) for her very well-founded comments and to the right
hon. Member for Twickenham (Sir Vince Cable) for securing this debate. It is indeed good to be talking about something other than Brexit.

This issue is the biggest piece of unfinished business not just of this Government or the coalition Government, but of the Governments of Gordon Brown and Tony Blair, because the concept of social care reform has been discussed in this place and more broadly in the country for many years. The right hon. Gentleman was right to recognise that many care providers face serious structural and numerical challenges in providing adequate numbers of people who want to work in the care sector. He was right to highlight the funding challenges that the care sector faces, which began about 15 years ago but have increased over the last few years. He was also right to highlight the fact that there is often a vocalised mantra of political consensus in this area but that when it comes to legislation or any sensible, proposal being made there is a failure in practice to deliver that political consensus, so as to deliver reform to the people on the ground who actually need care.

The care sector faces short-term funding pressures. I know that the Government will want to address some of those challenges by putting extra money into the system and supporting local authorities in providing better care, because we know that we have put local authorities into a position whereby they, and indeed the care sector, have faced very straitened financial circumstances for many years.

At the same time as talking about extra funding, however, we should talk about what sort of care system we want to see, because far too often the debate boils down to the funding discussion, when the reality is that it is what we should also talk about how we want to deliver care. We should understand and put right the commissioning of care services. It seems extraordinary to me, given that we often talk about the benefits for people with long-term medical conditions of better integrated health and social care, that we have two different commissioning systems: local authorities commission local care; and the NHS commissions the health service. In their interventions today, many contributors have made the point that we are dealing with the same people with the same problems, but they are being dealt with in a fractured manner by two systems.

We must fundamentally deal with that issue of how we commission services, and the only way we will deliver improved care—care that is centred on the whole person—and dispense with fractured care is by having one point of commissioning. Unless we have that, we will end up putting more money into a system that, yes, needs to continue doing what it is doing at the moment, but it will still be a system that fundamentally is not the right one to deliver the right care for the people whom we care about.

At the moment, social care often duplicates the functions of the NHS, even when we are dealing with the same person. It is very difficult for families to understand why, on the one side, someone has undergone a life-changing medical event such as a stroke or severe dementia, yet some of their care is delivered not by the NHS but by social care. So, yes, let us put more money into the system, but let us also consider how we can have a better commissioning system and unified commissioning for the benefit of patients.

Karen Lee (Lincoln) (Lab): It is a pleasure to serve under your chairmanship, Sir Charles. I will start by talking a little about my experience as a nurse on an in-patient cardiac ward and the number of times we saw delayed discharges. Delayed discharges happened when a patient was medically fit for discharge, had had all their assessments, had received physio and had seen the occupational therapist, and we knew what they needed, but because there was no social care provision, they could not go. Dr Andrews or Dr Kelly would tell them on a Friday afternoon that they could go home, and I used to think, “I’m going to be the one who tells them that they can’t.” Patients really hated that. There was also a cost to it; in cardiology—an acute setting—people would be waiting for a cardiac bed. We might have to choose to outlie that patient in a non-speciality area. We just did not have the beds. It was a constant juggling act.

I was really pleased to hear the announcement last week at the Labour party conference about the national care service; it will play a huge part in relieving the pressures on the NHS. Our NHS is in crisis; the Conservative party will say that it is not, but I still meet my friends for supper once a month, and it is. Part of that crisis is the fact that we have so many people sitting in beds, waiting for social care.

If people get decent social care in their homes when they are discharged, they will not bounce back into hospital so quickly, because there will be someone going into their home every day and keeping an eye on them. I know this from my experience with my mum. If someone is keeping an eye on them, they get to a doctor more quickly, and they are not as acutely ill when they are readmitted, as they very often ultimately are.

Elderly people face significant challenges these days in accessing a general practitioner. The GP service in Skellingthorpe, a village near me, is to be shut; it will be really hard for elderly people there to get to a GP, so they will just get more and more ill before they get to hospital.

Another important point is that when people need increased support, it should be provided by staff who are properly trained, paid and valued. Someone mentioned staff on low wages earlier. I will not utter the dreaded B-word, but when that happens, how will we provide social care, given that none of the staff we are talking about earn £30,000 a year? Labour has come up with a way. Last week, we said that people who earn over £80,000 will pay a little bit more in tax. Surely it is right that the wealthiest in society pay a little bit towards keeping the most vulnerable people safe; I know that does not go down too well with some people, but I think that that is only fair. It is also good to hear that undervalued carers who are struggling will get proper financial support in line with jobseeker’s allowance. We will introduce a cap on care costs for catastrophic illness.

I agree with everything said by my hon. Friend the Member for Kingston upon Hull West and Hessle (Emma Hardy). I have a little grandson—I say little; he is 13—who has Down’s syndrome, and one of the worries of my life has been what will happen to him when we are gone. It is really important that people with learning difficulties are provided for. I completely agree with my right hon. Friend the Member for Twickenham...
(Sir Vince Cable); Joe used to go to all sorts of little clubs and things like that, and they have all gone. Things are really basic now. All that is viewed as a commodity. It is as though we do not care about people; it is all about how much things cost. I am sorry, I think my disgust for that view is probably apparent.

Providing social care for an increasing elderly population, as well as many others across our society, is one of the biggest challenges facing us. I am really pleased that my right hon. Friend the Member for Twickenham brought forward this debate. It is really important that we talk about the issue cross-party, because it is a problem that we all face, and we need to come up with answers.

3.3 pm

Kevin Hollinrake (Thirsk and Malton) (Con): I appreciate the opportunity to talk about something other than Brexit, and to talk constructively, to have a proper debate on the facts, to look at each other’s positions and, I hope, to try to find a middle way. I think it was Lord Tebbit who said that politics was about shooting the crocodile nearest the boat. This crocodile is about to swallow the whole boat. There are three big, ticking time-bombs, all connected to demographics: pensions, healthcare and social care. According to the Office for Budget Responsibility, our national debt is about 80% of GDP. By 2060, unless we look at this issue strategically and change our taxes dramatically, our debt-to-GDP ratio will be 280%. This is not something that we can just put a sticking plaster over and hope it will be okay.

I do not mean to be critical of the Opposition’s policies, but they are moving down the road of free personal care. The difficulty with that is the question of its affordability. We have to understand the sheer scale of the problem. Perhaps, once they do, we will still have the same perspective. Another point is that there is no such thing as “free”, of course. If something is free, it is funded by the taxpayer. Taxes would have to go up significantly to do what is being suggested. The right hon. Member for Twickenham (Sir Vince Cable) talked about putting a penny on income tax, which will raise about £5.5 billion, but he acknowledges that the gap will already be about £8 billion in three or four years’ time. The scale of the problem is huge, and it will simply grow, so we need to look at the facts behind it.

The Health and Social Care Committee and the Communities and Local Government Committee held a constructive inquiry into all those issues and came up with a German-style social insurance premium. I felt that was the most sustainable, simple and scalable option that tackled the future as well as the past.

Germany introduced the system in 1995 and has already revised the level of contributions once. Since 2005, it has increased the percentage of total take from the premium by 56%, at a time when our resources have been decreasing. That shows that this can work on a cross-party basis. It is a simple system based on a percentage of somebody’s income. It is not actually put on national insurance, which I would not advocate, because we would go back, in a future Budget, to arguing about who could put the most on national insurance and who could spend the most on it.

It is an independent system in which people are categorised according to need, so it is possible to calculate exactly how much needs to be raised. In future, we can come to a cross-party agreement about by how much we need to increase the premium, because we will have to increase it. Everybody pays a small amount from their income—not just their salary, so it is for retired people as well. It is also mandatory, which tackles the insurance problem, because the insurance market will not work unless there is universal cover, and it is handled by not-for-profit insurance companies.

The key element in the system is that, when someone is categorised as needing care, they can pay for provision, ask their local authority or provider to give them care, or draw down the money and pay it to a relative or neighbour, so they get care from the people who care for them most and understand them best. That also helps to tackle the staffing element. If we have a system where everybody pays something, nobody has to give everything.

Several hon. Members rose—

Sir Charles Walker (in the Chair): Everybody is being so disciplined about interventions, which is great. Faisal Rashid, you, too, can have four minutes, but nobody else will.

3.7 pm

Faisal Rashid (Warrington South) (Lab): It is a pleasure to serve under your chairmanship, Sir Charles. Making sure that the sick and elderly are treated with care is the measure of any civilised society. I believe that we should not be judged by our personal wealth, but by our compassion for those in most need. Clearly, however, that ethos is not shared by our Government.

As we speak, 1.4 million older people are going without the care they need, which is totally unacceptable. We are faced with the huge challenge of meeting the increasingly complex care needs of an ageing population, yet as those needs have increased and intensified, state funding for those services has nosedived. Council budgets have been reduced by an average of nearly 50% since the Tories came to power. Those cuts have taken a staggering £7.7 billion out of social care funding since 2010.

In my constituency, Warrington Borough Council has had £137 million cut from its budget with another at least £22 million of savings to find by 2020. As a former new town, we are seeing a significant increase in our vulnerable older population—those who were drawn to Warrington for work and a better life in the 1970s and 1980s. Nationally, there are 8,000 fewer care home beds than in 2015, despite the kind of rising demand seen in my constituency. Reports indicate that, last year, almost 90 people a day died while waiting for care to be arranged for them at home. That is absolutely shameful. How can the Minister justify those figures?

The crisis in social care is felt by not just those in need of care, but their families and friends who must step in where the state has failed and where money is short. More than 5 million unpaid carers look after loved ones. Skills for Care has found an 8% vacancy rate in the social care sector, which is equal to 110,000 empty roles at any one time. Many who work in the social care sector are overworked and underpaid. Unison has documented at length the injustices faced by those who do such vital work: sleep-ins, impossible rotas, zero-hours contracts and unpaid travel time, to name just a few.
[Faisal Rashid]

Make no mistake: this policy area is crippled by Government inaction and market failure, causing immense hardship and misery for those who need care and for those who provide it. It is high time our political leaders showed the courage necessary to rise to the challenge and fix this mess, ensuring the safety and security of older generations and treated care workers with the respect they deserve. I am proud that my party has recently announced bold, radical plans to do just that.

Labour will introduce personal care free at the point of use in England funded through general taxation. Providing free personal care to older people will ensure that they will be able to live in their own homes for longer, providing them with dignity and the support to lead independent lives for as long as possible. I have seen at first hand from my mum, who passed away last year, how that is absolutely crucial.

Sir Charles Walker (in the Chair): Speeches are now limited to three minutes.

3.11 pm

Derek Thomas (St Ives) (Con): I started the year encouraged by the 10-year plan and now by this weekend’s infrastructure investment. They are both welcome. Certainly, in Cornwall and on the Isles of Scilly, there is an ambition and enthusiasm for how they can use such opportunities to put right the challenges that we have. We all recognise, as has already been said this afternoon, that everything hinges on how we effectively and appropriately care for people in old age and people who need social care during their working lives.

The Minister might be interested to know something that I heard recently: care homes, including charitable care homes in Cornwall, have beds. Our urgent care centre closed its doors to new admissions not long ago because it had people in beds who needed to be elsewhere at a time when beds were available. However long we need to wait for the Green Paper—I really hope it comes soon because it is getting embarrassing now—I hope the Minister will ask searching questions of areas such as Cornwall, where beds are available in one place and individuals who should be in those beds. The system is under enormous pressure.

When it comes to the Green Paper—we have heard this already—there needs to be clarity and fairness. For example, why do we think that dementia is an issue for social care and not use NHS funds to properly care for people? As has already been said, it would lead to far better care and support for families and also reduce the burden in the cost of such care. Also, who pays? Why is it that someone who is funded by the state costs a certain amount of money, but if for some reason circumstances change and their family needs to fund their care, the cost of their care leaps by enormous amounts in just a weekend. Why, if it is state-funded, is it a matter of hundreds of pounds, but if it is privately funded, is it a matter of thousands for the same care?

Will the Minister look at some of the solutions that we are trying to bring forward in Cornwall? We have a health and care academy. There is an enthusiasm to train people in Cornwall to work in nursing and domiciliary care. Part of the challenge is that the cost of doing that, even using the apprenticeship levy, makes it not possible for everyone who wants to do it, but in Cornwall we need people to train locally so that they stay local.

Finally, I was on Scilly on Friday where urgent healthcare, GPs and social care have been brought together. A business case has been put to bring everything together in one place so that people do not need to leave the Isles of Scilly to get the care that can easily be provided at home. Again, it would reduce the cost and the pressure on the workforce, who at the moment are stretched all over the place. Will the Minister look at that plan to see how we can find some funding to make that integration become a reality on the Isles of Scilly?

3.14 pm

Stephen Lloyd (Eastbourne) (Ind): It is a pleasure to serve under your chairmanship, Sir Charles. I congratulate my right hon. Friend the Member for Twickenham (Sir Vince Cable) on securing this important debate. In the limited time that I have, I will concentrate on a couple of realities. Every colleague in the room knows that social care is on its knees and has been for a long time. I appreciated the intervention from the hon. Member for Lincoln (Karen Lee), who said that she was a nurse before she became an MP. My partner is a community matron. She works out in the community with patients alongside social care, and she sees for herself how bad it is, as every Member here does. I have had numerous bits of casework dealing with the profound challenges in social care, so we know that it is on its knees.

Politically, because of cuts over a number of years to the money it receives from Government, East Sussex County Council has been cutting meals on wheels, rehabilitation houses and much more. I pay tribute to my colleague Councillor John Unger, who has been lobbying, harrying and fighting the county council to stop the cuts, but it has not made a lot of difference. Why not? Because it is on its knees. Social care is a massive issue, and all of us in the Chamber know that the only way to deal with it properly is to depoliticise it—I have a view on doing that with the NHS, but that is for another day. If we do not depoliticise social care, we will be in exactly the same position in five years’ time.

The real frustration and challenge is that, as MPs, we know how difficult it is out there for people in receipt of social care—or not, as the case may be. The same is true for those such as myself whose partners are nurses and others. Similarly, one of our colleagues is a doctor and would have seen things for himself. The challenge is that normal, ordinary people out there do not realise how bad it is until they need social care, and then—my God, it is a car crash. They come into my office and say, “Stephen, I cannot believe the service, or the lack of it, that my mum”—or dad, or grandad—“is receiving.” They are in bits, and until we can find a way to inform the rest of the public—85% to 90%, say, I do not know—just how awful things are, I believe we will just keep getting stuck.

There have been good ideas—we had good ideas in the Dilnot report and the coalition; Labour has come up with some good ideas, and free personal care in Scotland has real mileage—but the truth is that we will need to depoliticise social care. I therefore urge the House to recognise that, after this bloomin’ Brexit and the election, whatever the hell happens—I hope that I
will be here to continue urging—we will have to depoliticise social care, otherwise it will never improve and our people will suffer.

3.17 pm

Anne Marie Morris (Newton Abbot) (Con): Today, we are looking at a question that is certainly as vexing as that faced by Nye Bevan when he looked at how we would fund health. As has been said, the need for social care is increasing across our population—for older people, younger people, working people and retired people. It is a good thing that we live longer, but we have to recognise that that fundamentally changes how we as a society might address that need. The answer, in my view, is not simply to throw money at it. Money is clearly part of the solution, but this is a complex puzzle, and when we consider that our system has remained largely unchanged for 50 years, I think it is time for another Nye Bevan moment.

We therefore need to identify the true scope of the issue. There is much hidden need, particularly in isolated rural areas such as mine in Devon. What is the best way of delivering? I chair a national inquiry into rural health and care. It is taking two years to deliver, and it is clear that there are issues with different geographies that can be dealt with more efficiently and effectively with different methodologies. We need to look at how technology can be better used. We should look at how we might train and motivate people across both health and social care, and there has to be parity of esteem between the two.

We need to look also at how the community can be engaged. That is not, in this case, just about money. Sometimes, it is not about money but about a willingness to be part of that community. North Devon was cut off during the extreme winter two years ago, but people survived because they pulled together as a community. That is the sort of resilience that we have to build in.

We have to find something efficient and effective. We have to be honest about the cost. I agree that we need to help society to understand that, and we therefore need to understand what the right contribution is from the individual, family, community and taxpayer. We talk about integrating health and social care, but right now the challenge is that we have two systems that are funded in very different ways. The five reports that we have had so far have looked only at the social care funding. As has been said, the need for social care has increased across our population, and of young carers themselves, there is much to learn from the work that has been done.

Dilnot looked at one side of the problem, and we have had other inquiries looking at integrating commissioning and provision, but that is not enough. It seems to me that we need to commission an integration report across health and social care. We need to deliver parity of esteem. We need to identify the barriers to integrating those systems, and remove them. Duplication of regulators and organisations does not work. What is the true cost? What is the best way to share that burden? How do we look at insurance, savings and taxation? But that will take time, and I support the view that in the short term we need to look at domiciliary care. I believe that we could integrate that into primary care and that it should be free, whether it is funded through tax, savings or some other mechanism.

3.20 pm

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): I thank the right hon. Member for Twickenham (Sir Vince Cable) for introducing this debate. I will be talking about children's social care, with the forgiveness of his introduction on adult social care.

In Plymouth, our children's social care system is on its knees, not just because of the cuts that my colleagues have spoken about; it is down to a very small number of exceptionally expensive young people who have needed social care. The exceptional costs are not unique to Plymouth, but in Plymouth we have had a number of them at the same time, resulting in severe budget pressures. One of those young people cost £50,000 a week in social care and required six-on-one care as ordered by the court. I stress that it is not that young person's fault and no blame should be attached to them or their family, but that level of cost, for small councils with small budgets such as Plymouth's, is exceptional.

I have met some of the Minister's colleagues to talk about those exceptional costs and whether there is a possibility that, in those exceptional circumstances, the Government might look at applying the Bellwin scheme, which covers exceptional costs in the event of a natural disaster, to extend to something that is not normally acceptable within the budget. I think there is a possibility here, and I would be grateful if the Minister thought about whether there is a point where we can look at the exceptional care costs—of others as well, but especially of young people—and say, "Actually, it is unreasonable to take resources away from other children in that locality to apply to this." I am grateful for the Ministers who have looked at this before. We do not yet have the answer, but I think there is a possibility of working around this.

Young people are not only, in many cases, receiving the care here, but giving social care. In my last minute, I will mention young carers, because in every single part of the country they are providing tens of thousands of hours of care to young people, to elder folks and to people with learning disabilities. Their role in the overall social care scheme needs to be understood, because they are not getting the support. In many cases, they are giving up time when they could be doing homework, socialising, learning or just being themselves to care in settings that they are not trained or equipped for.

I would like to see the Government encourage schools to start counting who in their school is a young carer. Many of the schools in Plymouth have started to do so and, my word, the results are scary—they show just how many of our young people are taking on exceptional burdens. There is a question about how we can provide additional, wrap-around support for those families and in particular for those young people who are doing something really exceptional in supporting and caring for their loved ones. That is an area that I would like to see included in the Green Paper, whenever it comes out, because in the case of exceptional care costs for young people, and of young carers themselves, there is much work to be done.

3.23 pm

Rachael Maskell (York Central) (Lab/Co-op): We hold this debate against the severe cuts we have seen in local authorities, with £7.7 billion taken out of the
budget. Of course, we had the Dilnot report in 2011 and the promise of a social care Bill in 2012. In 2015, we had a manifesto promise; in 2017, we had the promise of a paper and then a disgraceful offer in the manifesto. In 2018, we were promised a Green Paper before the summer, before the autumn, by Christmas, in the new year and then “soon”, and then it was summer again in 2019, and of course this Green Paper has not seen the light of day. Meanwhile, 1.4 million people are not getting the care they need and 87 people each day die before they get the care they desperately need.

I want to tell the story of Mr Stewart, in my constituency. The love of his life, Nancy—they have been married for more than 60 years—was taken into hospital and then discharged to a care home. He wanted her home, and it was refused and refused, and then an inadequate trial was done without the right care support in place. He longed to have her back at home, but she was permanently moved to a care home outside Harrogate, which is over 20 miles away, and each visit costs £88. City of York Council will pay for him to visit his wife once a week, but he wants to spend his whole life with her. He pays for two additional visits despite not having the means, but the visits are all too short. He cannot afford to go every day; he cannot afford to live with her; and he cannot afford to have her cared for at home. The system is broken, and poor Mr Stewart has been broken by the system. Hope came last week when Labour announced that it will pay for the personal care that people need, which would enable Mr Stewart to live with his wife. It is right that we reform our care system and turn it into a therapeutic system as we do so.

I praise our diligent careworkers, but we must end the pressure placed on them by zero-hours contracts and short visits. They need time to care and to apply their expertise. Training should be put in their hands, so that they can be at the frontline of delivering care with confidence. I worked as a carer, so I know what it is like to work under that pressure. I then moved on to be a physiotherapist, and trying to discharge people into the wall within two to three months and larger providers within four to six months. I hope that the Minister will be able to comment on what action will be taken to mitigate that.

The effects include not only the impact of an increase in inflation on a fragile sector, but the impact on the workforce. As the Minister knows, the vacancy rate is already at 8%, which amounts to around 110,000 positions across social care. Some 8% of the workforce come from our partner EU27 nations, and many workers are deciding that it is no longer economically viable for them to remain in the UK due to changes in the exchange rate. Several careworkers have told me in tears that they no longer feel welcome in this country, which is horrific and should make us all feel a sense of great shame, but that is the reality. People face racist remarks in our country today despite decades of service to the most vulnerable in society. We cannot afford to lose them. We need to set out what will happen to ensure that the people in this workforce, many of whom will not meet the income thresholds, will be able to come here, share their skills with us and be welcomed.

Sir Charles Walker (in the Chair): Thank you, colleagues. We now move to the Front-Bench speeches.

3.29 pm

Martyn Day (Linlithgow and East Falkirk) (SNP): It is a pleasure to serve under your chairmanship, Sir Charles. I am grateful to the right hon. Member for Twickenham (Sir Vince Cable) for securing what has been a well attended and thoughtful debate. The Office for Budget Responsibility assessed the UK’s public finances as potentially £30 billion worse off each year in a no-deal Brexit scenario of medium disruptiveness. That sum is significant because it is more than the entire sum spent on adult social care, plus investment in NHS buildings and equipment, across the United Kingdom in 2017-18. Much of the responsibility for social care is, of course, devolved, with respect to Scotland. The Scottish National party Scottish Government are currently working with a range of partners to take forward a national programme to support local reform of adult social care support. Scotland continues to be the only country in the UK that delivers free personal care. That currently benefits more than 77,000 older and disabled people in Scotland.

In England since 2010 the number of people receiving publicly funded social care has decreased by 600,000, because of funding cuts. In 2019-20 the SNP Scottish Government are increasing their package of investment and social care support and integration to exceed £700 million, up from £550 million in the previous year.
In England a boundary has always existed between the NHS and social care, contributing to fragmented and unco-ordinated care. In Scotland the SNP Scottish Government successfully integrated health and social care, which is the most significant change to health and social care since the creation of the NHS in 1948. Last month the First Minister announced that everyone diagnosed with cancer will have a dedicated support worker, provided through a new £18 million partnership fund.

Of course, the devolved Administrations do not operate in isolation. Policy decisions from Westminster continue to have an impact on social care. The independent expert advisory group in Scotland deems that changes set out in the UK Government’s immigration White Paper would reduce net migration to Scotland by between 30% and 50% in the coming two decades. That is extremely significant. It states that social care would be severely affected as fewer than 10% of those in caring personal service occupations in Scotland earn above £25,000, and almost no one earns over the £30,000 immigration threshold. Average earnings of adult social care workers are higher in Scotland than they are elsewhere in the UK, coming in at about £18,400 as opposed to £17,300. Yet people are thinking about a £30,000 immigration threshold. Just let those figures sink in. Thanks to Scottish Government funding, staff can be paid at least the real living wage, but it is still nowhere near the immigration threshold. That is a serious worry in respect of future provision throughout the UK, not just Scotland.

The number of Scots over 80 with social care needs is set to increase by 68% by 2036. That is probably an even faster rate than the English figures that we have heard from some hon. Members. My hon. Friend the Member for Argyll and Bute (Brendan O’Hara) called for an independent evaluation of the impact of Brexit on the health and social care sector, through his private Member’s Bill, the European Union Withdrawal (Evaluation of Effects on Health and Social Care Sectors) Bill. The Bill was supported across the House and by 102 organisations, but I wonder whether the UK Government are listening.

On 18 August The Sunday Times, citing UK Government planning assumptions under Yellowhammer, stated:

“An already fragile social care system is expected to be tipped over the edge by a no-deal, with providers starting to go bust by the new year”.

The report quoted the document as saying that “smaller providers” would be “impacted within two-three months and large providers four-six months” after Brexit. The negative economic impact of a disorderly Brexit, including an increase in inflation and an economic recession, will augment the pressure on providers and will shift the burden of care work on to unpaid family carers, the majority of whom are women. I look forward to hearing the Minister address those points, particularly on the issue of migrant staff and the £30,000 immigration limit.

Sir Charles Walker (in the Chair): I want to give Sir Vince Cable two minutes at the end, so if the other Front-Bench colleagues could maintain a 12-minute discipline, or just under, that would be great.
One quarter of carers have not received any support, either for themselves or for the person they care for. Two thirds of carers say that they do not get as much social contact as they would like with other people. More than eight in 10 say that they cannot spend time doing things that they enjoy or value, and 40% of carers say that they have not had a day off for more than a year. In fact, a recent Carers UK report noted carers saying that if they had a respite care break, they would use it to visit their own GP for a medical appointment, which is very sad.

Even for the smaller number of people who manage to get a social care package, cuts mean that the care provided will not be of the quality expected. One in five social care services has been rated by the Care Quality Commission as either “inadequate” or “requires improvement”. The number of complaints to the local government ombudsman about social care provision has trebled since 2010, rising to more than 3,000, and two thirds of those complaints are upheld. There is very much wrong with our system. I find it deeply concerning that one in five care homes, housing as many as 9,000 older and disabled people, are now rated as unsafe.

These are not services that any of us would like a family member to have to rely on. The situation can mean care homes that are so unclean that residents are at risk of infection, or residents being at risk of malnutrition because nobody is monitoring what they are eating. Care in one’s own home can mean visits by staff who have not been subject to basic checks or who have not completed any training. It can mean staff being so rushed that they do not have time to take off their coat while they are getting people up and dressed. The reality is that some care providers cannot provide high-quality services with the funding available; sadly, other providers choose to protect profit margins rather than the people who use their services.

That issue is clearest in the social care workforce. There are 1.4 million people—or there would be, if the vacancies were filled—working in social care. These people provide vital support day in, day out, but they simply do not get the respect they deserve for the work they do. More than a quarter of those care staff work for a minimum wage, and the same proportion of the workforce are on zero-hours contracts. It is no surprise therefore that there are 110,000 vacancies in the care sector. Those important issues have been touched on by many Members in this debate.

Rather than providing the empathetic care that they want to offer, care staff are often reduced to visits lasting 15 minutes or less. They must rush through their tasks with barely any time to talk to the person they are visiting. This deterioration in the quality of care is the result of nearly a decade of cuts, care staff stretched to breaking point and services that barely deserve to be called “care”. Hundreds of thousands of people have to go without basic support.

Barbara Keeley: My hon. Friend is absolutely right. For people with dementia and learning disabilities, seeing a familiar face every day can be crucial.

We cannot allow this crisis to continue. We must see action to ensure that everyone is able to access the care that they need to live with dignity. That is why Labour has announced that we would introduce free personal care for all older people who need it and expand such provision to working-age adults as soon as possible. That would end the scandal of people having to sell their home to pay for basic care. We will fund social care in the only fair, sustainable and understandable way through general taxation. That is how we fund our NHS and our schools, and it is how Labour will fund our national care service.

Before we can build this new system, we must also repair the damage caused by years of budget cuts. We will invest £8 billion in more care packages, in improved training and in better community support. The apprenticeship levy is not enough for training; skills for care should be better funded.

Kevin Hollinrake: Will the hon. Lady give way?

Barbara Keeley: I do not have time.

A few months ago, we pledged £350 million a year for community resources, aimed specifically at helping to bring autistic people and those with learning disabilities out of in-patient units—over 2,000 of them—in which they are trapped. It is a scandal that we do not have the social care and community resources that are needed to prevent people being trapped in abusive care. Time and again, the reason given for people being in those units is that there is no resource in the community. My hon. Friend the Member for Plymouth, Sutton and Devonport has spoken about the burden that falls on social care authorities if they end up with a very expensive case. We have to get round that.

We can fix the crisis in social care only by properly funding the system, as the Labour plans will do. Two years after the Conservatives’ disastrous 2017 manifesto plans, which were later dropped, we are still waiting to hear what they will do. The Government’s promised Green Paper has been delayed and delayed, and now it looks to many—including many in this Chamber—as if it has been dropped altogether. The hon. Member for St Ives (Derek Thomas) mentioned how embarrassing that was. It is not just embarrassing; people lose hope waiting for the care they need.

We can build a new system only by properly funding the system, as the Labour plans will do. Two years after the Conservatives’ disastrous 2017 manifesto plans, which were later dropped, we are still waiting to hear what they will do. The Government’s promised Green Paper has been delayed and delayed, and now it looks to many—including many in this Chamber—as if it has been dropped altogether. The hon. Member for St Ives (Derek Thomas) mentioned how embarrassing that was. It is not just embarrassing; people lose hope waiting for the care they need.

A cap on care costs, which would stop people facing catastrophic costs, and for which we legislated, was ditched by the Government in December 2017. I am sorry to say that instead the Government have provided only small, one-off cash injections—sticking plasters—rather than the long-term funding settlement that social care needs. Will the Minister tell us where the Government’s proposals on social care are? If the Government want to resolve the crisis that their funding cuts have created, as I hope they do, why have they constantly kicked social care funding reform into the long grass? It is time for a solution to the crisis that this Government have created. Labour Members have pledged a way to solve the crisis, which in itself gives hope to many people who need social care.
Sir Charles Walker (in the Chair): Thank you, Minister, if you could leave two minutes at the end for Sir Vincent Cable to wind up the debate, that would be hugely appreciated.

3.45 pm

The Minister for Care (Caroline Dinenage): It is a great pleasure to serve under your stewardship in this important debate, Sir Charles, and I share the sentiment of many Members across the House in congratulating the right hon. Member for Twickenham (Sir Vince Cable) on securing it. I also wish to highlight the incredibly constructive and collaborative nature of the way that he opened this debate. He was right to highlight from the outset that the only way to find a solution to this thorny issue, which is not unique to our country but a challenge faced by countries around the world, is by working in a co-operative, collaborative, and constructive way.

The right hon. Gentleman rightly pointed out that successive Governments have tried and failed to deal with this thorny issue, and despite everybody recognising the need for consensus, for too long it has been weaponised. We have heard expressions such as “dementia tax” or “death tax” used by all parties over the years. That has not been helpful, and it is one reason why different parties and Governments have placed this issue in the “too difficult” pile. We were also right to highlight the sense of urgency, because we no longer have the luxury of time to place the issue in that pile.

Over the past couple of years the Government have responded to huge short-term pressures, and funding for local government has gone up, as opposed to being cut, as outlined by Labour Members. However, we must set out our long-term plans, and consider how to solve the thorny issues of long-term funding for adult social care. At the moment, one in 10 people face what we might call catastrophic care costs in excess of £100,000, and potentially lose their home to pay for their long-term care.

I thank hon. Members across the House who have spoken with great passion and, in most cases, an enormous amount of collaboration and desire to work together to find solutions to these problems. I join them in recognising and paying tribute to the carers, nurses, social workers, and unpaid friends and families of those who require care. Every day, carers work tirelessly to ensure that people live dignified and fulfilling lives, regardless of how tough that challenge is. In doing this job and fulfilling this role, it has been my greatest privilege to meet those people on an almost daily basis and hear their stories. The hon. Member for Kingston upon Hull West and Hessle (Emma Hardy) said that carers must be accorded the status that they deserve, and given resources to drive the right amount of quality, and she was absolutely right. She was wrong, however, to say that we have lost caring from the caring system. People may be driven to that point in some respects, but they care and they do so in the most beautiful way.

Jamie Stone: May I associate myself with what the hon. Member for Plymouth, Sutton and Devonport (Luke Pollard) said about young carers who go home and look after parents who may have an alcohol or drug dependency problem? In my constituency an organisation called The Young Karers East Sutherland helps to support them. My mother died four years ago, but she was cared for at home very well. The younger carers—those who had left school and gone into the profession for the first time—were the most amazing. They embraced this profession, and one could see they had a vocation. I suggest that one way to sort out this problem is to encourage the recruitment of young people by giving them taster sessions and letting them come from school and see what it is like. Often, we might get converts who will stay in the profession for life.

Caroline Dinenage: That is an excellent intervention, and the hon. Gentleman is right to say that we must do more to recognise and support young carers. The hon. Member for Plymouth, Sutton and Devonport said that we must do more to help schools to identify young carers, and that was a key part of the carers action plan that was announced last summer. A young carers’ takeover day of Parliament is planned in the months ahead: every MP across the country will be encouraged to invite a young carer from their constituency, which will give us a real in-depth understanding of what an amazing job young carers do.

We all recognise the challenges that the social care system faces. As a population, we are getting older: by 2040, one in four people in the UK will be 65 or over, as the right hon. Member for Twickenham pointed out. It is also important to understand that social care is not just a service for older people; the number of people under 65 who have carers is growing and accounts for more than half of social care spending. That can have quite a disastrous impact on local authority budgets, as the hon. Member for Plymouth, Sutton and Devonport pointed out. I will certainly take forward the points that he made.

These long-standing trends put increasing financial pressure on local authorities. In response, we have taken steps to ensure that the social care system has the funding to meet urgent challenges in the short term. In 2017, we announced an additional £2 billion in grant funding for social care, which we supplemented with a further £650 million in the 2018 Budget. Councils have responded by increasing their spending on social care, which has risen in real terms in each of the past three years.

Bambos Charalambous (Enfield, Southgate) (Lab): Will the Minister give way?

Caroline Dinenage: I will make some progress, if the hon. Gentleman does not mind.

As a result of our investment in social care, 65% of local authorities were able to increase home care provision in 2017-18. Local authorities have increased the average fee paid for older people’s home care by 4.7% in 2018-19, bringing some much-needed stability to the provider market. I am very pleased that the Care Quality Commission has rated 84.1% of social care settings as good or outstanding.

I am delighted to say that in our most recent spending round we announced further investment in adult social care. We will provide councils with access to an additional £1.5 billion for adult and children’s social care next year, including £1 billion in new grant funding over and above the £2.5 billion of existing social care grants. In the spending round, we confirmed that all the existing
funding streams would be maintained next year—hard-wired into the Budget, if you like. The Government will also consult on a 2% adult social care precept that will enable councils to access a further £500 million. This increase in funding is part of the biggest increase since 2015 in overall core spending power for local government: it will increase by 4.3% in real terms next year.

The new funding from the spending round will support local authorities in meeting the rising demands that they face, while helping them to continue to stabilise the wider social care market. This additional funding is the first step towards putting adult social care on a fairer and more sustainable footing. We have already started preparing for the multi-year spending round due next year.

The challenges facing social care are not purely financial, as hon. Members across the parties, including my hon. Friends the Members for Central Suffolk and North Ipswich (Dr Poulter) and for Newton Abbot (Anne Marie Morris), have said. It is important to point that out, because stakeholders across the sector tell MPs: “Even if money were no object, we would not necessarily continue to provide this service in the current system.”

The current system is not working in so many respects, and it is not working properly for some of our most vulnerable citizens, which is why we are continuing to support the system through a programme of sector-led improvements to help councils to make better use of funding to deliver high-quality personalised service, with more than £9.2 million committed by the Department in 2019-20.

We are also breaking down barriers to encourage much better integration of health and care, and we are looking at what more we can do to support the workforce and carers, as I have mentioned. In terms of integration, the better care fund has helped to enable much better co-operation between health and social care partners at a local level. It has also been instrumental in reducing delayed transfers of care, which has been mentioned: they have decreased by 2,147 since February 2017. We are looking at how we can use the fund to drive better integration.

My hon. Friend the Member for St Ives (Derek Thomas) spoke about the impact of Brexit. As the Prime Minister has said, he wants our immigration system to help to attract the brightest and best talent from across the world. This includes delivering an Australian-style points-based immigration system as a first step. The Home Secretary has commissioned an independent migration advisory committee to review this and the appropriate salary threshold. Clearly, we want to attract people to work in adult social care.

We are aware that the system is already under pressure and recognise that EU exit could add to this. We have been working on this for a long time alongside partners, including ADASS, the Local Government Association and local authorities, to ensure robust contingency plans are in place. [Interruption.] I am going to have to make progress as I will have to sit down in a second.

There is still much more to do. The funding announced in the spending round is a down payment on much more fundamental reforms to social care that we need to introduce. As the Prime Minister said on the steps of Downing Street, the Government will set out plans to fix the crisis in social care once and for all, to give every older person the dignity and security they deserve. We want to ensure that nobody has to sell their home to pay for care. The Government will not shy away from the long-term challenges that face social care. Our proactive approach to funding and reform means that we will ensure that our social care system can respond to the challenges that lie ahead with confidence that the most vulnerable in our society will be able to live with dignity and respect and receive the care they deserve.

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Caroline Dinenage: My hon. Friend is right to say there were teething problems, but in the most recent reporting cycle, 93% of local areas agreed that joint working had improved as a result of the better care fund. We want to use it to drive much better integration and to look at how we undertake more joint commissioning in future.

We are committed to working alongside all partners in adult social care to attract and support a growing workforce with the right skills and the right values to deliver quality and compassionate care. Earlier this year, we launched the “Every Day Is Different” national adult social care recruitment campaign to raise the profile of the sector. We have secured a further £3.8 million for the next wave of that campaign, which will start later this month. We fund Skills for Care to support the sector in recruitment and retention.

Rachael Maskell: Will the Minister give way?

Caroline Dinenage: I do not have time. We also fund the workforce development fund, and social care employers can bid for this funding to pay for their staff to gain training qualifications at all levels.

There were lots of questions raised across the Chamber, and I want to deal with them all. The hon. Member for Totnes spoke about the impact of Brexit. As the Prime Minister has said, he wants our immigration system to help to attract the brightest and best talent from across the world. This includes delivering an Australian-style points-based immigration system as a first step. The Home Secretary has commissioned an independent migration advisory committee to review this and the appropriate salary threshold. Clearly, we want to attract people to work in adult social care.

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Caroline Dinenage: My hon. Friend is right to say there were teething problems, but in the most recent reporting cycle, 93% of local areas agreed that joint working had improved as a result of the better care
for Eastbourne (Stephen Lloyd), the hon. Member for Kingston upon Hull West and Hessle (Emma Hardy) and others.

The title of this debate included the ugly word, “funding”. However good our intentions, we do have to pay for this, and I commend the hon. Member for Thirsk and Malton (Kevin Hollinrake) for setting out clearly and succinctly the financial constraints and a good solution through social insurance for many of these problems. I also commend the hon. Member for Sefton Central (Bill Esterson) and the hon. Member for Newton Abbot (Anne Marie Morris) for pointing out that we are trying to reconcile two fundamentally different systems of funding and organisation. As we integrate the system, bringing them together is not an easy task.

Perhaps I tried too hard to be non-tribal. I thought we were trying to get a bit of respite from Brexit. However, as my hon. Friend the Member for Totnes, the hon. Member for Linlithgow and East Falkirk (Martyn Day), and others pointed out, unfortunately we cannot get away from it. It has a major impact on resource availability and the labour market.

In conclusion, I wish to thank the Minister for her reply. She pointed out—and I should have acknowledged this at the beginning—that the Government have put in a little bit more in resource. However, that is growing at 2.5% while the demand is growing at 4% and the cruelty of compound interest is, I am afraid, rather powerful and painful over time.

Sir Charles Walker (in the Chair): Colleagues, thank you for sharing out the time so well.

Question put and agreed to.

Resolved,

That this House has considered social care funding.

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Child Poverty: Leicester

4.1 pm

Liz Kendall (Leicester West) (Lab): I beg to move, That this House has considered child poverty in Leicester.

It is a disgrace that in the 21st century, in one of richest countries in the world—Britain—over 4 million children are growing up in poverty. In Leicester, 40,000 children are growing up poor—up 3% in the last year alone—including almost 12,000 children in my constituency.

When housing costs are taken into account, 40% of children in Braunstone are growing up poor. In Abbey, it is 41%, and in New Parks it is a staggering 43%.

Those statistics, however shocking, do not tell us what growing up in poverty really means for children and families in my city. Two years ago, Leicester City Council conducted a major survey of hundreds of children and young people. One in five said they worried about having enough to eat every single day. On one of my recent weekly school visits, a primary school head told me about a child who was struggling to concentrate in class. When the teacher asked what the child had had for breakfast, he said, “Nothing”—and he had had only a bowl of salad cream for his tea the night before, because there was nothing else in the house.

Ten years ago, the organisations in Leicester that work with disadvantaged children focused on helping parents to find employment opportunities, equipping them with new skills, and providing support with parenting or help to quit smoking. Now they say they have to focus on the very basics of decent human existence—keeping a roof over people’s heads, clothes on their backs, food on the table, and the gas and electricity on. The reasons for this change are clear. They include the Government’s welfare policies, including the freeze in working-age benefits, the introduction of universal credit, and especially the five-week wait for it. There is also the shift towards in-work poverty; we have had the longest pay squeeze in 200 years, and more and more people are having to hold down several insecure jobs just to make ends meet. Appalling cuts to local council funding have decimated children’s and youth services, and vital support such as welfare advice. There is also the rising cost of living, and especially of housing. Increasing costs in the private rented sector are pushing so many children into poverty in my city.

These things have a major, immediate impact on children, but growing up poor has long-term consequences, too. When children in the most disadvantaged areas start school, they are up to 18 months behind their better-off peers in their development. They can end up playing catch-up for the rest of their life. If they live in inadequate or overcrowded housing, they often struggle to get their homework done, and are more likely to suffer from health problems such as asthma, anxiety and depression. Poor children are also less likely to be able to go on school trips or to do the extracurricular activities that many families take for granted and that are so crucial for child development.
Brexit could lead to substantial increases in demand for food because more people will be struggling to make ends meet and that that will happen at precisely the same time as the supply of food is reduced, because there will be less surplus food available from the supermarkets on which our food banks depend. And all of this could happen in the run-up to Christmas, which is the busiest time of year for food retailers anyway.

Leicester’s emergency food partnership is already getting through 16 tonnes of food a month—16 tonnes of food for people who desperately need it. Action Homeless estimates that we may need to find another 8 tonnes a month in the event of no deal, yet we have no funds whatsoever to pay for that.

The Government must act to prevent the existing child poverty crisis from getting even worse in the short term, and to take the action that we desperately need to reduce child poverty in the medium to long term. There are four things that they need to do. First, we need immediate action to support our food banks. I have already raised this issue in Parliament with the Chancellor of the Duchy of Lancaster, the right hon. Member for Surrey Heath (Michael Gove), who is in charge of no-deal preparations. He said to me that he had seen no evidence that no deal would increase pressure on food banks, but I am meeting him tomorrow, along with Action Homeless and FareShare East Midlands, to raise our concerns directly with him and to ask for specific funding in the event of no deal. I ask the Minister here today: will he raise this issue with the right hon. Gentleman, too?

Secondly, the Government must make urgent improvements to help those who are already struggling on benefits and who face an even greater nightmare if Brexit leads to rising prices for food and fuel. In particular, the Government should lift the freeze on working-age benefits, which is currently due to last until April 2020, and end the five-week wait for universal credit. Leicester was one of the later places in the country to have the roll-out of universal credit. Ministers insisted that the lessons had been learned, but I can tell them that the evidence from my own eyes, from my own constituents and from our food banks is that those lessons have not been learned, and that families simply do not have the money or the savings to afford that five-week wait. If they lose their jobs or reduce their hours, they have to go on and off universal credit.

Thirdly, the Government must do much more to tackle the endemic low pay and insecure jobs that dominate too many sectors of our economy. I know they have just pledged to increase the living wage to over £10.50 an hour in five years’ time, but my constituents cannot wait for five years, especially if there is a no-deal Brexit, to get a genuine living wage to make ends meet. So I ask the Minister this question: what more are the Government doing to tackle this issue?

Lastly, we need serious and sustained action to tackle the cost of living. In particular, we need a long-term strategy to tackle this country’s housing crisis, with a massive programme to build more social and affordable housing, and to reform the private rented sector, the cost of which—as I have already said—is one of the major factors driving child poverty in Leicester today.

I realise that some of these issues are beyond the Minister’s remit, but let me just say this to him: the Government are spending over £6 billion on preparing for a no-deal Brexit. Imagine the difference that £6 billion would make to the lives of the 12,000 children growing...
up in poverty in my constituency. Imagine how their lives and the future of our country could be transformed if this money was spent on giving them the best start in life, and not on a damaging no-deal Brexit that the Government do not even have a mandate for. This is not a matter of necessity; it is a matter of political choice.

It is a disgrace that the Government are even contemplating a no-deal Brexit, which could make the poorest people in our country even poorer. They must change course—and now.

4.13 pm

The Parliamentary Under-Secretary of State for Work and Pensions (Will Quince): It is a pleasure to serve under your chairmanship, Mrs Moon.

I thank the hon. Member for Leicester West (Liz Kendall) for securing this debate, and for her very passionate and compelling speech on this issue. I am conscious of the fact that we probably do not have enough time in this short debate to cover this important subject in the detail that both she and I would like, but I will stress that my door is always open and she is very welcome to come and see me to discuss this matter or any other matter at any other time—and that offer extends to all other hon. Members across the House. In the somewhat limited time available, I will do my best to answer as many of the points that have been raised as possible.

Tackling poverty will always be a priority for this Government. I have been in this role for just over five months, and my key priorities have been tackling poverty and the support we can give to vulnerable groups. I am pleased that poverty in the east midlands, whether on an absolute or relative basis, or before or after housing costs, is lower for all individuals and children than in 2010. However, the hon. Lady knows me well enough to know that I consider one child in poverty to be one child too many. I will continue to work with hon. Members on both sides of the House to identify and tackle the root causes of poverty and with counterparts in other Government Departments to ensure that our efforts to tackle poverty, particularly child poverty, are joined up.

Our ambitious welfare reforms are driven by a firm conviction that the benefit system must work with the tax system and the labour market, so it supports people into employment and higher pay. That is the only way to deliver a sustainable long-term solution to poverty. It is also the best way to give everyone the chance to succeed and share in the benefits of a strong economy.

Tackling poverty and disadvantage is not, however, something that the Government can do alone. The hon. Lady is passionate about the issue and I welcome the innovative partnership approach taken by Feeding Leicester. I understand that she was disappointed that the bid of Leicester City Council and Feeding Leicester to be part of the holiday activities and food programme this summer was not successful.

I am sure that the hon. Lady appreciates that we had a huge amount of interest in being part of the programme but have only a limited amount of money. Barnardo’s, which works in the east midlands, put together a strong bid—the highest scoring in the region, and it covered Leicestershire county, as she pointed out. Although it did not specifically include the city of Leicester, it operated in some parts of her constituency.

We will continue to build our understanding of how free provision can be co-ordinated, which will provide valuable information about what support works for the sector. The hon. Lady’s contribution is noted, however, and I will make sure that her words are shared with my counterpart in the Department for Education. I praise the excellent partnership work taking place between the Leicester JobCentre Pluses and Leicester City Council in support of care leavers in particular, which ensures that they move smoothly on to universal credit and supports them into work, including through bespoke civil service internships, which are truly excellent.

I try to get out of the Department as much as I can. In the most recent recess, I spent four days travelling around the midlands and the north-east. I visited several organisations that work in close partnership with our JobCentre Pluses. I am absolutely clear that I want to encourage more co-location and collaboration between our jobcentres, their staff and those organisations. Such coalitions of local organisations, including charities, community groups, local authorities, social enterprises and others, show us what can be achieved when we all come together to take joint action to help to eliminate hunger and its root causes in our communities.

The Government believe that tackling poverty requires a collaborative approach that goes beyond providing a financial safety net through the Department for Work and Pensions and addresses the root causes of poverty and disadvantage to improve long-term outcomes for children and families. That is why we have taken wider cross-Government action to support and make a lasting difference to the lives of the most vulnerable—people whose ability to work is frustrated by issues such as a disrupted education or a history of offending, mental ill-health or drug and alcohol abuse—who often face complex employment barriers. It is also why our jobcentre work coaches work with external partners to offer individualised specialist support to help some of the most vulnerable people in our society to turn their lives around.

The Government, and certainly I, take the issue of child poverty extremely seriously. The evidence shows that work is the best route out of poverty. There are 730,000 more children in working households compared with 2010. Not only are those children less likely to grow up in poverty, but they have significantly better life chances. The data is clear that a child living in a household where every adult is working is about five times less likely to be in relative poverty than a child in a household where nobody works. Children growing up in a workless family are almost twice as likely as children in working families to fail at all stages of their education.

The hon. Member for Leicester West mentioned Brexit. I am conscious of the fact that she is passionate about the issue and has spoken about it many times. The Government have been clear that leaving the EU with a deal is absolutely their preferred option. However, as a responsible Government, we continue to plan for a range of exit scenarios, including a no-deal. As part of the process, we continue to monitor the effects of EU exit on the economy. Rates and benefits continue to be reviewed in line with the relevant legislation for uprating.

The Government have rightly put in place contingency plans for a range of exit scenarios. These contingencies ensure that the Department for Work and Pensions can continue to provide our vital services, and that individuals will continue to be able to access DWP benefits and services on the same basis as they do now.
The hon. Lady raised a number of other points—housing, food banks and universal credit in particular. I will touch on all of those, but I have to talk about this Government’s employment record, which is vital to our success in helping people out of poverty. We are rightly proud of it. There are now over 3.7 million more people in work compared with 2010, and unemployment is at its lowest rate since the 1970s, having fallen by more than half since 2010.

The hon. Lady raised the issue of in-work poverty. It is important to point out that around three quarters of the growth in employment since 2010 has been in full-time work. As the evidence shows, that substantially reduces the risk of being in poverty. Full-time work in particular dramatically reduces the risk of poverty. Full-time work in particular dramatically reduces the risk of poverty. There is only a 7% chance of a child being in relative poverty if both parents are working full time, compared with 66% for two-parent families with only part-time work. The absolute poverty rate of a child where both parents work full time is only 4% compared with 44% where one or more parent is in part-time work.

The hon. Lady mentioned universal credit. Universal credit supports full-time work through smooth incentives to increase hours and a general expectation that lone parents and partners should work if not caring for young children or a disabled person. It also offers generous childcare subsidies. The Joseph Rowntree Foundation has also reported that universal credit is likely to help out of poverty an extra 300,000 members of working families, the majority of whom will include someone who works part time. Over three-quarters of the growth in employment since 2010 has been in full-time work.

The hon. Lady also rightly mentioned support for working families. We have taken a range of broader steps to help families keep more of what they earn, including the delivery of another rise in the national living wage to £8.21, an increase in a full-time worker’s annual pay of over £2,750 since its introduction. This has delivered the fastest pay rise for the lowest earners in 20 years. The hon. Lady rightly referenced the recent speech made on 30 September by the Chancellor of the Exchequer, saying that the minimum wage would rise to £10.50 within five years.

That is not all. Tax changes have made basic rate taxpayers over £1,200 better off since April, compared with 2010. The most recent changes mean that a single person on the national minimum wage is now—from April—taking home over £13,700 after income tax and national insurance. That is £4,500 more than in 2009-10.

Considering universal credit more broadly, as rightly raised by the hon. Lady, we know that there is more to do to support working people. But we have already gone much further than previous Governments. In his statement, the Chancellor of the Exchequer set out our ambition to “end low pay across the UK.” Universal credit is at the heart of our reforms. It works alongside other policies introduced by this Government to promote full-time employment as a way out of poverty towards financial independence. We know that universal credit is working. It is getting more people into work, and more people are staying in work. It supports those who need it while providing a springboard into work, with every extra hour worked being rewarded, and each claimant receiving tailor-made support from a work coach.

There are lots of areas that I did not manage to cover in detail, and I would be delighted to meet the hon. Lady to do so. She touched on food banks. I will, of course, raise the issue referenced by her in her speech in relation to food banks and Brexit with the Chancellor of the Duchy of Lancaster.

I will speak with the Trussell Trust, as I do regularly, and other food bank providers, to hear their thoughts on the issue.

On the point that the hon. Lady raised about universal credit and the five-week wait, I stress that, on day one, people are able to get a full advance payment of up to 100% of their indicative award. That is repayable over 12 months, interest-free. That is an important point.

The hon. Lady touched on housing, which is probably one of the biggest issues that we face as a country. We have an issue with providing enough low-cost, affordable homes for social rent. I am working very closely with my counterparts at the Ministry of Housing, Communities and Local Government to ensure that housing for social rent, and in particular affordable housing, is firmly on its agenda. The Government have a firm commitment to delivering on house building, but when we look at our housing benefit bill and the number of people who are waiting for social housing we must not forget the importance of ensuring that we build sufficient social housing. Changes have been made that support the further building of social housing, but, yes, we absolutely need to do more.

In conclusion, I reaffirm our view that our long-term approach is the right one if we are to deliver lasting change and tackle poverty in all its forms. This Government believe that work provides economic independence, pride in having a job, and improved wellbeing. We want to empower people to move into work by giving them the opportunities that they need to make the most of their life, and to improve the life chances of their children. It is that belief, based on clear evidence about the value of work, that will drive us as we continue to reform our welfare system, so that it better supports working people, while continuing to support those most in need.

Question put and agreed to.

4.26 pm
Sitting suspended.
Adult Learning and Vocational Skills: Metropolitan Borough of Dudley

4.30 pm

Margot James (Stourbridge) (Ind): I beg to move,

That this House has considered adult learning and vocational skills training in the metropolitan borough of Dudley.

It is a pleasure to serve under your chairmanship, Mrs Moon. I congratulate my hon. Friend the Minister on assuming her new position at the Department for Education. I am delighted to see the hon. Member for Dudley North (Ian Austin) in his place as this debate is about vocational provision and adult learning in the borough of Dudley. Although I will focus on the provision in Stourbridge, we must assess the need for provision in my constituency of Stourbridge in a borough-wide context.

This debate takes place in the context of the very sad closure of Stourbridge College earlier this summer. Our college dates back over 100 years to the establishment of the Stourbridge College of Art in 1848. That institution merged with the Stourbridge Technical School in 1958. I first visited the college in January 2007 and found a vibrant and welcoming culture. Shortly after that visit, I found myself volunteering as a young enterprise course facilitator at the college, helping students learn about business through the experience of setting up an actual company. I then joined the college board as a governor during 2008-9 and remained close to the college after I was elected and after I stepped down from the board in 2010.

The closure of our college came as a real blow to me, as it did to thousands of other people locally, many of whom had a direct connection with the college. Clearly, those worst affected were today’s students, the teaching staff, the support staff and local small and medium-sized enterprises, particularly small retailers in the vicinity of the campus. When staff and students told me that the closure came as a terrible shock and something of a bereavement, they were not exaggerating. Although I do not want to dwell on the past and cover in too much depth the role played by Birmingham Metropolitan College, known as BMet, which acquired Stourbridge College shortly after 2010, there are a few points to make before I come to the main part of my talk, which is about the need for continued skills provision in my constituency and preferably on the site of the Hagley Road campus.

To cut a long story of mismanagement and financial woes short, by May of this year, BMet had outstanding debts to the banks of £8.9 million and to the Education and Skills Funding Agency of £7.5 million. Debts running out of control was not the only problem. The college had also received three “requires improvement” notices, but each time Ofsted rated the college a 3 and did not award it the worst rating of a 4, and that detail is very relevant to the bigger picture, as a rating of 4 would have triggered automatic intervention much earlier by the ESFA. The Department should learn from that crisis.

BMet now has a legal obligation to bring its debts down to a sustainable level, which of course means the sale of assets that has led directly to the closure of our college. Top of my list of current concerns, which I hope the Minister will take back to discuss with her Secretary of State, is the nature of the sale of the Hagley Road site. The site has been associated with education for many years, and it is the deep wish of our community that the site be protected in future for educational use, at least for the most part, for the generations to come.

When I hear that BMet is expected to realise red book value for the site, alarm bells start to ring and I urge caution on that endeavour and objective. Some colleges within BMet have sought to balance their books by selling off land assets for housing development. We have had experience of that already in Stourbridge; long-suffering residents who live near the Longlands site, which until eight years ago was the proud home of the college’s centre for the study of art and design, have endured years of antisocial behaviour and uncertainty as BMet has negotiated with a trail of developers and the local authority to effect the sale of the site. The ESFA should take note that it took from 2011 until the summer of this year to get planning approval for the residential development on that site.

The board of BMet and the ESFA should reflect hard on the fact that there would be huge opposition to selling the Hagley Road site for residential development and that it would take years to get the change of use and planning consent required. I know that educational providers are in serious talks with BMet about acquiring the site, and I hope those talks will reach a satisfactory conclusion.

That brings me to my main point: the need for vocational skills learning and, in particular, adult learning in Stourbridge. The first thing to acknowledge is that there has been a history of over-provision of 16-to-19 education in our borough of Dudley. Until the closure of Stourbridge College, we had four colleges in the borough, and the problem has been that the 16-to-19 population has been in decline from a high of 12,400 in 2009 to a low of 10,700 across the borough in the current year.

However, there are two points that must be borne in mind. First, if we take a 15-year horizon, 2019 is the low point. From this year, the numbers start to increase again to an estimated 11,800 by 2024. Secondly, it is harder to predict the numbers of adult learners. There were 280 adult learners registered at Stourbridge College in the year 2017-18, and it is that local provision for adult learning that concerns me most, primarily because so many people in adult learning have either part-time employment—sometimes full-time employment—or caring responsibilities, and travelling elsewhere in the borough can present a critical issue for them, such that it will deter them from the studies and upskilling that they acknowledge they need. As I say, it is harder to predict those numbers.

The importance of adult learning should be seen in both a social and an economic context. Indeed, the social and the economic are intertwined. When I was a Minister in the Department for Business, Energy and Industrial Strategy, I had responsibility for labour markets. It was a real eye-opener, and I got to see what lay behind the statistics. We now have close to full employment—a record that this Government can justly be proud of—but there are a great many people living with the assistance of tax credits on low-paid and insecure employment.
I was proud to be associated with the Taylor review of employment practices, commissioned by the previous Prime Minister. The Government accepted the vast majority of Taylor's recommendations, which centred on improving the quality of work. The opportunity for people to improve their skills throughout their working lives was fundamental to achieving that goal, and nowhere is that improvement greater than among people who are stuck in low-skilled, low-paid employment.

The Government has presided over good and positive changes in the quality of vocational learning. The former Minister for Skills, my right hon. Friend the Member for Guildford (Anne Milton), introduced much-improved apprenticeship standards and the Institute for Apprenticeships, which have been much to the good. However, the emphasis has been on 16 to 19-year-olds and not enough is being done for the huge need that exists for upskilling and lifelong learning among the working-age population.

The figures, I am afraid, speak for themselves: the expenditure on adult learning nationally has been reduced by approximately 40% since 2010. Skills devolved to our own region, the West Midlands Combined Authority. That has been well received, but I am informed that the adult education budget across the west midlands is £2.1 million, which would barely buy a bedroom in a luxury flat not a mile from here.

The funding reduction has been damaging both economically and socially. There are many groups in the working-age population who face greater barriers than most when it comes to securing employment at all and certainly better employment. I am talking about people who have been unemployed for a long time, people with poor literacy and numeracy skills, people who were brought up in the care system, people with disabilities, ex-offenders, sometimes even older workers, and parents who have had a career break. All these groups, and more besides, face significant barriers to improving their skills and getting back into the workplace so that they can progress their careers.

The social consequences of that are dire, but it is also bad news economically. I know the digital and technology sectors particularly well from my role as a Minister at the Department for Digital, Culture, Media and Sport. The skills gap in those sectors will not be narrowed or eliminated just by improving the quality of technical and digital education among the school, university and college-age populations. We need to look at the working-age population as well. The 2018 Lloyds survey found that 21% of people in the working-age population lack basic digital skills, while 8% have zero digital skills and 5.4 million working adults do not have the full range of basic digital skills. Unless we sort this out, it will delay the uptake of technology in industry and dampen the growth of the tech sector, and we can only sort it out through a commitment to adult learning.

This issue also accounts for some regional discrepancies, especially when we look at the five basic skills that people of working age need in the digital space. Some 71% of people in the north-east have all five basic skills, whereas in the south-east the figure is 86%. The ramifications of the skills gap and the inadequate response to it by adult learning are a key issue that needs to be resolved. I am delighted that the Department for Education's resources have been increased going forward. I congratulate the ministerial team on securing that increase and appeal to them to use some of that money to go some way towards redressing the reduction in funding for adult learning that I have described today.

When it comes to the provision of adult learning in particular and vocational skills generally, I believe there is an economic case for continuing with such provision in Stourbridge, and I am delighted by the reaction of local colleges: the exemplary Dudley College, now rated outstanding by Ofsted, Halesowen College, rated good by Ofsted, and the brilliant King Ed's—King Edward College—in my constituency. They are all committed to supporting the provision of vocational and adult learning on the Hagley Road site—assuming that it can be sold to an educational provider who welcomes that provision on a subletting basis.

There will need to be some new money, however. Dudley College and Halesowen College absorbed many students and staff from Stourbridge College at the beginning of this term. I commend both colleges for their amazing work on integrating our students and college staff into their new environment. Funding is tight for both colleges, and they will need new money in order to meet the needs of vocational skills provision and adult learners in my constituency. I have my eye on various budgets, including growth deal 3 funding from, I presume, the Department for Business, Energy and Industrial Strategy and the underspend in the local enterprise partnership. Providers in the Black Country can also bid for funding from the almost £97 million skills budget. Local authority level budgets may also need reassessment, but my hon. Friend the Member for Dudley North has been working on securing money from the stronger towns fund. Of course, the combined authority also has devolved funding for skills, and I am grateful to Mayor Andy Street for his close involvement in our bid to get adult educational provision and vocational skills in my constituency—ideally on the Stourbridge Hagley Road site.

I thank everybody involved locally thus far in the bid to secure the future of adult learning and skills provision in Stourbridge. I trust that this afternoon’s debate and my upcoming meeting with the Secretary of State and local colleges towards the end of October will lead to some real movement on this issue, so that my constituents, whether adults or young people, will still be able to access the training needed by both Stourbridge and, importantly, our economy.

4.46 pm

Ian Austin (Dudley North) (Ind): It is a pleasure to speak in this debate under your chairmanship, Mrs Moon. Before I begin, may I pay a big tribute to my hon. Friend the Member for Stourbridge (Margot James) and thank her for securing this important debate? She is a brilliant local MP and an asset to our borough and to her party. She has worked tirelessly to improve education for school pupils, young people and adults in Stourbridge, encouraging young people to aspire to study at top-level universities and supporting Stourbridge College, Old Swinford Hospital, King Edward VI College, and all the other local schools. It is therefore a great shame that, despite all her hard work and support for education
in Stourbridge, the college has found itself in this position, but I know that she is working hard to try to address the situation and ensure that educational provision continues on the Hagley Road site.

My hon. Friend was right that the number of 16 to 19-year-olds in Dudley and the Black Country is increasing and that low levels of skills both among people who are out of work and among the working-age population is a long-term issue—the legacy of a traditional industrial economy. However, it is important to note that Dudley is the biggest place in the country with no higher education provision, so further education plays an important role in filling that gap and ensuring that people can get degree-level qualifications through further education—apprenticeships in particular—so that those working in local businesses can get the skills they need.

I will talk mainly about what is happening in the north of the borough and in Dudley itself. When I was first elected in 2005, Dudley College was failing and struggling to attract staff and students, with unsatisfactory results and a decrepit set of old buildings spread around the town that it had inherited from various schools or the University of Wolverhampton. Thanks to the brilliant leadership of Lowell Williams, who is now the college’s chief executive but who used to be the principal, and the new principal Neil Thomas, we now have officially the best college in the country—the first to be awarded outstanding status under the new Ofsted inspection regime. It has achieved record results, has more students than ever before, provides among the highest number of apprenticeships in the country, and has a brilliant, brand-new town centre campus. Right at the outset, therefore, I pay tribute to Lowell Williams and his team. They have done more than anybody else to transform opportunities for young people in Dudley, and to transform and regenerate the town centre. They have made a huge difference in Dudley. I was absolutely delighted when his work at the college and his contribution to further education in the wider west midlands were recognised last year by his being awarded The Times Educational Supplement further education leader of the year.

It is important to understand the context in which we are discussing education in the Black Country. Fifty years ago, Black Country manufacturing made the west midlands the UK’s richest region. Output in the west midlands outstripped even that in London and the south-east. Then came the huge loss of manufacturing in the 1970s and ’80s, and we faced a 40-year struggle to replace jobs lost in recessions or due to technological change or to competition from lower-wage economies abroad. As a result, output in the west midlands lagged behind that in the rest of the country for 35 years, during which we fell further behind. In the 1970s, manufacturing provided half the region’s jobs; the figure today is nowhere near that number. Instead, a high proportion of jobs are in low-productivity and slow-growth industries. We have had a higher proportion of public sector jobs and a smaller proportion in business, financial services and high-tech industries.

There are lots of brilliant industries and there has been major investment at companies such as Jaguar Land Rover, but I think everybody would accept that we need more to attract new investment and new industries to replace the jobs we have lost. As a result, unemployment has been a stubborn problem. Long-term youth unemployment is still twice the national average.

It is the need to respond to those big economic changes that has driven the transformation of education in Dudley. Over the next 20 years, there will be huge growth and millions of well-paid jobs in high-tech industries such as advanced manufacturing and engineering, technical testing, low-carbon industries and construction, digital media, biotech, healthcare technologies and the rest. This is literally a new industrial revolution. At the same time, there will be far fewer jobs for people with limited skills or no qualifications at all, and many of what we think are regular jobs for life will disappear.

We believe that young people in Dudley are as good as anyone, that they deserve the same chances as young people elsewhere in the country, and that with the right support and the best facilities they can do just as well as anyone else. We also believe that we have to make education and skills our No. 1 priority, to attract new industries and well-paid jobs to replace those we have lost in traditional industries, to help local business grow, to give youngsters a first-class start, and to help adults get new jobs as well.

Driven by that vision and those beliefs, Dudley College has increased the number of 16 to 19-year-olds in college by almost 2,000 learners—from 3,000 in 2008, to 4,900 by 2019. It has become one of the largest providers of apprenticeships nationally, increasing the number of apprentices from 600 in 2008, to an amazing 3,853 by 2015. These are high-quality apprenticeships, with 51% of all apprentices in programmes related to science, technology, engineering and maths, and 44% of all full-time learners in STEM-related subjects. Despite cuts to the adult education budget, the college maintained its adult provision, supporting more than 3,000 learners a year to retrain.

The college has invested—this is amazing—£60 million in a new campus, which has transformed the town centre. We now have a new academic sixth-form centre, a new building for creative arts and service industries, centres for advanced manufacturing, engineering and advanced building technologies, new specialist facilities for students with special needs, and a construction apprenticeship training centre. Almost all of those have been developed without any Government support, by selling off old land and buildings and, while maintaining a strong financial position, by borrowing resources from the banks.

I would like the Minister to come to Dudley to have a look at all that, because I think she will be amazed when she sees it. Everybody thinks, “Oh, I’m just going to go to another FE college,” but that is not the case in Dudley. Lots of FE colleges say that they do manufacturing and construction, but they do not do it like we do it. It is absolutely amazing. The phenomenal advanced manufacturing and engineering centre is working with hundreds of local employers.

Although the Black Country has a higher proportion of SMEs and manufacturing than anywhere else in western Europe, those small businesses cannot afford research centres. If a business is worried about how it will meet the payroll a week on Friday, it will not be able to develop links with universities, or think about big apprenticeship programmes, or new products and processes.

That is the gap that Dudley College of Technology is filling. It is an amazing centre of advanced manufacturing. The state-of-the-art, high-tech construction centre is doing ground-breaking work on digital construction,
using artificial intelligence, drone technology, and working on how to design and manufacture buildings in factories instead of on site—extraordinary work. It is the only college of its kind in the country to be doing that sort of work, and that facility was developed in partnership with leading construction companies in the country.

We are now moving to the development of new university-level technical skills and an apprenticeship centre, which will provide even higher level qualifications in Dudley. As I have said, Dudley is the biggest place in the country with no university campus, although we did successfully secure funding to open one of the country’s 12 institutes of technology. Last month, the Government announced that we will get £25 million from the stronger towns fund, which will be spent on the next phase of that campus, University Centre Dudley. That will transform an old rail terminal just outside the town centre. It has been an old rail terminal and a derelict site for as long as I have been alive, but it will finally be transformed. It will be developed by Dudley colleges, Dudley College of Technology, universities and local businesses, and they will train young people for jobs in new, growing and high-tech industries such as advanced manufacturing, digital technologies, low-carbon industries, autonomous electric vehicles, and health care.

The money from the Institute of Technology and the stronger towns fund is the best news that Dudley could have had. I have been saying for 14 years that we must make education and skills Dudley’s No.1 priority, and at the election I promised to campaign for that new high-tech skills centre. I am delighted that our campaign has paid off, and it is exactly what we need to give Dudley a bright future and make it a stronger town again.

The college has also established the Dudley Academies Trust, which is sponsoring four schools in Dudley. It has only been going for a year, but it is already possible to see improvements in aspiration, discipline, standards and results. The Minister will not be surprised to hear that all secondary schools in Dudley are finding that funding for special educational needs is inadequate to meet people’s needs, and all schools are under pressure in Dudley, as they are across the country—it is important to note that point in a debate such as this.

Ladder for the Black Country is an extraordinary local project, and over the past five years, thousands of people across the region have landed jobs or improved skills thanks to that scheme. It brings businesses and training providers together to take on young people and invest in their future. Young people gain the hands-on work experience that they need to start their careers, and businesses get a highly trained, well-motivated workforce, helping to breach the skills gap that many firms say holds them back. In recent years, thousands of people have landed jobs thanks to that scheme. It was launched in 2014, and was so successful in the Black Country that it was expanded to Staffordshire and Shropshire, and copied by communities across the country. It is backed by local authorities, businesses and training providers, and I pay particular tribute to the driving force behind it, Kevin Davis, chief executive of the Vine Trust Group, and to the Express & Star, whose support has been critical to the scheme’s success.

What Kevin Davis, together with Martin Wright, editor of the Express & Star, and his predecessors and colleagues have achieved is remarkable, and their work will make a huge difference to the lives and prospects of thousands of local people. We should imagine how much better off Britain would be if every local paper and the voluntary sector worked together to do that sort of important work in every community. It is a great example of how, over the past 15 years, we have brought together schools, colleges, local universities, local authorities, employers, training providers, the region’s media and the community as a whole to make educational skills our No.1 priority so that we can attract new investment, new industries and well-paid jobs to replace the ones that we have lost in the Black Country, help local businesses to grow, give youngsters a first-class start and help adults to get new jobs, too.

5 pm

Gordon Marsden (Blackpool South) (Lab): It is a great pleasure to serve under your chairmanship, Mrs Moon, and to have heard two very upbeat speeches, which come out of what has obviously been a very traumatic situation in Stourbridge.

I welcome the Minister to her place—I say “her place”, but we are still in some confusion about what the final settlement in the Department will be. We know that the Secretary of State has taken overall responsibility, but that does not really address adequately the need for a full-time day-to-day representative. The Minister has gallantly stepped into the breach as the hon. Member for Saffron Walden (Mrs Badenoch) is on maternity leave, but we remain concerned about how further education will be covered permanently in the Department in future, especially day to day.

I give great credit to the hon. Member for Stourbridge (Margot James) for summating and taking us through the problems that there have been, but also for looking to the future. She is absolutely right to talk about the critical issue of adult learners. When policy makers and Ministers of whatever hue looked at further education colleges in the past, they sometimes saw them in silos: 14 to 18, 18 to 24, and post-25. Governments often forget, as I am afraid this Government have done on several occasions, that introducing policies that affect one sector—I am thinking particularly of the advanced learner loans’ failure to be taken up in any significant or meaningful quantity; about half of them go back to the Treasury unused every year—can affect the overall competence and ability of colleges to deliver. One of the strengths of the FE sector is the ability to put on courses that cut across the generations, and across other things too. That is a real issue.

The hon. Lady rightly said that adult learners are down 40% since 2010 and that skills gaps and digital gaps remain, despite her work as a Minister and that of others. Those things will be critical in the 2020s. She is also right to mention underspending local enterprise partnerships; when I was shadow Minister for regional growth, it was extraordinary to see the uneven way in which LEPs engaged with their local communities. It sounds as though the hon. Lady’s area has a plethora of overlapping organisations; one can only hope that the funding she would like to see will come out of that.
I also pay tribute to the hon. Member for Dudley North (Ian Austin), who was equally upbeat; given the statistics he cited, he was right to be. I am pleased to hear his appreciation of figures, although sadly they are not reflected in many places across the country. He is absolutely right to praise Dudley College of Technology and to say how critical it is to engage with SMEs. The Government need to address the issues in the west midlands and the Black Country; as the hon. Gentleman rightly says, the region has an enviable tradition of producing highly skilled people, but nevertheless people are being left behind without traineeships and so on. Those things are an important part of what we need to do.

The hon. Member for Stourbridge took us through a little of Stourbridge College’s history, and I have been able to read about it in the excellent columns of the Express & Star, which the hon. Member for Dudley North mentioned, and in FE Week. I do not want to go through that blow by blow, but it is encouraging that the other local colleges have come to the fore, wanting to take students on board. Having looked at the history of what happened, I think the hon. Member for Stourbridge was right to be critical of the position in relation to the BMet takeover. It is important to pay tribute to all the people who lifted their heads above the parapet and kept the issue alive, including councillors of different persuasions, with whom I know the hon. Lady has engaged. There was a major protest against the closure of the college, at the end of June, which attracted hundreds of people to the streets, and that shows what pride there is in the historical position and what concern there is about what will happen in the future.

The hon. Lady is right, and in different circumstances I too have campaigned when councils and others have thought that a closed site should just be developed for housing. It is clear from what she says that that is not a good use for the site, and it is my understanding that interest has been shown by potential training providers. That should not be dismissed because, of course, seven out of 10 of the apprenticeships that are still delivered in this country come from training providers. They are a critical part of the local economy. All those things are of particular importance.

The hon. Lady has asked the National Audit Office to look closely at the situation at BMet. That has resonance not only in relation to BMet, but in relation to how we look at the stability of further education and whether we have got things right in terms of the early warning. It would be useful if the Minister shed further light on one of the things that have become a problem in this area—which, indeed, the right hon. Member for South Holland and The Deepings (Sir John Hayes), whom I shadowed as Skills Minister for several years, has always pointed out: the importance for FE students of adequate travel and financial capability.

I have two or three questions for the Minister, although it is with some diffidence that I put them to her, as she is new in her post, and was not in it when the legislation was introduced. I want to ask her about the implications of what has happened at Stourbridge in the context of the Technical and Further Education Act 2017, which I took through Parliament with the then Skills Minister, the right hon. Member for Harlow (Robert Halfon), in 2016-17. It established the principle of having an education adviser in circumstances where colleges were closed or sold off. We know what the trigger was in the present case—the report of the Further Education Commissioner. I should like to know whether the case is technically an insolvency or a sell-off. Those are critical issues with respect to the Act.

Does the Minister know how many of the students were SEND students? I know that special educational needs and disabilities are among her day-to-day occupations in her role. Do we know how many of those affected were doing apprenticeships? Are there any other vulnerable groups, in any number? The hon. Member for Stourbridge gave an admirable list of the various different types of people who have been affected by the transfer process and who have not yet been accommodated as they should have been. In Committee in December 2016, we moved amendments to the Bill to the effect that in the event of potential closures there should be full consultation with bodies representing FE staff and students. The Minister at the time said that such occasions, when colleges became insolvent or were disposed of, would be relatively rare, but sadly that has not been the case.

I will quote what the University and College Union has said in its briefing note for this debate about what has happened in Dudley. It made some of the points that the hon. Lady has made about BMet, but it also said that it had been “extremely concerned at the lack of meaningful consultation with staff, students and the local community about the decision to close Stourbridge College.”

It goes on to say it was “essentially presented as a fait accompli... with no real chance to look at alternative options”.

Significantly, UCU has also carried out a survey about the issues around travel to Dudley or Halesowen. Some students—quite a number—said that that travel could make their studies more problematic; some said it would require them to take two buses; and several staff members raised concerns about the suitability of facilities at Dudley and Halesowen to deliver the required scale of provision following the transfer of Stourbridge students. I have no detailed knowledge of what is happening on the ground in these areas, but those issues should be looked at.

More broadly, UCU is—I think this is a fair point—critical of the experience of Stourbridge, seeing it as “symptomatic of a more widespread failure by the FE Commissioner to engage effectively with staff and students” who have been affected by his recommendations.

In my view, UCU is absolutely right to say that, because it shows up some of the inadequacies in the 2017 Act. Of course, the FE commissioner can only work to the remit that the Government and the Education and Skills Funding Agency give him, but this illustrates how flawed and disconnected that system for colleges can become. It has become far too casual about how it engages with people in the colleges, and apprenticeships have not been engaged with in any meaningful way.

Failures such as Stourbridge are not isolated. In May 2018, The Times Educational Supplement said that there were inadequacies and that one college in eight was in poor financial health. In recent weeks, the columns of FE Week have been littered with accounts of problems at other colleges. At Brooklands College, ESFA ignored a whistleblower nearly two years earlier; it is planned that a flagship national college will dissolve, despite Department for Education bailouts; and indeed, Lord Agnew himself has been brought in as an enforcer.
I am afraid that those things are not signals of a healthy eco-sphere in this area, and the Government fail—they have failed, despite yesterday’s announcements by the Secretary of State about new technology colleges—to understand that axing grants and offering loans has been a disaster. There is no strategy from the Government for the staffing crisis, with retirement depletions. Again, I am talking nationally, but since 2010 24,000 teachers have left FE. In real terms, pay has fallen by 25%.

These issues are really serious and there is not much point in promising more shiny buildings if there is no money on the ground to effect the sort of major transformations in the 2020s that the hon. Members for Dudley North and for Stourbridge talked about regarding training. Continuing professional development, decent salaries and decent conditions are things that we in our party have considered—across the silos—in our new lifelong learning commission, in the promises that we made in our 2017 manifesto about properly funding and nurturing the FE sector, and in our commitment to a green new deal.

Stourbridge College was not failing, but it was still put into this situation. It had those buildings, which the hon. Lady is so keen to preserve in another capacity, but that did not save it from being shut down. And before the Government get too cock-a-hoop about the promises of new shiny buildings, I urge them to look at some of the issues regarding the staff, the teachers and the students of the 2020s.

Mrs Madeleine Moon (in the Chair): In welcoming the Minister to her new post, I remind her to try to leave one or two minutes for the hon. Member for Stourbridge (Margot James) to wind up.

5.14 pm

The Parliamentary Under-Secretary of State for Education (Michelle Donelan): It is a pleasure to serve under your chairmanship, Mrs Moon, and I welcome the comments from other hon. Members who have welcomed me to my post.

I congratulate the hon. Member for Stourbridge (Margot James) on securing this debate. I know that she worked closely with my predecessors on this issue. I am delighted to have the opportunity to discuss it further today, especially given that we share a passion for further education and recognise the importance of adult education.

The closure of the Stourbridge campus is regrettable. I do not want to underestimate the impact that it has had across the community and the ripples that we have seen. As the hon. Member for Stourbridge noted, the site has been used for more than 150 years and is seen as part of the fabric of the community. We have heard a great deal about the closure of the campus, which is within Birmingham Metropolitan College’s provision. I assure her that we take the closure seriously, but it is important to keep in mind the fact that colleges are incorporated bodies and thus independent. Of course, the Government have a duty to protect the interests of the students and will do everything in their power to do so, but decisions about how an individual college is structured and how it operates remain the responsibility of the college’s corporation.

We have, however, been working closely with Birmingham Metropolitan College to ensure its sustainability and protect the interests of learners, who must always come first. Despite our efforts and assistance, the college had been in financial difficulty for some time and subject to intervention by the Further Education Commissioner since August 2015. It received a Government loan and emergency funding, but problems persisted.

Between December 2018 and April 2019, we conducted a structure and prospects appraisal of the college to assess the options. A range of options was considered but removing provision at Stourbridge was the best option to support the college’s financial sustainability and, crucially, to ensure that good-quality provision was available for current and future students. Students getting the best learning experience is the most important thing.

Affected students have been a topic in today’s debate. I reassure hon. Members that they have been relocated to Dudley College of Technology and Halesowen College, where they will benefit from high-quality learning experiences delivered by providers with better Ofsted ratings and will therefore have better chances of better outcomes. As I said, I do not underestimate the problems that the closure has caused the community, but I stress that, in the long term, it should leave the college in a stronger financial position and, crucially, enable learners to receive the high-quality technical education that they deserve.

There have been calls, in particular from the hon. Member for Stourbridge, for an inquiry into the financial problems of BMet College. The Further Education Commissioner is planning to undertake a capacity and capability review to assess its progress under the new leadership team. Furthermore, Dame Mary Ney will carry out an independent review of how the Government monitor college finances and financial management. The review will also look at their effectiveness in practice, including the work of the Education and Skills Funding Agency and the Further Education Commissioner’s team. It will recommend changes that will reduce the risk of such problems recurring.

I want to put it on record that I have listened to the proposal mentioned by the hon. Member for Stourbridge for the site to continue as an educational facility with some adult education. Although I do not have jurisdiction over that option, I encourage all local stakeholders to review and explore it. It is a matter for BMet, however, and its governors will need to demonstrate that they secure the best value from the sale of the asset to satisfy their legal responsibilities as trustees.

The hon. Member for Blackpool South (Gordon Marsden) noted the issue of travel for students. I reassure him that no student will be travelling more than 10 km. In addition, in Dudley, there is a free west midlands travel pass, and Halesowen provides a coach that goes through Stourbridge. We are making our best efforts to ensure that those problems are minimised.

On the hon. Gentleman’s question about the number of students with special education needs and disabilities, I do not have those figures to hand, but I will certainly write to him. I will also write to him about those doing apprenticeship schemes. Throughout the process, all stakeholders have worked together to minimise the disruption to current students as a priority.
As Members will know, the West Midlands Combined Authority is now responsible for certain adult education functions and is funded by the adult education budget. It received a first share of devolved AEB funding, worth a total of £125.6 million for the academic year 2019 to 2020. It has provided funding for Stourbridge and Dudley residents, transferring funding to Dudley College and Halesowen College. I hope that that alleviates some of the concerns referenced by the hon. Member for Stourbridge.

I am grateful to the hon. Lady, who has been working tirelessly with the authority and the borough council to provide assurances on the continuity of provision. As I mentioned, students have been relocated to other providers, and I want to touch on what the hon. Member for Dudley North (Ian Austin) said about the excellent Dudley College. It is one of the largest apprenticeship providers in the west midlands, with a total income of over £10 million between 2018 and 2019. Some 90% of the adult learners from Stourbridge go to Dudley College. It has a broad curriculum offer and hundreds of full-time and part-time courses. It specialises in engineering, manufacturing and modern construction technologies—perfect for local industry. It is also at the forefront of our plans for T-levels, being a pilot provider.

Dudley really is an area of focus and investment. As noted by the hon. Members for Dudley North and for Stourbridge, it will be home to the Black Country and Marches institute of technology, one of the first 12 IOTs announced by the Government earlier this year. Those will deliver high-quality, high-level education across the country, backed by £170 million of Government funding. That has been led by Dudley College, working in conjunction with the University of Wolverhampton and key employers, which is testament to the joined-up thinking across the borough. Dudley College is clearly leading the way in delivering and equipping people with the technical skills that employers need now and will need in the future.

I must also highlight the fact that Halesowen College has a strong reputation for standards and is ranked in the top 10% of colleges for examination performance. It offers a wide range of provision for young people and adults, and it has been selected to deliver the new T-levels, but from 2021. Two thirds of students aged 16 to 19 from Stourbridge have gone to Halesowen. It offers a broad choice, as well as quality, which must always be the focus.

It would be apt for me to touch on the wider importance of adult education. The Government are committed to ensuring that everyone has the opportunity to access the education and training they need, whatever their circumstances, background and age. Investment in skills is a priority, and we want to ensure there is high-quality provision that will lead to high-quality outcomes and better employment opportunities for all.

As noted by the hon. Member for Dudley North, we have an ageing population. People are working longer. There are also advances in technology and artificial intelligence—something touched on by the hon. Member for Stourbridge. That all means that the need for high-quality adult education that can upskill and reskill our population is increasing every more. We therefore need to ensure not only that our young people leave school equipped with the skills that employers and industry need, but that adults can improve their skills and learn new skills. Our adult skills system needs to improve productivity, employment and social inclusion. It supports people who are starting out on their career, but also those who are continuing on that journey.

That is all paid for by the adult education budget that I have referenced, and is in addition to high-quality apprenticeship schemes. It is easy to associate apprenticeship schemes with those who are young, but 41.4% of starts between 2017 and 2018 were for those aged 25 and over. For many, an apprenticeship opens up a new world of work and learning, and it builds their confidence and helps them to progress.

I will briefly touch on the launch of the national retraining scheme, which will help prepare adults for changes to the economy, including those brought about by automation, and help them to retrain for better jobs. It will focus on adults aged 24 and over, without a degree qualification, who are earning low to medium wages, as they have less access to existing support and so will be most in need of the ability to retrain. We are initially investing £100 million, and the first part of the service, “Get help to retrain”, has been launched in three areas, including the west midlands. The region really is helping to shape the scheme. Dudley College of Technology—yet again—was involved in the recently completed pilot of the flexible learning fund.

As was noted by the hon. Member for Dudley North, who is a big advocate of the fact, Dudley is one of the first 100 towns to secure funding under the towns fund—it is important to flag that up—and we expect there to be a strong skills component to that. I hope that all local stakeholders will make sure that these issues are a key theme in discussions on how to spend the money that is granted.

I thank everyone who has contributed to the debate. The closure of the Stourbridge campus will continue to cast a shadow over the area, but as I have stressed, there is so much to be positive about in our local area—a point echoed by the hon. Members for Dudley North and for Stourbridge. I would be delighted to accept the invitation to Dudley; I will arrange that as soon as possible. To recap, the area will boast one of the first T-levels, and one of the first IOTs. It has an excellent, wide-ranging provision in highly performing colleges that deliver high-quality outcomes for students. There is also the towns fund and the work of the West Midlands Combined Authority. These, taken together with our policies on skills and technical education, paint an extremely positive picture and will ensure that people of all ages in Dudley can get the education, training and skills that they deserve.

5.26 pm

Margot James: I must thank my hon. Friend the Member for Dudley North (Ian Austin) for his extremely kind remarks about my work. They are fully reciprocated; I have seen at first hand what an incredible champion he is for his constituents and the wider borough of Dudley. I echo his praise for Dudley College. I, too, have seen its progress over the past 10 years; it has been truly transformational. I join in his tribute to the former principal, Lowell Williams. The Minister made the good point that Halesowen College is in the top 10% of colleges for results; it is a great asset to the wider borough.
My hon. Friend the Member for Dudley North gave the very important context, which is that we need local improvement in skills to attract new industries, which will bring better-paid employment. That is central to the industrial strategy, in which I am a great believer; it is crucial for our borough.

The hon. Member for Blackpool South (Gordon Marsden) showed great understanding of our local situation—I must thank him for that—and deep experience of further and adult education. He mentioned the survey done by locally by Stourbridge College staff and students, which revealed the issues to do with travel locally. The Minister says that there is a safeguard: no student should have to travel more than 10 km. However, that is a huge distance in our borough. As I mentioned, we should not underestimate the difficulty of travel, particularly for adult learners, but also for younger students who have particular needs.

The hon. Gentleman mentioned my dialogue with the National Audit Office. I was pleased to hear the Minister talk about the various inquiries that the Department has set up. I welcome Dame Mary Ney’s inquiry; I look forward to seeing the fruits of that. I thank the Minister for her support. She encouraged local stakeholders in Dudley borough to look for and find a solution to ensuring very local provision, particularly of adult learning. I welcome those remarks and thank her for setting out the funding opportunities at the combined authority level. I am meeting Mayor Andy Street to discuss those opportunities next week.

Question put and agreed to.

Resolved,

That this House has considered adult learning and vocational skills training in the metropolitan borough of Dudley.

5.30 pm

Sitting adjourned.
Westminster Hall

Wednesday 2 October 2019

[SIR DAVID CRAUSBY in the Chair]

Community Pharmacies

9.30 am

Holly Lynch (Halifax) (Lab): I beg to move,

That this House has considered the role of community pharmacies.

May I say what a pleasure it is, Sir David, to serve under your chairmanship this morning, and to have you join us for this important debate?

Between the ages of 14 and 18 I worked in a local chemist shop two evenings a week and some Saturday mornings. There were the usual first job responsibilities: restocking shelves, cleaning, and meeting and greeting customers and patients who were not always well, for a variety of reasons. I loved it, because there is never a dull moment in a pharmacy. I remember a frantic mother handing me dead headlice taped to a piece of cardboard, and someone asking me to run a pregnancy test on a bottle of cough medicine, before discreetly letting me know that it was actually a urine sample rather than cough medicine and that that was the only secure way she could find of transporting it to the chemist shop.

The shop was exactly what it said on the tin. It was a community pharmacy, and the whole community would walk through those doors for advice, medication and reassurance. I remember the older people, whose relationship with the pharmacist was the longest-standing and most trusted relationship they had with a clinical professional. I remember a long-term recovering addict, who would bring his daughter with him every day. We watched her grow up, and supported him as he worked hard to stay the course on his journey to recovery.

That is why community pharmacies matter, and it is why they work. However, it appears from the community pharmacy contractual framework announced in October 2016 that that was not appreciated. There was a reduction from £2.8 billion in 2015-16 to £2.68 billion in 2016-17 and £2.59 billion in 2017-18. That represented a 4% reduction in funding in 2016-17 and a further 3.4% reduction in 2017-18. When inflation is factored in, as well as all the services that pharmacies already offer free and whose costs they absorb, that was a near fatal blow to the service nationwide. The then Minister, the right hon. Member for North East Bedfordshire (Alistair Burt), told the all-party parliamentary group on pharmacy that he expected between 1,000 and 3,000 pharmacies to close, as they would no longer be viable in the face of the cuts, with multiples and chains of pharmacies best placed to survive, and independent and more rural chemists left at a disadvantage.

In March this year the Pharmaceutical Services Negotiating Committee found that 233 community pharmacies have closed in England since the Government funding cuts were introduced. Sixty-nine were independent pharmacies and a further 22 were independent multiples. The number of closures anticipated by the right hon. Member for North East Bedfordshire has not yet been reached. However, I have spoken to people in pharmacies, and others contacted me ahead of the debate, and many are operating at a loss, clinging to the hope that the funding arrangements will improve, but with a business model that, as the right hon. Gentleman predicted, is not viable.

The impact that the funding cuts have had on patients is really difficult to justify. The cost of delivering prescriptions to those who find it hard to leave the house was previously absorbed by local chemists, but that is no longer possible. Boots was the last of the big four chain pharmacies to start charging for delivery over the summer, with all patients having to pay £5 for delivery, or £55 for a 12-month delivery subscription, by the end of the year. All have some exemptions for particularly vulnerable customers, but Boots, LloydsPharmacy, Rowlands Pharmacy and Well have all reduced free deliveries, or started charging for delivery.

There is no funding for arranging drugs in trays. When I worked in a pharmacy, it was a big undertaking to arrange medicines in trays by time and day, predominantly for older people who needed that degree of support if they were to live well for longer by taking their medication at the right time and in the right doses. Pharmacies were delivering a degree of invaluable social care, and that is no longer possible in the present financial climate. We can all see what the consequences will be. Ultimately the result will be more costly clinical interventions.

In addition to the financial pressures that pharmacies face, drugs shortages are now becoming debilitatingly resource-intensive across the NHS. Pharmacies have no ability to absorb the costly hours spent sourcing drugs or speaking to GPs about possible alternatives. A Bristol GP, Zara Aziz, recently wrote in The Guardian of her experience of medicines shortages. She explained that EpiPen users in Bristol are now being told to use their old EpiPens up to four months after the expiry date. She also tells the story of a patient in acute distress from arthritis pain when a commonly used anti-inflammatory, Naprofen, suddenly became unavailable. Eventually, a very small quantity was found, but the patient was forced to use it sparingly, not as she had been prescribed, as none of the alternative anti-inflammatories would have been suitable for her.

My hon. Friend the Member for Redcar (Anna Turley) shared with me a photo of a poster from Pharmacy Magazine, which has gone up in her local hospital. It says, “Please don’t blame us for the NHS medicine shortages. It is a nationwide problem. Please ask your local MP to help.” The poster included contact details of local MPs handwritten on the bottom. We very much hear those concerns, and we are here to ask the Minister to get a grip on this problem.

Shortages are caused by a combination of different issues. The implications of Brexit are inevitably a factor that will play out over the coming weeks and months. However, we know that the NHS and the UK are potentially losing out to more profitable and attractive markets. In addition, the stockpiling, as a precaution, of certain drugs that are harder to source, coupled with the deliberate and more alarming manipulation of the markets by some wholesalers to deliberately push up prices, is having a detrimental effect. New regulations are also having an impact on manufacturing processes.
On top of that, cash flow is a massive challenge in community pharmacies. Community pharmacies pay out for drugs and are reimbursed by the Government the following month. The situation is made even tougher still, however, because they are not always reimbursed what they have paid out for drugs, particularly for drugs that are in short supply. By law, pharmacies have to do everything in their power to source a drug and dispense it, even where prices have become inflated due to a shortage. Let us take Naproxen as an example. One of my local pharmacies tells me that earlier this year the cost of a box shot up from about 26p to about £15. The tariff price paid by the Government to reimburse pharmacies for Naproxen peaked around February, at £12.50 a box. The medicines shortage is having the perverse effect of forcing pharmacies to dispense at a loss. In previous budgets, there might have been just enough for the pharmacy to absorb this cost. Those days are long gone. The system is clearly no longer fit for purpose.

Earlier this year, the Government introduced the serious shortage protocol in the Human Medicines (Amendment) Regulations 2019. It was intended to be a safety mechanism to help cope with any serious national shortage. It gives pharmacists the ability to dispense a reduced quantity, alternative dosage form or generic equivalent to that stated on the prescription. There would be a small payment to pharmacies for undertaking that process. Despite pharmacists and GPs feeling that they are spending unprecedented amounts of time sourcing medicines or researching alternatives, not a single drug has appeared on the list, which means that pharmacies and GPs do not get paid any extra to compensate them for the time they now have to dedicate to that element of dispensing.

Although there are no drugs on the serious shortage protocol, there is a separate concessions list, which acknowledges that, due to a shortage of a drug, the price has changed. At the end of September, there were 45 drugs on that concessions list. Again, inclusion on that list does not acknowledge the time involved in having to source the drugs, which is becoming the largest part of the pharmacist’s day. Nor is there any attempt to fund that work.

There was some hope for community pharmacies more broadly in the community pharmacy contractual framework published in July, which takes effect from October 2019 through to 2023-24. The five-year deal shows that 233 community pharmacies in England have had to close since those cuts were introduced. Evidence from local pharmaceutical negotiating committees across England supports the picture of community pharmacies struggling financially. Independents are being hit the hardest and have been forced to cut hours or staff as a result.

A consequence of that was highlighted to me last week by my constituent Karen, who told me that her local independent community pharmacy was to start charging £5 for the home delivery of medicines. As my hon. Friend said, the same measure has already been adopted by the four multiples: LloydsPharmacy, Rowlands, Well and—the latest to join—Boots, which recently announced that it would charge a one-off fee of £5 or a 12-month subscription fee of £55 for delivery of prescriptions ordered in branch.

Mr Gregory Campbell (East Londonderry) (DUP): I congratulate the hon. Lady on securing the debate. Given the pressures all our A&Es and acute hospitals face, does she agree that the community pharmacies in many areas across the UK do a magnificent job—particularly those specialised pharmacists who relieve the pressure on A&Es? If community pharmacies are put at risk and we lose them, there will be even more pressure on our A&Es and acute hospitals at a most awkward time for our society.

Holly Lynch: I could not agree more. I thank the hon. Gentleman for making that important point. It was very welcome that in the community pharmacy contractual framework—for the first time, I think—the Government really did understand that. However, the funding to allow pharmacies to survive long enough to deliver those services has not been forthcoming. For all its aspirations to deliver more clinical services, a pharmacy that has been forced to close can deliver diddly-squat. Does the Minister accept that community pharmacies’ potential will be realised only when they are funded to survive?

Like many colleagues, I am incredibly concerned about the impact of medicine shortages, both on the NHS and on patients themselves. It is contributing to the mix of factors that are piling unbearable financial pressure on our local chemist shops. I hope the Government have a plan to respond and keep our trusted, effective community pharmacies open.

Several hon. Members rose—

Sir David Crausby (in the Chair): Order. I will call the three Front Benchers at 10.30 am. Several Back Benchers wish to speak. I will not put a time limit on speeches, but if hon. Members keep them to about seven minutes or less, everybody will get an opportunity to speak.

9.41 am

Liz McInnes (Heywood and Middleton) (Lab): It is a pleasure to serve under your chairmanship, Sir David. I thank my hon. Friend the Member for Halifax (Holly Lynch) for securing this important and pertinent debate and for giving me an opportunity to raise an issue of great concern to residents of Heywood and Middleton.

We know that community pharmacies have struggled with the funding cuts that the Government have introduced since October 2016. As my hon. Friend pointed out, figures compiled in March by the Pharmaceutical Services Negotiating Committee show that 233 community pharmacies in England have had to close since those cuts were introduced. Evidence from local pharmaceutical committees across England supports the picture of community pharmacies struggling financially. Independents are being hit the hardest and have been forced to cut hours or staff as a result.

A consequence of that was highlighted to me last week by my constituent Karen, who told me that her local independent community pharmacy was to start charging £5 for the home delivery of medicines. As my hon. Friend said, the same measure has already been adopted by the four multiples: LloydsPharmacy, Rowlands, Well and—the latest to join—Boots, which recently announced that it would charge a one-off fee of £5 or a 12-month subscription fee of £55 for delivery of prescriptions ordered in branch.
The actions of those multiples seem to be having a knock-on effect on our local independent community pharmacies as they struggle to cope with year-on-year funding cuts. With the cost of a prescription now at £9, the additional charge bumps up the total cost to a hefty £14 for those who pay for their prescriptions and makes an absolute mockery of free prescriptions for those who qualify. If someone is on free prescriptions but cannot get to their local pharmacy because of illness or disability, the delivery charge means that their prescription is no longer free.

As a result of these decisions, some of the most vulnerable people in our communities will suffer, including many who rely on the delivery service to access much-needed and essential medication. Sadly, many people in our communities suffer from chronic loneliness and simply do not have the social contacts to ask someone to collect their medicine for them. I would be interested to hear the views of the hon. Member for Eastleigh (Mims Davies), the Minister for loneliness, on this draconian measure; I will write to her after this debate, when I hope I will have received some response from the Minister who is present.

I urge the Minister to look carefully and seriously at this really important issue, which appears to be a growing problem. The Association of Independent Multiple Pharmacies says that continuing challenges to pharmacy funding are not helping the situation, with the five-year funding cap not covering “inflation, volume increases and national minimum wage increases.”

The five-year period will be increasingly painful for many pharmacy businesses already under heavy financial pressure. It is only to be expected that many pharmacies will reassess all their existing costs, including the costs of services that they currently deliver for free. The financial model is simply unsustainable for the next five years. I ask the Minister to think about the impact that the changes will have on vulnerable, lonely and housebound people, and to consider approaching the Chancellor to request funding for this vital service and bring an end to this tax on the sick.

Sir Kevin Barron (Rother Valley) (Lab): It is a pleasure to serve under your chairmanship, Sir David. I thank my hon. Friend the Member for Halifax (Holly Lynch) for securing the debate. I have a non-financial interest to declare: I chair the all-party group on pharmacy.

Community pharmacies play a major role in supporting the prevention agenda, which is a key development in the NHS long-term plan. As an integral part of the NHS, they are also a valued community facility with a positive track record of improving access to healthcare services. Compared with GP surgeries, there are more than 11,600 community pharmacies across England, and 89% of the population are estimated to have access to one within a 20-minute walk. That percentage rises to 99% in the most deprived areas of our country. We should recognise that community pharmacies are crucial.

There is still much more that could be done to unlock the huge potential of pharmacies and to further integrate them with emerging local healthcare networks. For example, service commissioning is patchy across the country, meaning that not all patients can access the same services from their local community pharmacies. More than 95% of community pharmacies now have a private consultation room from which they can offer advice to patients and a range of nationally commissioned services, such as the flu vaccination service. In 2018-19, the government invested £24 million to expand the services offered in community pharmacies. Two years ago, when the service was first introduced, other parts of the medical profession did not like the idea of pharmacies moving into that area, but the figures show that it was a good idea.

The new medicine service allows pharmacies to provide support for people with long-term conditions who have been newly prescribed a medicine to help improve medicine adherence. My hon. Friend mentioned it in relation to the elderly. I am sure we all know that more than 70% of NHS expenditure in the UK is on people with long-term conditions in the acute or primary sector. It is important to recognise that. Many pharmacies are commissioned to offer public health services by local authorities and the NHS.

On the new national services in 2019-20, my hon. Friend mentioned the community pharmacist consultation service, which is something we should look forward to, with the community pharmacists as the first port of call for minor illness or for the urgent supply of medicines. Pharmacies will offer patients a consultation to help manage their minor illnesses or provide an emergency supply of medicine. The service will take referrals from NHS 111, but in years to come such referrals could come from other settings such as GP practices and the NHS online. That is a progressive move so that we can deliver services far better than we can at the moment. We will see how it goes.

The other national service is hepatitis C testing. Pharmacies will offer testing for people using pharmacy needle and syringe programmes to support the national hepatitis C elimination programme. There will, however, be an extension of the reach of the six mandated public health campaigns that community pharmacies have to take part in, and many community pharmacies will also choose to take part in the pharmacy quality scheme. This year, that might involve preparing for engagement with primary care networks, which is crucial. When I first talked to my local primary care network about where the pharmacy fits in with this, they were not at all sure. We also have: carrying out audits on prescribing safety for lithium, on pregnancy prevention for women taking valproate, and on the use of non-steroidal anti-inflammatory drugs; checking with patients with diabetes whether they have had annual foot and eye checks; reducing the volume of sugar-sweetened beverages; complete training and assessment on look-alike, sound-alike errors, which is crucial for us all; updating risk reviews; completing sepsis online training and assessment, along with risk mitigation; and completing the dementia-friendly environment standards.

From April 2020, all pharmacies will be required to be able to process electronic prescriptions and to have attained healthy living pharmacy level 1 status. Accreditation will mean the pharmacies are local hubs for promoting health, wellbeing and self-care, and providing services to prevent ill health. That is the real move we should be seeing in community pharmacy now, to promote population health and reduce health inequalities. Pharmacies have a major role to play in that.

With regard to other future pharmacy service developments, as part of the five-year deal community pharmacies may also be able to support the appropriate
use of medicines through the expansion of the new medicine service to other conditions. In addition, the NHS will use the national pharmacy integration fund to pilot services for potential roll-out. These include a model for detecting undiagnosed cardiovascular diseases and smoking cessation referrals from secondary care. That is crucial—this is a matter for another day—when we see the reduction in smoking cessation services here in the UK, yet still more than 85,000 of our fellow citizens are dying prematurely each year from smoking-related disease.

Further services include: the use of point-of-care testing around minor illnesses to support efforts to tackle antimicrobial resistance; routine monitoring of patients, such as those taking oral contraception, under an electronic repeat dispensing arrangement; activity to support primary care network priorities, such as early cancer diagnosis and tackling health inequalities; and a service to improve access to palliative care. These are the ideas that the community pharmacy has got and where it is going to move in the next five years. That is crucial.

Once again, I thank my hon. Friend the Member for Halifax for securing the debate and providing this opportunity. The issue of expenditure has been mentioned, although I will not go into the history of it now. The Minister will be acutely aware that when we had the pharmacy integration fund, it was set aside after the cut. In fact, it was not used very well and lots of money was left in there. We are now moving into areas where that money should have been used. It is crucial that we get the money now on the table into frontline pharmacy services.

9.53 am

Jim Shannon (Strangford) (DUP): Thank you, Sir David; it is a pleasure to speak in this debate. I congratulate the hon. Member for Halifax (Holly Lynch) on securing the debate and thank her for doing so. Community pharmacies are an important issue in my constituency, as they are in hers, and indeed in the constituencies of everyone who is here to contribute. Elected representatives who keep their ear close to the ground will know that community pharmacies have a critical role to play, why is why I wish to touch on them here.

It is a pleasure to see the Minister in her new post. This is only her second debate in Westminster Hall, and the first in which she is going to have to answer some hard questions, but I have no doubt that she is up to it.

I have spoken numerous times about the importance of community pharmacy funding, especially in rural areas, because it is absolutely essential. For people who are rurally isolated or ill, knowing that their local pharmacy will collect their prescription and have it ready to collect—or even deliver it, as they often do in my constituency—is very important. That point cannot be emphasised enough. It makes all the difference to an ill person and it is critical that we have that system in place.

I agree with the NHS protocol that does not allow GPs to prescribe annually, but I also know the strain that it puts people under to undertake to have a new prescription allocated, collected, left at the pharmacy and then further collected. It is time-consuming and means a lot of effort for those who are ill and rely on public transport. Community pharmacies take much of the legwork and stress out of this.

We all know the problems of getting community transport in rural areas, whether buses, taxis or even getting friends to help with collecting prescriptions. They are as important to our ill and vulnerable people as many other NHS service, and the funding cuts have put too much pressure on that service already.

I assume that all the elected representatives here today have received letters similar to those that I have received outlining the difficulties facing community pharmacies in Northern Ireland. I will highlight those that frighten me the most—I use the word “frighten” because that is exactly what they did. They hail from a rural constituency with stretched service provision. One such letter states:

“The results illustrate the cumulative impact of the funding and the workforce crisis as stark.”—

these are strong words—

“Aside from pharmacy staff leaving by choice, a significant proportion of pharmacy owners, 39%, have been forced to reduce their workforce as they can no longer afford to cover the salary costs. To try to compensate for staff losses, 95% of pharmacy owners have increased their own working hours”.

In other words, they are now working longer hours just to ensure that their pharmacies cope. Some report regularly working 80 to 100 hours a week, which I suggest is above and beyond the call of duty. In addition, the letter states that

“93% of contractors report being forced to reduce the level of additional services they can offer, with 41% reducing or applying to reduce their pharmacy opening hours.”

Those figures illustrate the issues: 30% of staff are leaving by choice; 41% of pharmacies are reducing their staff; and those in charge of the pharmacies are working almost 100 hours a week. Against this demonstrable crisis in workforce, the core workload continues to increase. Dispensing activity over the past nine years has risen by almost 40%—again, pharmacies are doing more work with fewer staff, which compounds the issue—to a level of around 55 million dispensing episodes in 2018-19 alone. That is a colossal number of prescriptions handled and dispensing episodes.

Over the same period dispensing fees have been reduced by around 30%, which is an example of marked underinvestment in an essential service, where safety and accuracy are critical to the public and the health service. I am not saying for one minute that things are going wrong, but we want to ensure that the general public’s safety is always at the forefront. For that to happen, pharmacies need to be assisted financially, and they must have the opportunity to get the staff they need.

The community pharmacy workforce survey contains a number of recommendations for turning things around in the sector. I have no doubt that the Minister’s response will help make these things happen before it is too late. I ask her to be cognisant of the recommendations, because if they are applicable to Northern Ireland, then they are applicable to the UK mainland. The thrust of the recommendations is that there must be better communication. How often do we say that there should be better communication? There must be better communication between Government Departments, elected
representatives and their constituents on new legislation coming through. It is critical that we have better communication between the Department and pharmacies, because they need to know what is happening. The Government and the Department need to be responsible to them too.

We have TV campaigns outlining when it is appropriate to seek a pharmacist’s attention, rather than to see a GP. That is all good stuff. People can now visit their pharmacist to ask about minor ailments, taking some of the pressure off A&E departments. That is part of what they are trying to achieve over the next period of time. Yet the information about what can be treated and how to get that help is not communicated. Better communications are a way of doing things just that wee bit better.

Over the years I have suggested to Government Departments, including the Department of Health in Northern Ireland—health is a devolved matter—and to Health Ministers here that we could perhaps do things a lot better. For example, we could let pharmacies take on responsibility for some minor things, such as checking for glaucoma or diabetes. It would be helpful if those things could be checked for in pharmacies.

In conclusion, with this body of trained professionals we have the potential to ease the burden on GPs and enable better surgery efficiency, yet that has not been tapped into. We have the potential to make people’s lives a lot simpler with an appropriately funded community pharmacy. By not doing that, we are losing highly trained professionals and adding more strain to an already overburdened GP system. If we do not help the pharmacies, we do not help the GPs or the A&E departments. This needs an overhaul, and who better to feed into that than those operating the service at present? I look forward to hearing the Minister’s response and, hopefully, some positive replies.

9.59 am

Rachel Maskell (York Central) (Lab/Co-op): It is a pleasure to see you in the Chair, Sir David. I thank my hon. Friend the Member for Halifax (Holly Lynch) for securing today’s debate.

A couple of weeks ago, I went to visit a local community pharmacy in my constituency, and the superintendent pharmacist sat me down to tell me his tale of woe, which has been echoed across the Chamber this morning. He runs seven pharmacies across the city, serving 20% of the population, but he has seriously struggled over the past three years and is wondering whether he will be there next year. He has ploughed in tens of thousands of his own money just to keep the business afloat. That certainly highlights how many single-handed pharmacies have closed in the city.

Part of this is about the Government funding cuts, not least to the establishment payment, which covered things such as rent, regulatory registration and insurance. Part of it has also been about the loopholes for the clinical commissioning group and how it is now buying branded generics and not giving the headroom that pharmacies used to have. For instance, if people were purchasing a drug at, say, 60p and it had a value of 90p on tariff, there would be headroom of about 30p. That money was then ploughed back into the business to run other essential health services and to ensure that there could be free deliveries of pharmaceutical products to the community. Pharmacies just do not have that headroom any more.

The situation is made far worse by the multinational companies—we have heard about Boots, Lloyds and the others—which have the buying capacity and the space to be able to drive up the price at the wholesalers, which in turn means that the independents pay more when they go to purchase their pharmaceuticals. I have always called it the Walmart model, because that is how many of these companies operate. They try to push out the competition by making it impossible for the independents to participate in the market. That is certainly what we see here.

There is a toxic combination of cuts, CCGs facing tough financial lines—the CCG in York is always struggling—and, on top of that, the wider market pressures. Of course, the multinationals can spread their risk. They sell other products, and they are owned by multinational corporates, which gives them a further cushion in their operations. The impact is that, where some of those big companies have bought up independents, they are then closing them in crucial communities.

Clifton in my constituency is an area of high deprivation, with one of the lowest ages of mortality in the city and a real need for a community pharmacist, but Lloyds has pulled out of that community. That means that while people are waiting, say, three weeks to go and see their GP, they cannot just pop down the road to their community pharmacy as an alternative, because it is simply not there.

That is building more pressure on the independents, because people go to them to get the free delivery now that, as we have heard, the big companies have seen a gap in the market—surprise, surprise—and are charging their drug delivery tax to get more resource. That means that the independents, which are trying to provide that community service, are delivering further and further afield, which is costing them more, and they have less resource to do that with. We need to address the drug delivery tax to ensure that, as my hon. Friend the Member for Halifax set out, we get these products to those people in our communities who are incredibly vulnerable.

I draw the Minister’s attention to one other scandal in the industry, which is that companies such as Boots are paying only 9% corporation tax. As a result, the Government are losing out on £1 billion a year. If we think about the scale of the cuts and the £200 million that has been removed, it does not take long to realise that, if Boots was forced to pay its corporation tax, we would not see pharmacies struggling and going to the wall, or communities suffering and losing those essential community services.

I ask the Minister to go back to the Treasury and make sure that those tax loopholes are closed. Boots moved into a multinational company, which I believe is 49% American-owned, and it is now registered in Switzerland, so it does not have to pay the same overheads. That is another inequality built into the market that must be addressed. The pressure cannot continue, or we will lose our community pharmacies. As I said, one pharmacist, who oversees seven pharmacies, does not think he will be there next year. That is seven communities across my constituency and York Outer that will not have a community pharmacy on the street corner.
It is vital, therefore, that the new Minister gets to grips with this issue. She must make sure that the right investment goes into our communities, that those loopholes are closed for the CCGs and for tax, and that the drug delivery tax is not put on pharmaceutical products.

There is also the issue of fair payments. Many independent pharmacies in the south lakes are in danger of going out of business because of reductions in payments for prescriptions by NHS England. Often, the money that pharmacies receive from the national health service does not even cover the cost of the drugs being dispensed. In one shocking case, a pharmacist in my constituency in a relatively small Lake district village, who I have visited regularly, received in one single month £5,000 less in NHS payments than they had to pay out in wholesale drug payments. And that is on top of that pharmacy losing on average 10% of its NHS income each year over the last three years. That is utterly unsustainable, but it is replicated across our communities. So I ask the Minister to intervene personally to put this matter right.

We see a picture of a community pharmacy network that is full of wonderful, talented, highly skilled and dedicated professionals, who provide vital services to patients and their families, and that is part of the glue that holds communities—particularly rural communities—together, but it is being let down by an unambitious approach to community pharmacy from Government, which undervalues what these pharmacies do and, even more importantly, undervalues what they could do.

Therefore, I ask the Minister to consider the proposal in my early-day motion—which, thanks to the non-Prorogation, is still alive—for an essential community pharmacy scheme, to support community pharmacies in rural areas such as mine and to keep them open and thriving. Moreover, will she heed the calls from pharmacists across the country, who are merely calling for fairness in payments and for the ability to use their skills to serve their patients and communities, removing debilitating pressure from other parts of the NHS?

Nic Dakin (Scunthorpe) (Lab): It is a pleasure to serve with you chairing today, Sir David. It is also a pleasure to speak in a debate in which the contributions so far have been full of knowledge and experience of the grassroots. I congratulate my hon. Member for Halifax (Holly Lynch) on securing it and on setting out at the start, from her own personal experience, the strength and importance of community pharmacies in their communities. They really are at the heart of communities.

My right hon. Friend the Member for Rother Valley (Sir Kevin Barron) spelled out clearly the potential of community pharmacies. I think the Government recognise that potential in their NHS long-term plan, but as my hon. Friend the Member for Halifax pointed out, they do not provide the funding to deliver on that potential.

Every day in this country, 1.6 million people visit a community pharmacy, so it is not surprising that the 2016 petition to save community pharmacies was one of the largest ever seen in this House. It demonstrated the commitment of communities across the country to their community pharmacies.

In visiting local community pharmacies across Scunthorpe, Bottesford and Kirton in Lindsey, I have seen the huge range of work that they do: dispensing medicines, dealing with minor injuries, administering flu jabs, and, as has already been said, being at the sharper end of drug shortages. Making sure that the drugs are there is a massive job and needs a lot of resource to
Since then, I have struggled the impact of the £250 million cut announced in December 2016. This effectively gave a 9% cut over 5 years to community pharmacies. In the North East Lincolnshire clinical commissioning group area, there are no fewer than 30 pharmacies, ranging from branches of Boots—we have already heard some discussion about that this morning—and pharmacies operating out of supermarkets to companies such as Periville, which runs three pharmacies on Cromwell Road, Wingate Parade and Ladysmith Road, two of those out of medical centres. Day Lewis Pharmacy, in Scartho medical centre, gave me my flu jab last year—thanks very much—while Cottingham Pharmacy on Wellington Street in the East Marsh area has been run by the family for 60 years.

We talk about the community element of pharmacies, and Tim Cottingham recently joined me and the Labour campaign for drug reform in a community event hosting about 150 people to talk about the development of drug treatment, the lack of community drug and alcohol support, and the essential role played by pharmacists. Tim knows so many of his customers and provides an incredibly intimate service, working with them to improve their health and move them further away from the trappings of addiction. The tales he told the audience, with compassion and empathy for the human being behind the addiction story, were quite remarkable. That was something I had not seen or heard before, and I was not necessarily expecting it. It was very eye-opening, and we should recognise the important role that pharmacists play in people’s day-to-day lives. Pharmacists provide vital services to residents in Grimsby, and not only do they dispense medicines to those who need them, but they provide residents with advice and guidance to ensure they make a rapid recovery.

North East Lincolnshire pharmacies also take pressure off GPs by providing a minor ailment scheme for anyone who does not pay for their prescriptions, and by providing free advice and treatment for illnesses such as colds, coughs, flu, hay fever, dry eyes, athlete’s foot, conjunctivitis and many other complaints that might end up at a GP’s door without the presence of such an amenity. Given how important our pharmacies are to our health system, it seems counterproductive for the Government to say that they want to develop sustainability and transformation plans for the long-term needs of local communities, and then to cut nearly £300 million from the community pharmacy budget, thus harming those amenities that sit at the heart of our communities.
The impact of the cuts has been severe. The Pharmaceutical Services Negotiating Committee found that in the two years since the cuts were introduced in October 2016, more than 200 pharmacies across the country closed their doors. That includes E A Broadburn of Scartho, which operated and moved into a medical centre, but ended up closing due to loss of footfall.

Lloyds Pharmacy on Dudley Street is part of a much larger corporate structure, but presumably it was not making the returns from that site and decided to close. It sits right on the edge of the West Marsh, which is one of the most deprived communities in Great Grimsby, and that closure meant the loss of another service, including out-of-hours provision.

Independent, stand-alone stores are not necessarily inside medical centres, hospitals or supermarkets, and they can provide 24-hour pharmacy services much more easily than those that are co-located in medical centres. Such closures therefore mean the loss of another service and emergency access pharmacy on which communities rely. Both those shopfronts remain empty, which means another hole in the small parades of shops in which they sat. They were not quite on the high street, but they were certainly on community high streets, and such things make people feel that their communities are not being properly invested in.

In 2017, Ian Strachan, then chair of the National Pharmacy Association, pointed to pared-back services, reduced opening hours and lower morale in the pharmacy workforce as evidence of the pressure that all pharmacies are experiencing. Will the Minister confirm that the extra investment in primary and community care that was announced by the Government last month will not only cover the costs of any extra service that pharmacies might be expected to provide, but will reverse the cuts in real terms?

Great Grimsby contains a number of good medical centres that include multiple GP centres and often contain pharmacies. However, there are also an awful lot of empty spaces, and for a number of years the intention has been for some services to be offered in those community settings. Some things that are done in hospital could be done in the heart of the community, which would be much easier—and there is space available. If that happened, and if some of those services were to operate out of those community-based centres, that would increase footfall and aid some of those pharmacies by giving them the opportunity to reach more people who would otherwise go to hospital.

Pharmacies are often on the frontline when patients encounter wider problems in the NHS. For example, when the contraceptive Microgynon 30 went out of stock earlier this year, it was the pharmacists who spent time informing patients and trying to find solutions to get around the scarcities. All that takes far more time than simply dispensing the drug and can have an impact on pharmacies’ bottom line. The Operation Yellowhammer report told us that we might face many more drug shortages in the event of a no-deal Brexit, so have the Government involved pharmacies in no-deal planning and taken into account the pressures that pharmacies might experience due to drug shortages in the event of no deal?

[Melanie Onn]

Marion Fellows (Motherwell and Wishaw) (SNP): It is a pleasure to serve under your chairmanship, Sir David, and I congratulate the hon. Member for Halifax (Holly Lynch) on bringing forward this important debate. I do not want to spend too much time summing up and repeating what has already been said by other Members—I have a list of them here—because I want to leave time for the hon. Member for Washington and Sunderland West (Mrs Hodgson) to make her case and for the Minister to answer the many questions that have been asked—I know she will appreciate that.

As everyone here should know, the NHS operates differently in Scotland. There are many plus points to being a patient and a user of community pharmacies in Scotland, not least of which are free prescriptions for all and the way the Scottish Government value and support local pharmacies. As we are all aware, pharmacists are in a unique position to improve medication safety. They have the time and clinical expertise to make a difference to how patients manage chronic conditions, for which they might be taking multiple medications.

For many patients, it is probably much easier to consult a pharmacist than a GP. The community pharmacy often becomes the de facto community health centre, and most of us know the value of what those centres do. They can be the first point of care, and how many of us here have just popped into the chemist for a bit of advice when we did not feel well, taking some strain off our GPs?

I pay tribute to my local pharmacy, because I could not have managed the last year and a half of my husband’s life without the help and support of its staff. They provided help, advice and reassurance in equal measure and took a real interest in how I was doing. I saw them do exactly the same for other people who visited what is an invaluable point of help.

In Scotland, pharmacists already play an active role in coaching patients on the potential side effects of medication, going out of their way to say why it is important to take medicines exactly as prescribed. Unfortunately, due to this Tory Government’s disastrous handling of Brexit, there is a real possibility that community pharmacies and their customers will be left without an adequate supply of medicines. The Operation Yellowhammer documents gave us a real insight into how that will affect our communities. The threat remains significant and, with just 30 days to go until the Brexit deadline, information about medicine supplies and stockpiling is lacking. Pharmaceutical companies tried to stockpile for the 29 March deadline, but warehousing space is much reduced at this time of year, especially as warehouses fill up with Christmas goods.

Of the 12,300 medicines licensed for use in the UK, around 7,000 come to Britain either from or through the EU. According to the Government’s reasonable worst-case scenario, the flow of goods could be cut by 40% to 60% on day one following a no-deal break, taking a year to recover. As we have already heard, that would play havoc with our local community pharmacies, because they are very much on the frontline. They are where our communities turn when they need help with medication.

Jim Shannon: I declare an interest as a type 2 diabetic who is on tablet medication. Over the past few weeks, I have been contacted by type 1 diabetics who depend on
insulin. The hon. Lady refers to the need to ensure that medication such as insulin is available after Brexit. I understand from my discussions with the Government that they have assured us that it will be. Does she agree that it is important for the public record that we say that in this Chamber today?

Marion Fellows: I thank the hon. Gentleman for his intervention. I am not standing here to cause panic; I have spent a long time not trying to cause panic, but I have been wondering what will happen if the medications that people rely on do not arrive, because that really is a critical concern for lots of people. I know that community pharmacies and pharmaceutical companies are doing their very best to make sure that it does not happen.

Because the NHS in Scotland is different, I have had my eyes opened to a number of things that I did not realise were happening. I had assumed that what happens in my own country would happen in England, but it very much does not; I have had that experience in my dealings with Vertex Pharmaceuticals with respect to cystic fibrosis drugs as well.

I have to say that the SNP Scottish Government really do recognise the importance of community pharmacies and are taking action to ensure that they remain properly resourced. In April, the Scottish Government announced that community pharmacies will receive an extra £2.6 million in funding this financial year. We must compare that with the cuts in spending that this UK Tory Government have made to community pharmacies and pharmaceutical companies are doing

The package announced by the Scottish Government includes confirmation that the Pharmacy First scheme has been integrated with the national Minor Ailment Service, so there is a real drive for people to consult their pharmacist first. People who can register with the Minor Ailment Service, such as those who are over 60 or in full-time education up to the age of 19, can see a pharmacist and be given medication there and then without having to see their GP. The scheme has recently been extended: it now covers not just things such as diabetics who are uncomplated for cystic fibrosis drugs and impetigo. All those things reduce the strain on GP services—we know that across the country, with its ageing population, they are under strain.

The increases in funding have been welcomed by the Royal Pharmaceutical Society in Scotland, which states: “The RPS supports the Scottish government’s vision for more people to use their community pharmacy as a first port of call.” The Scottish Government have reviewed pharmaceutical care of patients, and they really want to understand how community pharmacies can be better supported. They are putting their money where their mouth is.

I do not always get to stand here and tell an even better story, but in Scotland we care about how our communities can be better treated and have better health outcomes. To my knowledge—I need to verify this—a local pharmacy in Scotland does not charge for delivery to patients because, as the hon. Member for Heywood and Middleton (Liz McInnes) pointed out, people who qualify for a free prescription service are really hammered if they then have to pay for the delivery of their drugs. I ask the Minister to look at that. As hon. Members all know, I frequently stand here and say, “Can you look at how things are done in Scotland and see whether that can be adapted for better use here?” I plead with the Minister to look at that again.

The Scottish Government really do recognise the vital role that community pharmacies play in Scotland, in rural and in urban areas. I will sit down now and leave the hon. Member for Washington and Sunderland West to sum up for the Opposition.

10.34 am

Mrs Sharon Hodgson (Washington and Sunderland West) (Lab): It is a pleasure to serve under your chairmanship, Sir David. I thank my hon. Friend the Member for Washington and Sunderland West (Ian Mearns) for securing the debate, and for her excellent opening speech. For their contributions early on this cold Wednesday morning, I also thank my hon. Friend the Member for Heywood and Middleton (Liz McInnes), my right hon. Friend the Member for Rother Valley (Kevin Barron), the hon. Member for Strangford (Jim Shannon), my hon. Friend the Member for York Central (Rachael Maskell), the hon. Member for Westmorland and Lonsdale (Tim Farron), my hon. Friends the Members for Scunthorpe (Nic Dakin) and for Grimsby (Melanie Onn), and the hon. Member for Motherwell and Wishaw (Marion Fellows), who speaks for the Scottish National party.

It is clear that community pharmacies are valued across all our constituencies. On Friday I will be visiting Davy Pharmacy in Castletown in my constituency. I will hear once again at first hand how my constituents benefit from community pharmacies, and the impact that their services are having.

I welcome the new Minister to her role. I look forward to hearing from her today and to shadowing her in the months to come. I know that health is very important to her, and that it is one of the reasons why she stood to be a Member of Parliament. We previously worked together as officers of the all-party parliamentary group on breast cancer.

I will begin with one of the first things that springs to all our minds when we think about community pharmacies: prescriptions. As my hon. Friend the Member for Leicester South (Jonathan Ashworth), the shadow Secretary of State for Health, announced in Brighton last week, the next Labour Government will introduce free prescriptions for all. We believe that prescription charges are a tax on sickness. When as few as 5% of patients actually pay for their prescriptions and many of them struggle to pay, surely it is time that the charge was scrapped.

The £9 per item prescription charge results in some patients on low incomes reducing their medication or going without, which is dangerous and can impact on a patient’s long-term health. It can even be fatal, as in the heartbreaking case of 19-year-old Holly Warboys, who died of an asthma attack. Holly did not have a full inhaler because she could not afford one. Nobody should have to pay to breathe.

A large proportion of the 5% of people who pay for their prescriptions budget for them by taking advantage of prepayment certificates, to reduce what they have to pay to the equivalent of about one and a half prescriptions per month. When all the costs of administering the fines and prepayment certificates, and the whole kit and
Research backs that up. A study from the University of York has shown how beneficial free prescriptions can be as a means of prevention. When patients suffering with Parkinson’s disease, for example, were given free prescriptions, hospital admissions were reduced by 11.4%, patient day care was reduced by 20.4%, and accident and emergency attendances were down by 9%. I am sure that the Minister will see that the policy will improve patient outcomes and save precious NHS resources. I know that she is new to her post, so she might want to make a bold announcement today. Will she match Labour’s commitment to ending this tax on sickness? The subject was definitely on the radar of one of her predecessors on the health team, the hon. Member for Winchester (Steve Brine), as I had conversations with him about it.

As we have heard, filling prescriptions is only the tip of the iceberg of the services that our community pharmacies provide. There is the potential for the expansion and development of a whole range of services. For example, I would like to see an expansion of pharmacists being able to prescribe, especially basic medications, in order to relieve pressure on our GPs. I understand that that service is very successful where it currently happens. Community pharmacists are the most accessible healthcare professionals, and community pharmacies are a genuine hub for the delivery of a diverse range of health and wellbeing services. The Government’s television campaign advises people to ask their pharmacist, because it really is an easy thing to do. That is especially true for traditionally hard-to-reach people who benefit from the barrier-free access to healthcare that community pharmacists provide.

In some circumstances, if there is a high turnover of GPs in an area, the community pharmacist is the only one providing continuity of care, which builds invaluable trust and the capacity for important health interventions. It is therefore a natural and sensible progression to allow basic prescribing, especially if it is coupled with a sort of triage service that is linked to an ability to make appointments for people with more serious concerns directly with their GP.

As we have heard, community pharmacies have long provided a range of services in addition to the provision of medicines, including minor ailment schemes, smoking cessation services, blood pressure testing, support for asthmatics and diabetics, emergency hormonal contraception and monitored dosage systems. Despite that, community pharmacies are in many ways the NHS’s best kept secret. They are invaluable in a health service that is overwhelmed by increased demand.

There is so much untapped potential in community pharmacies, as well as some excellent examples of best practice across the country that could be rolled out nationwide. For example, when patients phone the Central Gateshead Medical Group with a minor illness such as earache or a sore throat, they may be offered a referral to one of 13 community pharmacists in the Gateshead area for a same-day booked consultation, which creates capacity for GP appointments for patients who need to be seen by a GP. The patient’s referral details are sent to the pharmacy using a secure NHS mail account. Patients are then sent a text message to confirm the details of the appointment with the community pharmacist. Community pharmacists are already doing some great work and they have a huge role to play at the heart of every primary care network. The Government are failing to recognise that if they do not try to roll that out.

I welcome the Government’s commitment to prevention, but they must put their words into action, for example by reversing the terrible cuts to local authority public health budgets and by recognising the importance of community pharmacists in particular and the role that they can play in prevention. As we have heard, thousands of people—millions, actually—visit their community pharmacy every day. Every one of those presents an opportunity for a positive health or wellbeing intervention. In the words of Simon Stevens, “Make every contact count”.

The profession and its representatives, the Pharmaceutical Services Negotiating Committee and the National Pharmacy Association, have offered to deliver more services. The recently negotiated new pharmacy contract begins to recognise what the NHS has been missing for so long. There are many welcome features, including the new community pharmacist consultation service, which will take patient referrals from NHS 111 and will be extended for referrals from other parts of the NHS, such as GPs and A&E. Similarly, the new Medicines reconciliation service will ensure that medicine prescribed in secondary care is appropriately implemented on discharge to the community, which will reduce the number of unnecessary hospital readmissions. Those changes will be not only convenient for patients, but enormously important in relieving pressure on GP surgeries and A&E departments, which is what we all want to do.

That is why we need a shift to service-based remuneration in the context of a five-year agreement. If community pharmacies, with their huge potential, are to remain viable, the remuneration must be adequate. Can the Minister tell us today what the new funding settlement will look like? I hope that, in her response, she will celebrate the work of community pharmacies—I am sure she will—and set out what the Government will do to utilise their potential.

10.44 am

The Parliamentary Under-Secretary of State for Health and Social Care (Jo Churchill): It is a pleasure to serve under your chairmanship, Sir David. I thank each and every right hon. and hon. Member who has contributed. Most importantly, I thank the hon. Member for Halifax (Holly Lynch) for securing this debate and allowing us to discuss the challenges and celebrate the opportunities that lie ahead in community pharmacies, as well as how we best deliver to patients. The right hon. Member for Rother Valley (Sir Kevin Barron) and the hon. Members for Scunthorpe (Nic Dakin), for York Central (Rachael Maskell), for Heywood and Middleton (Liz McInnes), for Great Grimsby (Melanie Onn), for Strangford (Jim Shannon), for East Londonderry (Mr Campbell) and for Westmorland and Lonsdale (Tim Farron) all made excellent speeches that gave food for thought, as did the contributions from the hon. Members for Motherwell and Wishaw (Marion Fellows) and for Washington and Sunderland West (Mrs Hodgson). They celebrated exactly what community pharmacies can do if they are embedded in the heart of their communities and what untapped potential there is for moving forward.
I am pleased to have the opportunity to set out the vision for community pharmacy at a pivotal time for the pharmacy sector. As we have discussed, the past three years have been challenging, but there is a new pharmacy sector agreement. I am continually inspired, as everybody has been—we heard about the experience of the hon. Member for Halifax of working in a pharmacy—by the compassion, dedication and commitment of those who work in the NHS family. I saw that myself last week when I met pharmacists and the chief exec of the Pharmaceutical Services Negotiating Committee at the local pharmaceutical committee conference. That underlined to me again what an essential part of the NHS the pharmacy is, working day in and day out on improving outcomes for patients and for the community, which lies at the heart of what they do.

We have heard about the challenges of different communities. The hon. Member for Westminster and Lonsdale made his point very well, as did other Members who represent rural constituencies. The hon. Members for Strangford and for Motherwell and Wishaw mentioned that the challenges are slightly different in rural, dispersed communities. We hope that the new contract will not be one size fits all but will give additional help to rural pharmacies to help them deliver, because we know that they are an important and integral part of their local community. Ensuring that we maintain a good level of access in England and support pharmacy where there are fewer pharmacies is important and built in.

Community pharmacy always has been an integral part of our communities. We have 11,500 community pharmacies delivering. I pay tribute to the right hon. Member for Rother Valley for his work in chairing the all-party group on pharmacy. He explained clearly how pharmacies are close to 96% of people, who can get to one by foot or on public transport in 20 minutes. The key thing for me was when he said that the majority were in areas of high deprivation. That is hugely important as the contract moves forward, because we are determined to double down on health inequalities, and we know that the pharmacist is a key frontline expert who can help deliver in those communities. Pharmacy can play a greater part in helping people to stay well in their communities.

Today’s debate is timely because the new landmark arrangements for pharmacy—a five-year deal for pharmacies—came into force yesterday. I have heard the deal criticised as flat, but the PSNC said that it wanted certainty; it wants to be able to use its skills better and further, and we have determined the deal in collaboration with it. The deal is the beginning of a programme to transform the sector and to see community pharmacies play a much expanded role in the delivery of health and care across prevention, urgent care and medicine safety. Those new arrangements will support the pharmacy team to utilise all its extensive clinical expertise, further developing new roles and providing the community with the knowledge, skills and support to prevent ill health, manage minor conditions and stay happy and healthy for longer. We have heard from virtually every Member who has spoken about how much that goes on. The hon. Member for Great Grimsby told a moving story of how intimate the relationship is between the community pharmacist and the community that he serves.

The deal sets a programme of work that the Department, NHS England, NHS Improvement and the PSNC have collaboratively developed and agreed—we have worked together to get there. Our direction of travel is clear, and we will continue to work together on the detail, strengthening the role of community pharmacy and the delivery of health and care every year for the next five years and beyond.

Nic Dakin: The Minister is setting out the aspiration well, but does she recognise that having no increase—even by inflation—for five years is a desperately big challenge for community pharmacies?

Jo Churchill: On the matter of reimbursement, which was also raised by the hon. Members for York Central and for Westminster and Lonsdale, we seek to ensure a fairer system of reimbursement for pharmacy contractors and value for money for the NHS. I am sure we would all agree that that is the challenge that we face the whole time. That is why, in July, we launched a consultation on community pharmacy drug reimbursement. We have engaged widely with pharmacy stakeholders and have had an excellent response. We will consider all those responses fully and set out plans for the fairer system in due course. I appreciate that the response will be, “But it’s needed now,” but a pharmacy is a private business, and reimbursement is not pharmacies’ only form of income. What I am talking about will take a shift. There is an acknowledgment that that shift—that transition—will need to be assisted. There is also an independent funding stream from the flu vaccine, for example. I would like to see—and have been discussing with officials—whether a broader vaccine programme could be rolled out through pharmacies as well, and reimbursed. We know we need to do better.

Jim Shannon: The Minister has so far given a comprehensive response to our concerns. I suggested in the debate that, when it comes to medical attention, pharmacies could do more to oversee small things such as the flu vaccination that she referred to and diabetes and glaucoma. As other hon. Members have mentioned, there are small things that pharmacists could do to take the pressure off GPs. Is that something the Government would consider—giving more responsibility to the pharmacist and taking pressure off GPs and accident and emergency?

Jo Churchill: If the hon. Gentleman will just bear with me for a second, he will hear me largely repeating what the right hon. Member for Rother Valley said when he so beautifully laid out the skills and expertise that lie in the pharmacy sector, and how they can be utilised better.

As I said, the deal sets out a programme of work we shall be working on. Our aim is that collaborative working across the system will deliver an integrated and accessible community health service for all. I want to name-check the hon. Member for Strangford here because, as he articulated, communication lies at the centre of this issue. One instance might be the digital expertise together to get there. The hon. Member for Washington and Sunderland West said exists in Gateshead, where people’s greater readiness to get services from pharmacists, and the fact that pharmacists can do more, is having a positive effect for patients.
First, pharmacists told us that we must utilise and unlock the potential of the highly skilled pharmacy teams that are embedded in communities throughout the country, including in the constituency of the hon. Member for Halifax, with everyone celebrating what pharmacists can deliver. That is why the settlement aims to deliver more fulfilling, patient-facing careers for community pharmacists and technicians, as highly valued members of the NHS team. Additionally, populations will be helped by much better services.

Secondly, pharmacists told us that they wanted continuity. The settlement funding over five years gives certainty, and gives community pharmacists the confidence to invest in their business. However, there is no one size fits all. Being in the centre of a town is not the same as being in a rural village. Looking at these things in the round is why we want this to be collaborative.

**Rachael Maskell: How will the Minister measure the impact of the settlement, particularly on independent pharmacists? If more of them close or are struggling financially, what other interventions does she plan to make?**

**Jo Churchill: As I said, there is no one size that fits all. As the hon. Lady articulated in her speech, the difficulty is that we are not looking at a system where businesses are run on the same scale model. At any one point, there are single pharmacists. She stated that the pharmacy she visited was part of a seven-strong business. Then there are the multiples. We need to look at what is the best scheme. However, I would argue that independents have a much higher footfall from their local population, because they are more trusted than many of the multiple pharmacies due to the continuity that comes from their having been in their communities for longer. There are opportunities there for independents.

We know we will need to design new ways of working to make a success of this, and we will need patients to be confident in how they use the services. The enhanced role for community pharmacy will support patients in getting access to help where required and in using the NHS in the best possible way. When people are suffering from minor conditions such as earaches or sore throats and need health advice, we want them to think “Pharmacy First”.

We want to build on that, with other parts of the NHS proactively signposting to local pharmacists. We want everyone to recognise the high-level skills held by pharmacists and to get people to understand that we need them as a first-line service to go to. That will grow trust in the system and spread the load. We will, of course, need to reform the way we work to free up pharmacists’ time so that they are able to deliver these new services.

**Liz McInnes:** I am sorry to interrupt, but the Minister has not referred to delivery times yet, and we have only two and a half minutes to go. Will she mention what she is going to do about those?

**Jo Churchill:** I thank the hon. Lady, but I would like to push through and to come on to the supply of medicines, which the hon. Member for Halifax spent much of her speech discussing.

We must recognise that we need to work in partnership and that this is not only about treating ill health. One of the first services to come online under the new arrangements will be the community pharmacist consultation service, which will start on 29 October. It will establish the first ever national triage system, which will look at community pharmacies referring patients into pharmacy directly from NHS 111 for minor illnesses, wellbeing support and self-care advice, as well as urgent problems. It is important that everybody involved makes this work a success, because we want this to be a two-way process. Over the next five years, we want to include referrals from GPs, urgent treatment centres and NHS Online, but we want to do that based on evidence, sensibly and in collaboration with those in the sector. Registration opened only last month, and more than 2,000 pharmacies have been signed up.

Additionally, by 2020, being a level 1 healthy living pharmacy is expected to be an essential requirement, so that pharmacies can give advice. Integration across primary care is hugely important; the new contractual framework is about not moving minor illness, but about using the whole system better. Community pharmacies are a vital part of the picture if we want to think “Pharmacy First”.

Coming on to the question of medicine supply and shortages, I appreciate the issues that the hon. Member for Halifax mentioned, but, as recognised in last week’s National Audit Office report, we have done an enormous amount in collaboration with pharmaceutical and medical device companies. There are always ongoing shortages, but the Department works all the time to ensure that they are mitigated and that a proper supply of medicine can be got to people. With the issues of Brexit, we know that that is doubly important, and that is what the Department has been doubling down on.

**Sir David Crausby (in the Chair):** I do not think there is really time for Holly Lynch to wind up.

*Question put and agreed to.*

*Resolved.*

That this House has considered the role of community pharmacies.
Free Movement of EU Nationals

11 am

Christine Jardine (Edinburgh West) (LD): I beg to move.

That this House has considered proposed changes to free movement of EU nationals.

I am delighted to raise the issue of freedom of movement in the EU, and I thank you, Sir David, for your chairmanship. “End freedom of movement” is a Brexit slogan that we have all become so accustomed to that it is easy to forget what it is really saying, and what it would really mean to this country, people living here and British citizens living abroad. We all know the basic numbers: freedom of movement allows 1.3 million British citizens to live, work, study, fall in love, marry, or retire across the European Union while more than 50,000 non-UK EU citizens work in our national health service, including support staff, nurses and doctors, all of whom play a vital role in our nation’s health.

More than 80,000 EU citizens work in social care, and even more in the UK construction industry. As the Government love to tell us, unemployment is at its lowest rate for 40 years, but where are the British workers who are queuing up and clamouring to take those jobs? If we end freedom of movement, who will care for our sick and elderly? Who will build the 300,000 homes a year that Britain needs? The Government’s own figures show that non-UK EU citizens bring far more to our economy and public services than they use. If free movement ends, services will suffer because we will not have the people to continue to provide them at the same level.

Those are the numbers, but what about the human cost and the sheer inhumanity of ending freedom of movement? Edinburgh West has constituents from France, Spain, Poland and many other EU countries who have made their lives in the city. Their children were born there, but now they are being told that they are not welcome. They feel they have no option but to leave.

The Minister for Crime, Policing and the Fire Service (Kit Malthouse): That is not correct.

Steve Double (St Austell and Newquay) (Con): I must take exception to the language used by the hon. Lady. We have given a very clear message that all EU citizens currently residing in this country are welcome to stay. At the end of August, 1.5 million people had been granted settled status or pre-settled status, and there had been only one rejection.

Christine Jardine: With respect, that contrasts completely with what non-UK EU citizens tell me every week on the doorstep.

Steve Double: It is a fact.

Christine Jardine: Although there is a settled status scheme, that does not make anyone feel welcome, and that is the issue. People no longer feel that they are wanted. They have to go through paperwork to stay in a country that has often been their home for decades.

Tim Farron (Westmorland and Lonsdale) (LD): Members across the House should understand that simple messaging is often far more powerful to people than complex explanations and systems. If we vote to leave the European Union and declare the end of freedom of movement as a great triumph—to great cheers, “I will remove your liberty.” Amazing!—we should not be surprised if the response of people already in this country and elsewhere is to think, “The United Kingdom is not for me.” The simplest message received by many EU citizens through us voting to leave the European Union is that they are not wanted. That might be inaccurate, but it is the perception, and it is human and understandable.

Christine Jardine: My hon. Friend makes an excellent point. I have in my constituency a family who came here from France more than 20 years ago. They have worked here, and both their sons were born here and are in schools in Edinburgh. While one son is automatically entitled to a British passport under the new system, the other is not. They have been asked to prove proof of residence and employment. They have only ever worked here, they pay tax here and they have national insurance cards, but they are being asked to prove their entitlement to stay here under the settled status scheme. They have also been asked to prove how long and how often they have visited France. I do not know whether any other Members here keep plane and train tickets for 20 years, but I certainly do not. However, that is probably the only way to prove where and when we were in the European Union at any time in the past 20 or 30 years under freedom of movement.

What about the many thousands of students who have travelled to or from the EU as part of the Erasmus scheme? Last year at my daughter’s graduation ceremony at Edinburgh University, an honorary doctorate was given to the man who established that scheme. As I looked out on that hall, I saw students, graduates and academics from all across Europe who have come here to make a contribution.

Jo Stevens (Cardiff Central) (Lab): I represent a university constituency and have students, academics and researchers coming to see me every week. Does the hon. Lady agree that the international standing of our universities—a global brand that has been so successful—is at risk from this isolationist, inward-looking policy of ending free movement?

Christine Jardine: I completely agree with the hon. Lady. There are many projects in this country that have been initiated by academics from elsewhere in Europe and that we would not have had without freedom of movement. Our reputation stands to be damaged by the ending of freedom of movement.

Amid all that concern, and despite what the hon. Member for St Austell and Newquay (Steve Double) has said, we still have no clear picture of what the Government intend. For example, the Home Office changed its position in August, saying that free movement would end on 31 October. In September, the Government rowed back, admitting that primary legislation is needed to end free movement and saying that free movement will continue until the end of 2020.

The Government now say they will just make some changes to free movement as of 31 October. Are we surprised that everyone, including hon. Members, is
waiting for some clarity from the Government and perhaps thinks that the Government themselves do not know the implications of ending free movement or how to end it?

There is confusion and lack of clarity about what the Government will do on immigration and what will replace the current immigration system. Then there is the impact on different sectors. Only 2% of employers in this country sponsor visas from non-EU nationals, but thousands more have EU nationals working for them and will now need to grapple with an immigration system of which they have no knowledge. What will they do? Will they have to employ lawyers? What about landlords who will have to have visas for immigrants? What about schools, many of which are now informing parents about the settled status system on which, as we have heard, there is no clarity whatever?

There is one other issue that particularly bothers me: the Good Friday agreement, which protects, in its words, “the birthright of all the people of Northern Ireland to identify themselves and be accepted as Irish or British, or both, as they may so choose, and accordingly confirm that their right to hold both British and Irish citizenship is accepted by both Governments and would not be affected by any future change in the status of Northern Ireland.”

The Government simply have not got to grips with what that will mean when we lose free movement. What about the rights of the people in Northern Ireland? How will they be affected by the loss of free movement?

One other thing comes to mind. When I was a young woman starting out on a career, I heard a British Prime Minister talking about how wonderful the single market would be, and how it would allow businesses in this country to prosper by putting no limitation on them and allowing the workforce to move freely across Europe. About a week ago, I was talking to a young girl who is slightly older than I was when my parents took part in the original EU referendum, in which we decided to stay in what was then, I believe, the European Economic Community. I thought about all the opportunities that I have had and that my generation have all enjoyed, including my generation of students, academics, business people and entrepreneurs, or those who simply wanted to travel. I thought about the benefits that we have enjoyed for 40 years, and I thought about what the end of that single market and that collaboration with Europe, which that Prime Minister promised us, will mean to this generation.

I also thought about what that Prime Minister might think, and I wonder what this Conservative Government would tell her, about their bringing an end to what they have known, and about what they will say to those in future generations, about their leaving, deal or no deal, it boils down to the simple fact that without freedom of movement we will all be poorer.
Minister and a Government who acknowledge that they are doing something that has to be mitigated have serious questions to ask themselves.

11.14 am

The Minister for Crime, Policing and the Fire Service (Kit Malthouse): Thank you for presiding over this morning’s debate, Sir David. I apologise for the fact that you have a Minister responding who is not directly responsible for this area of policy but, as you may know, things are going on in Manchester that mean we are ducking and diving slightly.

It would perhaps be easy to dismiss some of the issues that the hon. Member for Edinburgh West (Christine Jardine) raised, not least because much of the emotion and assertion is incorrect, but I recognise that she, like many people, is grieving—mourning the outcome of a referendum three years ago with which she profoundly disagreed. Much of her speech this morning was a rerun of the debates held during that referendum and since, accompanied by great emotion and controversy across the nation. I urge her and other hon. Members to try to be as measured as possible about the coming changes in the immigration system, not least because, as she says, they will affect a great number of people. This morning I aim to provide clarity on some of the points that she has perhaps not yet grasped, unlike the 1.7 million people who have applied for EU settled status.

The Government have been clear that on 31 October the UK will leave the European Union. Our intention is to leave with a deal and, as you will have seen in the newspapers, Sir David, work is ongoing to get that deal. But we must also prepare for a no-deal exit, not least because the EU may choose that outcome itself. At that point, free movement as it stands will end. On 4 September the Home Secretary set out the immigration arrangements for European economic area and Swiss citizens moving to the UK after a no-deal Brexit on 31 October. To be clear, those new immigration arrangements will not affect EEA citizens who are already living in the UK before we exit. The Government value the enormous contribution that they make to our economy, public services and national life. They are our friends, our families and our neighbours. That is why we have given an unequivocal guarantee to the more than 3 million EEA citizens resident in the UK that their rights will be protected, and we urge them to stay.

The Government have delivered that protection through the EU settlement scheme, which will give them a UK immigration status and rights in UK law. They will have at least until 31 December 2020 to make an application to the scheme. The EUSS makes it easy for EU citizens to get the status they need to remain here permanently after we leave the EU, with the same rights to work and to access benefits and services as they have now. Applicants need only complete three key steps: prove their identity, show that they live in the UK, and declare any criminal convictions. It is free to make an application. There is less hassle than when applying for a bank account or renting a flat.

Jo Stevens: I seek the Minister’s help. A couple of weeks ago I met a constituent whose wife has applied for settled status and has received a letter from the Home Office confirming that her application has been successful, but it also says that the letter is not proof that she has settled status. How does somebody prove that they have settled status?

Kit Malthouse: My team will provide me with the answer shortly, and I will come back to the hon. Lady on that question.

Thus far, 1.7 million people have applied to the scheme and more than 1.5 million have already been granted settled status. In a no-deal scenario, law-abiding individuals will also be able to live, study, work and access benefits and services in the UK until the remainder of the free movement framework is repealed by Parliament at the end of 2020. If they wish to stay beyond that point, EEA and Swiss citizens and their close families will be able to apply for European temporary leave to remain through a new scheme that we will launch after exit to provide them with a bridge into the new immigration system.

The ETLR scheme will be opened by the Home Office after exit. Applications will be free and involve a simple online process and identity, security and criminality checks; successful applicants will receive permission to stay for three years. This will give individuals and their employers confidence and certainty that they can remain in the UK after the end of 2020. Anyone who wishes to stay in the UK after their temporary status expires will need to make a further application under the new points-based immigration system.

On that future immigration system, our vision is for a truly global country where we welcome the brightest and best, where we are more outward-facing, and where we decide who comes here based on what they have to offer and their circumstances, not where they come from. That is why the Home Secretary has commissioned the independent Migration Advisory Committee to review the benefits of a points-based system and what best practice can be learned from other international comparators, including the Australian immigration system. The MAC is also undertaking an existing commission on salary thresholds.

We will announce the details of the UK’s future immigration system early next year, after considering the MAC’s advice on these issues. That will provide time for businesses to adapt ahead of the implementation of the new system from January 2021.

Rachael Maskell: Will the circumstances that the Minister describes include the scenario that I raised about family members being able to come to the UK—or vice versa, where EU citizens go to their home state?

Kit Malthouse: If hon. Members do not mind, I will finish trying to give broad clarity and then, at the end, give answers to specific questions, which are being provided by my officials behind me.

Post exit, if we leave the EU without a deal, free movement as it currently stands under EU law will end on 31 October, as I said. The Government will make tangible changes at the border to reflect our status outside the European Union. We will introduce visual changes, such as removing the blue EU customs channels and introducing blue UK passports, later this year. We will also supply a tougher UK criminality threshold to conduct at the border and in the UK, to keep out and deport those who commit crime. The Government have
also signalled our intention to phase out the use of EEA national identity cards to travel to the UK during 2020. Where we need to legislate to make those changes, we will do so with secondary legislation.

Immediately after exit, EEA and Swiss citizens can continue to enter the UK with a valid passport or identity card. They will be able to use e-gates if they have a biometric passport, and they will not require visas.

Christine Jardine: On the point that I was perhaps too emotional, may I make the counterpoint that what we are hearing at the moment is a list of facts—a list of procedures? When will the Government accept that this endless, meaningless list of facts has an impact on people, on the economy, on lives and on this country’s future? When will they acknowledge its impact on people’s lives?

Kit Malthouse: The hon. Lady is quite right that there will be an impact. The intention of leaving the European Union is that it should be impactful. During the referendum campaign, in which I know she participated, no doubt she outlined what she felt that impact would be. The question is how the impact is felt by individuals. What we are trying to do in creating the EUSS, the EUTLR scheme and the future immigration arrangements in this country is ensure that that impact is as beneficial and smooth as possible, both for us as a country and for the people who participate in it.

I happen to be married to an immigrant myself. She is not from the EU; she is from Canada. I had to go through the existing immigration system to be able to marry her and for her to be able to stay in the country, so I have some experience of what it is like for people coming from outside the EU. We also travel regularly to and from Canada, a country that operates a perfectly humane and compassionate immigration system but is not part of a free movement bloc. Its universities flourish, its communities are as varied and lively as we would expect—in fact, it is a nation built on immigration, yet it operates a perfectly sane and reasonable immigration system. That is what we intend to do.

As for Members’ specific questions, these obviously relate to relatively complex situations, so if Members do not mind I will take the inquiries about repatriation, families being brought into the country and proof of settled status letters and provide some clarity in writing. However, my understanding is that EUSS is meant to be open the system, but are we not just making it as difficult for everybody from the EU to come here as it currently is for academics from the rest of the world? Should we not be looking at making it as easy for everyone to come here as it currently is for academics from the EU?

Kit Malthouse: As the hon. Lady will be aware, we will be developing our plans for our future immigration system over the next few months but, as I said in my speech, we want to operate on the basis of a person’s circumstances and what they can offer, not on where they come from. We should not discriminate in our immigration system based on geography, but we should discriminate based on circumstances and what someone can offer this country. That is what I think people felt was encapsulated when they voted to take back control of the immigration system, and that, I think, is what we are going to try and achieve over the next few months and years.

However, I recognise that the changes to immigration are providing some uncertainty for many people, and I hope that I have been able to provide an element of clarity and that the remaining 1.5 million—or whatever it is—EU citizens who are eligible for settled status and who can apply for it up until the end of next year will do so with speed and alacrity.

Question put and agreed to.

11.28 am

Sitting suspended.
Trophy Hunting Imports

[STEWART HOSIE in the Chair]

2.30 pm

Mrs Pauline Latham (Mid Derbyshire) (Con): I beg to move,

That this House has considered trophy hunting imports.

It is a pleasure to serve under your chairmanship, Mr Hosie, and I am delighted that the relatively new Member from the Department for Environment, Food and Rural Affairs, who has championed many different environmental issues, will respond to this important debate. I am particularly delighted to have secured this debate on banning trophy hunting imports to this country: although the Government have already announced that that is their plan, I wish to check exactly what their policy will cover. It makes a change to take part in a debate in Westminster at the moment that, I suspect, has cross-party support.

Oren Lyons, the chief of the Onondaga, was invited to address the United Nations in 1977. He made a long speech about our responsibilities. When talking about who had been invited to speak at the UN, he said:

"I do not see a delegation for the four footed. I see no seat for the eagles. We forget and we consider ourselves superior, but we are after all a mere part of the Creation. We must continue to understand where we are. We stand between the mountain and the ant, somewhere and there only, as part and parcel of the Creation. It is our responsibility, since we have been given the minds to take care of these things. The elements and the animals and the birds, they live in a state of grace. They are absolute, they can do no wrong. It is only we, the two leggeds, that can do this. And when we do this to our brothers, to our own brothers, we do the worst in the eyes of the Creator."

We, the human race, have done wrong. Over the last few years, often through the greed of humans, we have brought to near-extinction many animals that used to exist in large numbers.

Sir Greg Knight (East Yorkshire) (Con): Is my hon. Friend aware that it is a widespread view on both sides of the House that there is something nauseating and revolting about someone who would slaughter an endangered animal to use part of its body as a trinket or trophy?

Mrs Latham: My right hon. Friend is absolutely right. I will touch on such things later, but they are absolutely abhorrent. As I said, this is a debate that we can all agree on.

Henry Smith (Crawley) (Con): I congratulate my hon. Friend on securing the debate. Further to the intervention of my right hon. Friend the Member for East Yorkshire (Sir Greg Knight), is she aware that a recent opinion poll suggests that 86% of people across the UK support a trophy hunting ban? It is not just this House that is united on the issue, but the vast majority of this country’s population.

Mrs Latham: That is an interesting statistic, because I think that would not have been the case 20, 30 or 40 years ago. The extinction of many animals and the talk about that—for example, David Attenborough talking about it—have raised awareness among the general population, which can be only a good thing. I am sure the Minister is listening intently.

Local people in different countries do not benefit financially from this appalling trade, just the big greedy bosses of the operations. Elephants, tigers, rhinos, gorillas, lions and many more species are endangered—even giraffes are affected. British big game hunters have travelled to every corner of the globe, from Africa to Asia, North America to South America, and across Europe, in pursuit of often-rare hunting trophies. The most popular destination for UK hunters is South Africa.

Thanks to the determination of the Government and the previous Secretary of State, the ivory trade will be reduced, which will hopefully have an impact on the poaching of elephants for their tusks. Although other countries did that before us, we have at last caught up. With respect to trophy hunting, we might get to the forefront, although other countries have in fact banned trophy hunting imports.

During this debate, I wish to concentrate primarily on lions. Once they roamed free across many countries in Africa, but now there are far fewer truly wild lions. Although killing a lion for sport is bad enough, I can almost understand why that was done when they were plentiful, but I find the new, popular canned hunting of lions especially offensive.

Imagine being born into captivity, stolen from your mother at the age of about two weeks to three weeks and sold by merciless breeders to face death at the hands of bloodthirsty tourists. Laughing, smiling tourists pose for photos with dead lions, and I have even seen a photo of tourists kissing next to that fabulous being. That is the face of the animal that was once hailed as king of the jungle.

For 11,000 lions in South Africa, there will not have been one day of freedom. At a young age, they will be shot by a hunter who cannot miss. Lions are bred in cages for the canned hunting industry at more than 300 farms in South Africa. There will be no chase, no escape, no mercy. It beggars belief that British hunters are among those propping up this desperately cruel industry. The lions are reared in cages and forced to breed too young, and their cubs are taken away from them soon after birth so that the mothers can breed again, but too quickly.

The cubs might then be taken to petting zoos where tourists—possibly unaware of the past or future of those cubs—are able to bottle-feed them. Some tourists are even able to walk with the young lions until they are about nine months old, when they become much harder to control. From then on, these immature lions are kept in small pens until they are about two years old.

These animals have trusted humans because they know no different. They have been bred in captivity. This trust is tragically misplaced. The lions are either left out of the cages and shot at almost point-blank range by the trophy hunter or are taken by truck into the bush to make it more like the kill of a wild animal. In this instance, the lions are allowed out of the truck and shot—again at almost point-blank range—although some are never let out of the cages and are actually shot while in captivity, through the bars, by these so-called trophy hunters.

These magnificent animals have had no freedom to roam and live as nature intended, thanks to an industry that is, believe it or not, legal in South Africa. This kind of hunting is often given a licence thanks to the sometimes-corrupt authorities turning a blind eye, or because the
owners of these “farms” persuade them that it is being done in the name of conservation. That is simply a lie. It is a heinous activity that lines the pockets of greedy owners. Every time a trophy hunter shoots a lion, they have paid many thousands of dollars for the privilege. These lions are farmed in great secrecy to produce cheap, quick trophies for hunters. In some cases, the breeders themselves shoot the lions so as to sell lion bones in the far east for ritual medicines. It is easy to see that it is only a matter of but a short time before the only lions we will see will be those in zoos.

Shamefully, Britain still allows so-called hunter trophies to be brought into the country. Yes, lions’ heads may be flown into our airports by hunters who glory in adorning their walls with them. We need to make it clear that the UK condemns the killing of lions, as well as other threatened species. This should start with legislation preventing hunters from bringing back the heads, tails, feet, skins and other body parts of these animals to the UK. We need a clear moral response.

The Government should impose an immediate moratorium on the importation of trophies until legislation is made. There is no reason this cannot be done immediately. People’s lives are in danger when they speak out about this terrible practice, so we need to protect those who whistleblow about it. People might not be aware that there are three times more canned lions than wild lions in South Africa today. There are fewer than 15,000 lions left in the wild across the world. Indeed, our own Prime Minister mentioned this recently at Prime Minister’s Question Time.

Over the past decade, 10,000 lion trophies have been taken. Despite the very small number of lions, trophy hunting of adult males is still allowed in Zambia, Namibia, South Africa, Zimbabwe, Mozambique and Tanzania. There is an absolute dearth of information that such activities are in any way sustainable or contribute to the conservation of the species in any way. In fact, it has been shown in Zimbabwe, Zambia and Tanzania that trophy-hunting concessions are now so devoid of wildlife, largely due to overhunting, that they cannot garner any further interest in tenders from trophy-hunting operations. There has never been a population count of lions in any trophy-hunting concession in any African nation that permits lion trophy hunting. It is no wonder that trophy-hunting operators are increasingly reliant on illegal hunts inside national parks, luring lions such as Cecil out of national parks, along with many other such transgressions on lion populations that should be strictly protected. The UK has put in place much funding to combat the illegal wildlife trade, but hunting transgressions on protected areas should be considered as one of the important illegal activities.

It is now abundantly clear that the future of wild lion survival in Africa is dependent on not more than four populations, which still have more than 1,000 individuals. Those populations are located in Northern Botswana; perhaps in the Kruger National Park in South Africa; in the Serengeti in Tanzania; and in the Selous in Tanzania. The estimate of 15,000 lions in total depends on an accumulation of small, scattered and isolated groups of lions across this very large continent. For example, there are 16 lions left in Senegal, 34 in Nigeria, 32 in Malawi, 34 in Angola and maybe 60 in Ethiopia.

This practice should stop and should stop now. Britain should not be allowing trophy-hunted imports of any species from any country. How can we allow zebra, rhino, lions or, indeed, any single animal from an endangered species to be brought into to go on someone’s wall at home or in the office when we are supposed to be a nation of animal lovers? Other countries have banned imports, but, so far, we have not banned them all. I am told we still allow some to come into this country. Why? That does not help conservation.

Shockingly, the infamous killing of Cecil the lion has encouraged British hunters to go to South Africa and shoot dead more big cats than ever. Experts had believed that worldwide revulsion at the shooting would mark a turning point for the endangered species and the start of a decline in trophy hunting. Instead, the number of British hunters targeting farmed lions and bringing home their body parts more than doubled in the three years after Cecil’s death, compared with the three years before, according to statistics from the global wildlife trade regulator.

This is not about telling African countries how to manage their wildlife. It is not even about laying down the law on trophy hunting to them. It is simply saying that the UK does not agree with killing lions, elephants and other threatened species for sport, nor with allowing hunters to bring back the heads, tails, feet, skins and other body parts of these animals to the UK.

Sir Greg Knight: I thank my hon. Friend for giving way again; she is being very generous. Does she agree that a ban on import should also include the body parts being traded through Britain?

Mrs Latham: Yes, I absolutely agree with my right hon. Friend. We must put a ban on everything that makes more species endangered, and we should be regulating and being very careful about what we do or do not allow into this country. As I said earlier, we are supposed to be a nation of animal lovers.

The times we are living in and the threat facing all wildlife demand a clear moral response. Things need to change so that live animals are better for the economy than dead ones. I understand that the US had a total or near-total ban when Obama was President, but the current President has decided to release the pressure and to allow some trophy hunting. I understand that that is because two of his sons like trophy hunting. That is something that should not happen in America. It should not happen here. It should not happen in Europe. It should happen nowhere.

I am fortunate to have seen many lions and other endangered species in various African countries, but I want my grandchildren and their children to have that privilege too when they are old enough to travel. We can visit a zoo, but that is such a poor relation, compared with seeing a lion, or any animal, living in freedom in its own natural environment. David Attenborough has spoken about the animals in Africa and other places, and indeed in the oceans, and his programmes whet the appetite, but unless we stop all trophy hunting, those beautiful animals will disappear from our reach, as many very nearly have.

I have a series of questions for the Minister, following the Government’s welcome announcement at the weekend, and I know he will listen hard to them. Which animals...
will be covered by the trophy hunting imports ban? When will it come into effect? Every month we take to pass legislation means more endangered species getting closer to eradication and extinction. Which countries will be banned from importing trophies into Britain? If it is not all of them, greedy businesspeople will find a way around the ban by moving the dead animal to a country from which we do allow the import of trophies. Which countries do we still allow trophies to be imported from? Will animal parts, such as bones, hands, tails and so on, be covered?

What about trading through a country, which my right hon. Friend the Member for East Yorkshire (Sir Greg Knight) mentioned? Obviously, countries such as China value the body parts of these endangered species. I ask the Government to impose an immediate moratorium on the importation of trophies until legislation is made. Is there any reason why that cannot or should not be done immediately?

Can I be assured that the welcome announcement by the Government a few days ago will not result in just more consultation? There have been multiple consultations over a number of years, and the longer that that continues, the fewer lions there will be truly in the wild. I understand that the previous Secretary of State was holding a consultation—another one—and said that we had to listen carefully to both sides, but while we do that, more and more lions die. I thank the Minister for his passion on this and many other environmental issues, and I look forward to his positive response later.

2.48 pm

Bill Grant (Ayr, Carrick and Cumnock) (Con): It is a pleasure to serve under your chairmanship, Mr Hosie. With your permission, I may leave a wee bit early so that I can synchronise with the Virgin Trains timetabling. I congratulate my hon. Friend the Member for Mid Derbyshire (Mrs Latham) on securing this important debate.

Trophy hunting is a particularly emotive topic but, as usual with such an issue, the situation is not entirely clear-cut. While most of us are instinctively opposed to such a practice, as I certainly am, we must surely endeavour to set that emotion aside, albeit briefly, if we are to properly consider how best to respond. While a number of animal welfare and environmental groups are firmly opposed to the practice, other institutions, such as the International Union for Conservation of Nature, the European Parliament and the convention on international trade in endangered species maintain that trophy hunting has beneficial side-effects. Those include generating revenue for landowners to conserve or restore wildlife on their land and for wildlife management, including anti-poaching activities.

However, we must ask ourselves whether there is a better means to support those ends than revenue raised from hunting and associated tourist activities. What, after all, is the value of an anti-poaching effort for an endangered species if it is funded by the hunting of other species under the guise of big game hunting, often carried out in a merciless way, simply to secure a trophy or a photograph?

The natural assumption in this debate is that we are considering those who travel abroad from the UK for a trophy hunt, but of course the problem is broader than that. This is not just about British nationals bringing trophies back from other continents; the practice also operates the other way. Many hon. Members will recall the furore caused this time last year by an American television presenter, Miss Larysa Switlyk. She came to the beautiful island of Islay off the west coast of Scotland—I know it well—to shoot wild goats, which she then, in my opinion, glorified on social media. Those animals have no natural predator, and are classed as an invasive non-native species in the United Kingdom. They have been the subject of several official culls over the years, and they are thought to have roamed parts of Scotland and the north of England for 5,000 years. Although hunting them on private land is not illegal, we as a society were appalled at the sight of Miss Switlyk posing with one of her kills. Perhaps it was the glorification of the process and the trophy hunting element that most offended sensitivities throughout the United Kingdom.

Given our increasing concern as a nation for animal welfare, I was surprised to note that, between 2013 and 2017, trophy imports rose by 23%—a rise of almost a quarter over such a short period. That must surely be of concern worldwide, and is perhaps an indication that current regulation is ineffective. Additional red tape is seldom the solution to any problem, but do the Government—with their recent announcement of a call for evidence—appear to be moving towards improving regulations—feel the time is now right for action? I know they have been keeping the situation under review, and although I cannot predict the outcome of that review, I hope it will be acted on and not simply placed on a shelf.

I understand the basic human need to hunt an animal to feed a family, and we must all consider rural life, in whatever country, and accept that it is perhaps unfair to apply urban values to an already fragile rural economy. Thankfully, however, hunting for food is hardly commonplace in the UK these days, and to kill purely for the purposes of hanging a memento on the wall seems, in this day and age, rather barbaric and unnecessary. Surely the days of such trophy hunting should now be behind us.

Let me close with a verse from Robert Burns, which was penned as far back as 1789. He was a farmer, and he saw the fate of a hare that was shot and not killed, but simply wounded. Strangely enough, the title of the poem is “On Seeing a Wounded Hare”. I will read the first verse:

“Inhuman man! curse on thy barbarous art,
And blasted be thy murder-aiming eye;
May never pity soothe thee with a sigh,
Nor ever pleasure glad thy cruel heart!”

It concludes:

“And curse the ruffian’s aim, and mourn thy hapless fate.”

2.53 pm

Jim Shannon (Strangford) (DUP): I congratulate the hon. Member for Mid Derbyshire (Mrs Latham) on securing this debate. I believe we have debated this issue previously in Westminster Hall, and she and other hon. Members—including me and the Minister, in his previous role—were much involved. I assure her of my support in its entirety for what she has said today.

I wish to say, humbly and genuinely, that I am a country sports enthusiast. The hon. Member for Ayr, Carrick and Cumnock (Bill Grant) referred to those...
who hunt for the pot, and on the farm that our family holds back home we have a small pheasant shoot and a small duck shoot. It is not particularly big, but it sustains our country sports enthusiasm, and it is important that we manage the habitat for which we have responsibility and the animals on that farm. For the record, hares are not likely to be shot, because legislation in Northern Ireland means they are protected. We are fortunate to have a large quantity of hares on our land, and I love to see them, especially in March when they start to box and spar with each other in the fields.

Bill Grant: To clarify, the verse was penned in 1789, when the rules might have been a tad different.

Jim Shannon: I realised when the hon. Gentleman mentioned Robert Burns that it had to be back in that time, but I thank him for his intervention.

By way of introduction, I absolutely support the hon. Member for Mid Derbyshire, but I want to explain how I can be a harvester of pheasants, ducks and pigeons so that they are of use, in contrast to what the hon. Lady put forward, which is totally different. I support her 100%. Everything that is shot by me and my sons—and ultimately my granddaughter, when the time comes—we eat, and I make sure that my neighbours who enjoy fowl also have that opportunity. Indeed, in her room in Stormont, where she was First Minister, my party leader, Arlene Foster, would find on her desk pheasants or ducks to take home and prepare for her family to eat.

As for conservation, we believe the land has to be looked after, and the animals on the land have to be conserved and protected. If we are truly embedded in conservation programmes, as we probably all should be, and we have the opportunity to look after the land, farms, habitats, countryside and trees, it is important for us to control the predators. For instance, this last season, we used the Larsen trap. I, along with my son, got 45 magpies and 10 great black crows. The result of controlling those predators is clear: we now have an abundance of small bird life that we have not had on the farm for many years. Yellowhammers—the word “Yellowhammer” is used very often nowadays, although for a different reason—are back in numbers on our farm again. They were a threatened species, but we took action to make sure they came back.

I have a true story from my childhood. Back in the ’60s—I suspect you and I are of the same vintage, Mr Hosie, so you can probably relate to this—we did not have very much. My cousin, who lived in Strabane in Northern Ireland, used to shoot pigeons, put them in a shoebox and send them—it was truly carrier pigeon—by post to us in the east of the Province. One of my favourite birds, which I enjoyed from a very early age in Ballywalter, was pigeon. If used correctly, these things can control vermin, and that can be encouraged.

As for the canned hunting the hon. Lady referred to, it is obscene, immoral and incorrect. I say, as the person I am, and with the pursuits that I have, that I find what happened to Cecil the lion very difficult. Perhaps I am a bit naive, but I can almost picture the scene of a lion being enticed from a safe place. It perhaps had daily interaction with people. What happened was totally wrong.

We cannot ignore the fact that Australia introduced a ban in March 2015. In the face of canned hunting, it proposed a total ban on all African lion trophy imports. Nor can we ignore what other countries have done. Four months after Cecil the lion was killed, France’s Environment Minister Ségolène Royal—it is a fantastic name—said that she had instructed officials to stop issuing permits for lion trophies. The Netherlands took an even bigger step and introduced the strictest ban on the importing of hunting trophies into the EU. Those are the three countries that have taken action. As the hon. Member for Mid Derbyshire said, it is time this country took the same strong attitude.

I am grateful for the background information on the debate, which contains things I was not aware of, including about rhinoceroses, hippopotamuses and zebras. My goodness, who on earth would want to shoot a zebra? Is there not something wrong there? I think there is. It is a species of horse, probably—to us in the United Kingdom horses are horses and the zebra is a smaller version.

The other instance that really got to me was the polar bear. Many of us cannot relate to the polar bear sitting on the ice floe, surrounded by the coldness of the water. We wonder how it survives in the inhospitable habitat where it lives. Yet someone wants to shoot a polar bear. I just cannot understand it, and that is coming from where I am, although it is pheasants and ducks that we use, and it is about protection of wildlife.

The hon. Lady referred to the wildlife of today, and a magazine I get every week said something important about that—that the wildlife of today is “not for us to dispose of” as we please. It said:

“We hold it in trust for those who come after.”

That is our responsibility, as she mentioned, and it is why this debate is so important. We have a responsibility to ensure that lions, polar bears, zebras, hippopotamuses, rhinoceroses and all the others on the list are protected from extinction. Large numbers of my constituents have contacted me to oppose trophy hunting imports. I oppose them too, and feel that they are totally wrong. Those constituents want me to oppose trophy hunting, put their views on record and look to the Minister for a response.

As the hon. Lady said, things may have been different 40 years ago—and even more so in 1780. However, society has moved on, and things that were acceptable in the past are certainly not today. We must make a positive response as a society.

Alex Chalk (Cheltenham) (Con): The hon. Gentleman is making an excellent point about how we need to move with the times. Does he agree that we should allocate our international aid budget in a way that reflects modern sensibilities? My constituents would like our aid budget to be used to preserve biodiversity, whether that means the sorts of animals he has referred to or other types of diversity. That is what we should use our financial firepower for. Does he agree?

Jim Shannon: I wholeheartedly agree. The hon. Gentleman has introduced a point I was going to make, so well done. I think we should do that, because there are ways to do things in conservation. I think that the Department for International Development or some
other Departments are helping rangers in some countries, at least partially. I am not sure where all the money is coming from, but they can train people in Africa to be the protectors of animals. The hon. Gentleman is absolutely right. I know that we are doing something, but perhaps the Minister can tell us a wee bit to clarify things and add some meat to the bones.

Where there is any chance of making money, we can be pretty sure that a criminal gang is involved somewhere, and there are criminal gangs that clearly do not give—I should keep my language under control—any concern whatever in terms of what happens, as long as they can make money. So the criminal gangs, who kill indiscriminately and murder animals for their own personal gain, have to be addressed as well.

Let me make a comment about conservation. I said what I said earlier about conservation to set the scene, in a very small way, for how conservation works. In his intervention, the hon. Member for Cheltenham (Alex Chalk) referred to conservation that we can help with, in Africa and in other parts of the world. The Minister, and indeed everyone else, will understand the importance of habitat. When it comes to addressing trophy hunting and imports, which is what this debate is about, we also have to—perhaps directly, as the hon. Gentleman suggested in his intervention—do other things, which are about habitat retention. They are about addressing the conflict in parts of Africa, where the population is exploding and where there is confrontation between the farmers, landowners and animals. Those wonderful TV programmes that Sir David Attenborough presents tell us about Africa and elsewhere, but they also tell us about the savagery of wildlife and life on the plains, where animal eats animal; that is how things are.

However, we also need to ensure that, in addressing habitat loss and conservation in Africa, we help countries to do what they do. Landowners and farmers are growing crops to feed their families, so we need to have some methodology to address that. There is enormous demand on resources—water, trees, woodland, scrubland and the land itself. Where can the land sustain farming? We need the large savannahs as a large place for the animals to roam as well. There is no doubt that lots of the problems on savannahs are very complicated. Let me ask the Minister a question, which follows on from an earlier intervention: what are we doing to help countries to retain habitat and reduce the confrontation between people and animals?

I will finish with this point. Trophy hunting imports need to be not just controlled, but stopped. The Government have said they will keep the issue constantly under review. I respectfully suggest to them, and in total support of the hon. Member for Mid Derbyshire, that it is time not just to keep trophy hunting under review but to stop it.

3.7 pm

Sir David Amess (Southend West) (Con): I congratulate my hon. Friend the Member for Mid Derbyshire (Mrs Latham) on securing this debate. I agreed with everything she said, which is hardly a surprise, because I agree with most of her views on life generally.

I hope this is the last time we need to have a debate on this issue, because, by a happy coincidence, my hon. Friend the Member for Richmond Park (Zac Goldsmith) led a debate on it earlier this year—I think it was on 15 May—and he is now the Minister. I am absolutely delighted about that, and I suspect that we are pushing at an open door.

Of course, this subject is not party political, and all Members hopefully agree on it. My right hon. Friend the Member for East Yorkshire (Sir Greg Knight) is no longer in his place, but when he and I entered Parliament the issue of animal welfare was treated very differently from the way it is today. When a show of support was organised in July for a ban on trophy hunting, I was delighted that many colleagues lined up—quite rightly—to have their photograph taken with Sir Ranulph Fiennes. That was very good to witness.

Trophy hunting is a wicked, evil practice, and anyone who indulges in it or encourages it should be absolutely ashamed of themselves. We should not mince words or be intimidated on this issue: trophy hunting is an absolutely disgusting practice. I recognise, especially from the point of view of my hon. Friend the Minister, that these words come easily. The question is: how do we stop trophy hunting? Our excellent Library briefing tells us that Australia has acted, France has acted and the Netherlands has acted. I do not know whether the Minister can tell us how successful they have been so far, but I believe that the Government want to do everything they can to stop this practice.

I was delighted to host a meeting of the Conservative Animal Welfare Foundation in Manchester on Monday. The Foreign Secretary, who stood in for the Prime Minister today, made an excellent speech on this very issue, as did Dr Nick Palmer, a former Labour Member of Parliament, who is now head of Compassion in World Farming UK. We had speeches from Peter Hall, who is a director of the CAWF, and from Kike Yueng of the World Dog Alliance, and an excellent contribution from Duncan McNair of Save the Asian Elephants. It was particularly good that we had speeches from the Prime Minister’s father, Mr Stanley Johnson, and from Ms Carrie Symonds. There was wide unanimity on the subject.

Conservatives’ perception of the issue has been changed by one person in particular: Mrs Lorraine Platt. She set up the CAWF and, through charm, has persuaded any number of my colleagues that we need to be on the right side of the argument. She has been supported in her endeavours by Mrs Elise Dunwebber, and I congratulate them both. There is still much work to be done on the issue, but I know they are keen to work with the Government on banning trophy hunting.

In the 10 years to 2017, 290,000 trophy items were exported across the world. That is absolutely disgusting. My hon. Friend the Member for Mid Derbyshire spoke about lions, but as the Library briefing tells us, this is also about polar bears, giraffes, antelopes, alligators and all sorts of beautiful animals. We realise that they could kill us—they are wild animals—but, for goodness’ sake, think of David Attenborough’s wonderful work, not only in our country but throughout the world, to highlight the fact that these animals are facing extinction. We do not want elephants and lions to be just a story for future generations, like the dinosaurs.

In these difficult times, this is a subject that Parliament can unite on. We should help and encourage the Government to do something about it—I know that the Minister is thinking about how to reply to my hon. Friend’s questions. I recognise that there is no easy
solution; 200,000 endangered animals are put at risk each year, which is an awful lot to deal with. It is so depressing that as soon as someone comes up with an idea to stop trophy hunters, these evil, wicked people get ahead of the game and find some way round the legislation.

I do not minimise the difficulty the Government face, but I simply cannot comprehend why anyone would pay up to $72,000 to travel across the world and shoot a beautiful animal. As I have said at business questions, I have seen numerous adverts for trophy hunting, with some companies even advertising price lists by trip length—as my hon. Friend said—by animal on offer and by trophy fee. Such adverts should be completely banned from all platforms in the United Kingdom.

The Government have a responsibility to use their global influence, along with the views of our royal family, to stop this trade. We have an important role to play in bringing the world together on the issue, but it will be a real challenge because 0.76% of tourism jobs in some countries are directly linked to the trade. I was pleased by what my hon. Friend said. Friends the Members for Cheltenham (Alex Chalk) and for Ayr, Carrick and Cumnock (Bill Grant) had to say on that point, and I hope the Government will take it on board.

In conclusion, before we are able to stop trophy hunting completely, we must recognise the need to act swiftly to ban all imports of trophies, which we must be able to do. Some 86% of British people apparently support this action, and the Government need to be alive to the fact that some of these beautiful animals will find their way into the UK because some of the customers are British citizens. As my hon. Friend the Member for Mid Derbyshire said, we are a nation of animal lovers, so let us prove it. Let us do something about banning trophy imports. It looks as though we are going to have the Gracious Speech on 14 October, which may or may not be controversial, but would it not be good if a big chunk of legislation to deal with animal welfare were at the heart of that speech? What could be better than to pay a tribute to the debate my hon. Friend has led this afternoon and to have a proposal to ban trophy hunting imports?

3.16 pm

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): It is an absolute pleasure to serve under your chairmanship for the first time, Mr Hosie. I start by thanking the hon. Member for Strangford (Jim Shannon) who introduced the debate with such passion. I agree with him. I do not minimise the difficulty the Government face, nor do I try to excuse the interest in hunting trophies. I start by thanking the hon. Member for Strangford (Jim Shannon) who introduced the debate with such passion. I agree with him. I do not minimise the difficulty the Government face, nor do I try to excuse the interest in hunting trophies. I start by thanking the hon. Member for Southend West (Sir David Amess) who introduced the debate with such passion.

This crucial debate is important to many of my constituents and to the public across the United Kingdom. The hon. Member for Southend West and others have a particular passion for helping disabled children into school in developing countries, but I do not believe that the public and MPs currently find it so difficult, but animal welfare is a unifying issue for MPs and for people in each of the nations of the United Kingdom. I am therefore pleased that we are having this important debate today, and I hope that the Government will address the issue in the Queen’s Speech.

I thank the other Members who have contributed today. The hon. Member for Ayr, Carrick and Cumnock (Bill Grant) described trophy hunting as barbaric and unnecessary and went on to advance the alternatives that exist in this day and age. Indeed, he referenced the wild goat that was shot in Scotland, about which I received a full mailbag from my constituents, with many asking, “How brave is it to shoot a goat? How can that give pleasure? What exactly is the point?” It is not so much about conservation but, I dare to say, more about the ego of the person involved. My constituents were appalled by that individual and want to see movement on the issue.

The hon. Member for Southend West (Sir David Amess) is a real champion of animal welfare. We are usually lining up to have our photograph taken with pledges to support animal welfare, and I am pleased that he hosted a meeting of the Conservative Animal Welfare Foundation at the Conservative conference this week. The foundation is kind enough to send me a Christmas card every year, so Lorraine Platt is doing well by boosting not only animal welfare issues in the Conservative party but cross-party efforts to bring everybody on board, so I pay tribute to her.

Westminster Hall would not be the same if the hon. Member for Strangford (Jim Shannon) were not sitting in his place right behind me. He outlined eloquently the difference between hunting for food and trophy hunting, and stated plainly that trophy hunting is not acceptable today; we need to move with the times. In my constituency, and others across the UK, young people are so enthused by doing all they can for the planet, through addressing environmental issues and conservation. They are saying to MPs in this House, “Get on with it; do this work.” In this day and age, it is those issues that are top of their priority list.

Alex Chalk: The hon. Lady is absolutely right that young people are interested in the planet. When DFID was set up in 1997, it was principally focused on people, rather than the planet. Does she agree that the time has come to recalibrate our approach on deploying our international aid so that it truly focuses on and prioritises preserving the planet?

Dr Cameron: As the hon. Gentleman may be aware, DFID has a presence in my constituency, and I am so very proud of the work that it does to eradicate poverty the world over. I believe that conservation is commensurate with the sustainable development goals, because it is not only about animal welfare; it is about helping the communities located where those endangered species are. It is about making sure that those communities have another source of income; that people and animals can cohabit. We must do everything possible on both issues, and I will be interested to hear from the Minister how the two can be married together. We must ensure that aid goes to the poorest and that no one is left behind. I have a particular passion for helping disabled children into school in developing countries, but I do...
not see a contradiction in helping the poorest communities and working on conservation and, in the main, I do not believe that colleagues across the House would either.

In November 2018 the Minister lodged early-day motion 1829, which was signed by 166 MPs cross-party, including myself. It asked the Government to commit to halting imports of hunting trophies as a matter of urgency. I am very pleased that the Minister is in his place today, and not just because of that issue. He also did a lot of cross-party work with the all-party parliamentary dog advisory welfare group on Lucy’s law, which will now become law not just in England, but in Wales and Scotland. We are extremely pleased about that.

As has been said, 86% of the public support a ban on trophy hunting. I pay tribute to the Campaign to Ban Trophy Hunting, Born Free and Stop Ivory for placing these issues at the forefront of our minds, so that we can see what is happening. I had a look at the statistics. Although progress is being made on elephant populations and larger cat populations—not enough, but some progress—people are now reverting to hunting bears, cranes, antelopes, rhinoceroses and, would you believe it, crocodiles. Perhaps they have watched too many “Crocodile Dundee” films. Other species are up 29.2% as well. I am not sure what species those are, and it would be interesting to find out more, particularly whether any of those species are at risk.

Many trophy hunters use the rationale that they kill the old, the weak or the sick, and that they are therefore helping conservation. That is rarely proven by the egotistical photographs that are put up online, with the hunter standing next to the biggest, the rarest and the largest animals with the biggest horns. It is much more about ego than any effort towards conservation.

A current loophole allows hunters from the UK to import trophies of animals, many so rare that they have been declared extinct in the wild. For example, puffins are often hunted and the trophies brought to the UK, despite the UK Government’s efforts to save the species. Online websites are easily found offering these grisly puffin hunters trips costing around £3,000 to Iceland, where they have the chance to kill a bag of puffins and can boast of shooting up to 100 at a time. The species is classified as endangered in the 2018 “State of the World’s Birds” report, but is not listed for protection by CITES, the body that regulates the international animal trade. British people are bringing home puffin carcases in their hundreds and the puffin is at risk of becoming extinct, with uncontrolled hunting a leading cause.

I was proud to lead for the Scottish National party on the Bill that became the Ivory Act 2018. As a party, we welcome that historic legislation and the UK Government’s progress on tackling the illegal ivory trade and trophy hunting. Organised crime is often behind the individuals involved in that trade, as it offers big money, so we need to tackle it at the root. I was pleased—actually, emotionally involved in that trade, as it offers big money, so we need hunting. Organised crime is often behind the individuals welcome that historic legislation and the UK Government’s the Bill that became the Ivory Act 2018. As a party, we extinct, with uncontrolled hunting a leading cause.

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As has been said, 86% of the public support a ban on trophy hunting. I pay tribute to the Campaign to Ban Trophy Hunting, Born Free and Stop Ivory for placing these issues at the forefront of our minds, so that we can see what is happening. I had a look at the statistics. Although progress is being made on elephant populations and larger cat populations—not enough, but some progress—people are now reverting to hunting bears, cranes, antelopes, rhinoceroses and, would you believe it, crocodiles. Perhaps they have watched too many “Crocodile Dundee” films. Other species are up 29.2% as well. I am not sure what species those are, and it would be interesting to find out more, particularly whether any of those species are at risk.

Many trophy hunters use the rationale that they kill the old, the weak or the sick, and that they are therefore helping conservation. That is rarely proven by the egotistical photographs that are put up online, with the hunter standing next to the biggest, the rarest and the largest animals with the biggest horns. It is much more about ego than any effort towards conservation.

A current loophole allows hunters from the UK to import trophies of animals, many so rare that they have been declared extinct in the wild. For example, puffins are often hunted and the trophies brought to the UK, despite the UK Government’s efforts to save the species. Online websites are easily found offering these grisly puffin hunters trips costing around £3,000 to Iceland, where they have the chance to kill a bag of puffins and can boast of shooting up to 100 at a time. The species is classified as endangered in the 2018 “State of the World’s Birds” report, but is not listed for protection by CITES, the body that regulates the international animal trade. British people are bringing home puffin carcases in their hundreds and the puffin is at risk of becoming extinct, with uncontrolled hunting a leading cause.

I was proud to lead for the Scottish National party on the Bill that became the Ivory Act 2018. As a party, we welcome that historic legislation and the UK Government’s progress on tackling the illegal ivory trade and trophy hunting. Organised crime is often behind the individuals involved in that trade, as it offers big money, so we need to tackle it at the root. I was pleased—actually, emotionally quite overcome—to visit Sheldrick Wildlife Trust the day before the hon. Member for Mid Derbyshire, I believe, with the International Development Committee. We were able to spend time with orphaned elephants there. Now, I have quite short legs, but the little elephants only came up to my waist, which shows how small they were. Some, only a few days or a few weeks old, were being bottle-fed, because the hunters were after their parents and left the little baby elephants behind, unable to survive on their own. This fantastic project goes out and saves them from otherwise certain death in the wild, but still, they will not have had the life they should have had. They should live with their herd, not be raised in those circumstances.

Bill Wiggin (North Herefordshire) (Con): I missed the beginning of the hon. Lady’s account. Could she clarify whether the victims—the parents of those elephants—were poached or hunted for trophies? There is a huge difference.

Dr Cameron: I did not get the details of what had happened to all the parents. I imagine it was a mixture of the two, but mainly poaching, because organised crime is behind a lot of that activity. However, trophy hunting does not help when saving the species.

I believe that the Department for International Development could support this work, and there is no contradiction in that. It would help some of the most rural and impoverished communities. I would like some money to go toward training local people as wardens, giving them the opportunity of jobs and livelihoods. Finally, will the Minister reinforce and re-endorse his own early-day motion calling for a ban on trophy hunting imports as a matter of urgency?

3.28 pm

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): I congratulate the hon. Member for Mid Derbyshire (Mrs Latham) on initiating this very good debate, in which good points have been made by a number of speakers. It is a shame that it clashes with Second Reading of the Domestic Abuse Bill, because I know many of my hon. Friends wanted to speak in this debate. I imagine that, had they been here, they would have said much the same as has been said by others in the debate, but the Minister would have heard it from a few more voices.

I welcome the Minister to his place. It may not be fashionable—or productive for my future career—to say this, but I am really excited about the hon. Member for Richmond Park (Zac Goldsmith) becoming a Minister. His championing from the Back Benches of causes and views that I believe many Members share has been really powerful. At the risk of injecting a partisan flavour into the debate, I have to say that sometimes we have heard the soundbite from Ministers but not seen the action that goes with it. I am certain that the hon. Gentleman will not fall for any press release camouflage on inaction. This is an area where there is a real opportunity to stop the long-grassing of policies where there is clear cross-party support, and to get on with it. I hope that when he gets to his feet in a moment, he will say exactly the same things.

We have heard some good contributions. The hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron) mentioned a few but I will add a few more. The phrase of the right hon. Member for East Yorkshire (Sir Greg Knight), that trophy hunting is “nauseating and revolting”, cut through and adequately described what is going on. The hon. Member for Crawley (Henry Smith) rightly said that a ban on trophy hunting is backed by 86% of the British public. The hon. Member for Ayr, Carrick and Cumnock (Bill Grant) spoke passionately about the fact that it is not something that only happens abroad. We should recognise
that and ensure that any ban takes adequate notice of that, so that it covers not just imports but exports of trophies from UK wildlife.

The hon. Member for Strangford (Jim Shannon) used “yellowhammer” correctly—it is good to hear the yellowhammer bird getting due attention after its name has been borrowed for so many things. We all share the complete puzzlement implied by his question, “Who on earth would want to shoot a zebra?” I agree with the hon. Member for Mid Derbyshire (Geoffrey Clifton-Brown), who was clear when he said it was a wicked, evil practice. We should not mince our words about people who go and shoot.

I am glad that it is not just parliamentarians who have encouraged this debate; people have used their fame and celebrity to endorse it too. Ricky Gervais does not mince his words on social media when it comes to this subject. I especially like his tweet from a few years ago, which says:

“The trophies I’m proudest of are the memories of all those times I didn’t kill a beautiful, majestic, endangered species for no reason.”

Although he may choose more powerful language to describe some of the people who are engaged in trophy hunting, his leadership on social media has highlighted a cruel and inhumane practice to many people who might not otherwise have appreciated its barbarity.

Ricky Gervais and the Minister are not alone, however, and have been in good company in championing the cause. Joanna Lumley correctly said that trophy hunting is “cruel, immoral...and unjustifiable”. Bill Bailey said:

“I can’t get my head round why anyone would want to kill a beautiful creature for fun. With the dwindling numbers of species, it’s time to halt this cruel and unnecessary practice.”

He is right, as are the speeches that we have heard today. I will ask the Minister a few questions to try to understand the detail of the proposed ban. He has been clear that we should ban trophy hunting, but Ministers in the past have not been clear about what that ban comprises in detail, as the hon. Member for Mid Derbyshire hinted in her opening speech. The thread of Ministers comprises in detail, as the hon. Member for Mid Derbyshire (Geoffrey Clifton-Brown) has been clear about what that ban would encompass. He is right, as are the speeches that we have heard today. It’s time to halt this cruel and unnecessary practice.

We need to recognise that trophy hunting, as well as being cruel and unjustifiable, can act as a cover for illegal poaching, which was the sentiment of the intervention of the hon. Member for North Herefordshire (Bill Wiggin). The proposed ban that we would like the Government to adopt would cover all species above least concern on the International Union for Conservation of Nature and Natural Resources red list, which would include species classed as vulnerable, endangered, critically endangered and extinct in the wild.

Sustainable alternatives to trophy hunting, such as eco-tourism and photographic safaris, are generating revenues that cover the real costs of conservation and effective anti-poaching work, as well as providing well-paying permanent jobs for local people. Shooting a lion such as Cecil can generate a one-off trophy fee of around $15,000. There is no evidence that that goes toward conservation, no evidence that it goes toward the local community, and no evidence that it goes toward the protection of other animals. Nature tourism, on the other hand, can generate money from the protection and valuing of those wild animals.

There is an opportunity, which has been mentioned a few times, through Brexit to come together. What Brexit has done for DEFRA debates is to open space in the Government’s legislative agenda for issues that might not otherwise have got the airtime they deserved. If we think about what has been passed by this House in recent months, on a cross-party basis, with the Brexit malaise and chaos going on around us, we will realise that many of the same faces in this Chamber have been working together on banning wild animals in circuses, banning the trade in elephant ivory and tightening up regulations across the board.

That work might not have attracted the attention of many people outside Parliament, and certainly it has not troubled some of our friends in the media, but it has been worthwhile. We should continue that spirit, whatever is happening with Brexit or outside, because there is something here that could make a real difference to the species involved.

Carol Monaghan (Glasgow North West) (SNP): The hon. Gentleman is speaking very eloquently about the issue and the potential opportunities of eco-tourism. He will know that last year in Scotland, as my hon. Friend the Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron) has mentioned, the shooting of a wild goat on Islay caused a huge upset among people in Scotland and much further afield. What is most upsetting is that tourism companies are promoting Scotland as a place to come and trophy-shoot. Surely we should be clamping down on that. Companies are not just offering places in Africa as destinations; that is also happening here in the UK.

Luke Pollard: The hon. Lady makes a very sound point, on a common theme with the hon. Member for Southend West (Sir David Amess), who voiced a concern about what powers the Government have over the advertising of those tourism products. I spent five years working for the Association of British Travel Agents, and in that role I supported the animal welfare guidelines that encouraged ABTA members to ensure that animals are used sustainably and without endangering them, their habitats or their handlers. There are opportunities
to ensure that those principles, which are good and strong, are spread across not only ABTA members, but the entire tourism industry, I am sure that the Minister is familiar with those guidelines; if he is not, I encourage him to look at them next time he needs some bedtime reading, because there is some real strength there and some real opportunities to do the right thing. The market does not correct all ills, and in this case there is a role for real moral leadership from the Government.

I hope that the Minister will be as strong and forthright in his new role as he has been in campaigning to date. I was pleased to see a letter that he co-signed in The Guardian in April with a series of high-profile supporters, which said:

“Banning the import of hunting trophies will send a clear message to the international community that there is no place for trophy hunting in this day and age.”

We must be clear that the continuation of that colonial and neo-colonial practice of rich people descending on communities, for whom that extra money can have a positive impact on their lives, to do something that is abhorrent, is something that we should not accept any more.

The Minister was in good company in signing that letter. It was signed not only by the Prime Minister’s father and his partner, but by Michael Palin, Captain Kirk—William Shatner, that is—Matt Lucas, Will Travers of Born Free, by my right hon. Friend the Member for Leeds Central (Hilary Benn), my hon. Friends the Members for Sheffield South East (Mr Betts), for West Lancashire (Rosie Cooper), for Kensington (Emma Dent Coad), for Stroud (Dr Drew) and for Makerfield (Yvonne Fovargue), and many others besides.

As my final remark, I encourage the Minister not to allow his passion for these topics to be diluted by the sense, which there sometimes is within Government, that animal welfare legislation can be cut up and parcelled in different parts, as happened with the Ivory Act. The Ivory Act should have been a comprehensive ban on ivory—I believe that is something the Minister himself supported from the Back Benches—but it was allowed to be parcelled up into smaller bits. I hope that the new Administration will move away from that parcelling up of animal welfare opportunities.

There is a real opportunity here for people who may be bitterly divided on Brexit and other matters to come together, on a cross-party basis, around animal welfare. I encourage the Minister to be as bold as he can be, because in these times animals do not have a voice, and every animal matters. We must ensure that we are their voice. The Minister has the opportunity to be a bull in a china shop on the previous behaviour of the right soundbite but the wrong action, and to ensure that we have the comprehensive trophy hunting ban that we deserve, which animals both in the wild and in the canned lion industry that the hon. Member for Mid Derbyshire spoke about can really benefit from.

3.39 pm

The Minister of State, Department for Environment, Food and Rural Affairs (Zac Goldsmith): It is a pleasure to serve under your chairmanship, Mr Hosie, and I congratulate my hon. Friend the Member for Mid Derbyshire (Mrs Latham) on securing this debate. Over the past years we have stood side by side in so many debates on issues relevant to this one that I have lost track of how many we have shared. She has been a nature champion for all the time I have known her—indeed, this room is full of nature champions, and I wish there were a few more. It has been a joy to hear the contributions, including interventions, from all Members present.

My hon. Friend will know that this subject is close to my heart. Indeed, the last time I took part in a debate on this issue in Parliament—I believe she also took part—was on a motion tabled in my name, some time earlier this year. Last Saturday I was pleased to announce that the Government are launching a consultation on restricting, or banning, the import and export of hunting trophies.

Many questions have been raised, some of which I will struggle to answer because they relate to the details of the consultation. Hon. Members will understand that I must be slightly guarded and cannot go into too many details about a Government consultation, because I could end up jeopardising or compromising the process. Broadly speaking, however, we are not looking for any long grass. This is a serious consultation, and we intend to resolve the issue once and for all and not to waste any time. I will drive it through as fast as I possibly can, but in a proper manner.

I cannot answer the question about the threshold, were we to end up with the ban that we are talking about. My early-day motion broadly reflects the position laid out by the hon. Member for Plymouth, Sutton and Devonport (Luke Pollard), which relates to not just CITES I and II, but the list from the International Union for Conservation of Nature. However, those details will have to come out in the consultation, and it would be wrong for me to pre-empt it.

I am grateful for and flattered by the remarks made about my appointment. I am an animal welfare and conservation advocate, and I was worried, before being asked to be a Minister, that I might have to go through a lobotomy and cast aside all my passions for such issues. That does not seem to have been the case—yet—so I am able to pursue issues that matter to me and to Members across the House. Over the next few weeks, I look forward to reading the feedback on this debate from people across the spectrum, but I know from correspondence I have already seen that some people will push back heavily against the proposal for a possible ban.

On a personal level, hon. Members know I believe that shooting a beautiful and endangered animal for fun is, to quote the hon. Member for Strangford (Jim Shannon), obscene, and it is something I could never understand. Most people with whom I have discussed the issue are similarly sickened when they see images of so-called celebrity hunters smirking over the corpse of a lion, giraffe, rhino or elephant. It is something that most people regard as grotesque, and poll after poll shows that to be the view of the British people. There have been a range of polls, but they have consistently shown that between 75% and 90% of people are in favour of a ban on imports of hunting trophies.

To demonstrate quite how non-partisan this issue is, I was shocked and amazed last Saturday to read an editorial in the Daily Mirror—I have appeared in it a few times as a politician, and I have always put on my tin hat and hidden away for a few hours afterwards. This recent editorial, however, praised both me and the
Conservative Government for initiating this process, because the issue goes way beyond the left or right of politics today. I thank the Daily Mirror for having pushed the issue up the agenda. It has run an incredibly impressive campaign, as have The Daily Telegraph and a number of key campaigners, such as Eduardo Gonçalves, who runs the Campaign to Ban Trophy Hunting.

Trophy hunting is not just a niche issue or a symbolic part of the conservation story. A 2016 report by the International Fund for Animal Welfare estimates that around 1.7 million hunting trophies crossed borders globally between 2004 and 2014, and at least 200,000 of those came from species that are threatened. Some of those species face a horribly uncertain future, as we heard from my hon. Friend the Member for Mid Derbyshire in relation to lion numbers. There could be only 15,000 lions, 415,000 African elephants—there were 3 million elephants a century ago—and 5,000 black rhinos left in the wild.

As I said from the Back Benches a few months ago, we must nevertheless separate the moral arguments from the scientific ones. The moral arguments do matter, and for many people the idea of shooting a giraffe for fun or with the idea that it might help protect the giraffe seems utterly perverse, but the issue is subject to a live debate between experts and even some conservation organisations.

Bill Wiggin: Many people who live in the Forest of Dean wake up in the morning to find that wild boar have completely destroyed their garden, and they then ring the Forestry Commission—in the Minister’s Department—which culls those animals. Is that right?

Zac Goldsmith: It is certainly right that wild boar are culled. There is a live discussion about whether there should be a protected season for wild boar, given that they are now prevalent throughout the country. I am not sure that my hon. Friend’s point is directly relevant to the issue of the positive contribution of trophy hunting to either the conservation or the denudation of wild species.

Bill Wiggin: It is very easy to attach a huge amount of emotion to animals that are attractive and beautiful, as the Minister described, but they are still managed, and the ability to manage populations is the difficult part. The Government have to take responsibility. I felt he was perhaps straying into pretending that it does not happen.

Zac Goldsmith: My hon. Friend pre-empts the point I was about to make. We have to separate the ethical arguments from the scientific ones. If the scientific evidence can show that trophy hunting contributes to conservation, we will be having a different debate. Although I cannot pre-empt the consultation, we will be flooded with evidence that will tell us one way or the other. I acknowledge that some conservation groups make the case for trophy hunting. I have seen the documents and been bombarded with letters, as we will no doubt be throughout the consultation. Some of the arguments that I have heard are—I think this term entered the English dictionary only recently—whataboutery. A number of different organisations tell us that trophy hunting is an issue but that it is not as bad as habitat loss or illegal poaching. Obviously, habitat loss is the big problem facing species across the world, and we have heard about the illegal wildlife trade decimating communities and bringing species to the brink of extinction, but whether or not that is true, it is not an argument for or against trophy hunting. It is an entirely separate issue.

The central argument that has been put forward in favour of trophy hunting is that these magnificent animals, through being hunted, generate money that is then ploughed into conservation. I have not seen much evidence of the funds being used to support local communities or to invest in conservation. It is not much use if the main argument of the conservation groups is based on generalising the best of the best practice—no doubt there are some best practice examples—throughout the world; if so, their argument is flimsy at best. We will see during the consultation whether there are more examples of best practice than perhaps I have implied.

There are other issues to examine. Unlike wildlife tourism, trophy hunting contributes a tiny proportion of revenue for African countries. There is a question whether we should instead focus our efforts on promoting the former. I will come to that point in answer to another question, which was raised by the hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron). There is also the issue of cruelty, with reports that half the animals killed in the course of trophy hunting are not killed instantaneously but are wounded. Cecil the lion lived for another 19 hours, I believe—no doubt in hideous pain—after first being shot.

We must find out the impact of trophy hunting on the gene pool. If hunters prize the biggest and the best of the rarest, the most endangered and the most valuable species, does that not logically mean that the gene pool is inevitably going to be weakened over time? These are issues that, again, we are going to have to address.

My hon. Friend the Member for Mid Derbyshire mentioned the issue of canned hunting. I forget which hon. Member described it as an obscenity, but it is. As far as I can see, these lions are bred for one purpose only and they are shot in such a manner that anyone would be able to finish them off, no matter how talented they are with a gun. It is no different from putting goldfish in a bowl and just shooting them. It is an extraordinarily grim practice. In answer to my hon. Friend’s question about whether the consultation will include measures to tackle canned hunting, I would say that it is one and the same. That will be explored in the consultation, and I hope the outcome will fully take into account the points she made.

The UK cannot ban trophy hunting overseas. We are not at liberty to do so, but we can ban the import of hunting trophies. Over the five years from 2013 to 2017, we estimate that up to 1,500 trophies were imported into the UK, with up to one third of those from the most endangered species. Perversely, elephant parts are the favourite import for British trophy hunters. I say that is perverse because we are the world leader now in stepping up our efforts to protect elephants around the world, not least through the ivory legislation that has already been commended today and much more besides. This consultation is critical, and it is going to have to provide answers to those very difficult questions.
I want to talk briefly about animal welfare and conservation more broadly. People in this country do care—very much—about the issue. As the animal welfare Minister, I clearly do too. I am proud of the progress this Government have already made. We introduced the ivory legislation I just mentioned. We introduced legislation to ban the use of wild animals in travelling circuses. We have legislated to ensure that CCTV is required in every slaughterhouse. Along with this consultation on the importance of hunting trophies, we are also consulting on mandatory cat microchipping, we are issuing a call for evidence on banning the keeping of pet primates and we are bringing forward proposals for consideration on ending the live export of animals.

I was proud that the UK played a defining role at the recent CITES COP, working under the radar, barely noticed by the rest of the country, to bring an end to the appalling practice of capturing wild elephants to be sold for captivity around the world. Without our negotiating team from DEFRA taking part in that debate, the motion would not have passed and it would still be possible for countries to capture wild elephants and pack them off to grim zoos in China and elsewhere. If they were here, I would pay tribute to them. In their absence, I will do so, all the same.

I am delighted that the Prime Minister announced at the United Nations that we are going to radically step up our contribution to tackling the wider environmental and climate crisis—and it is a crisis, no matter how you choose to interpret it. We know from scientists that a 1.5°C rise in temperatures is going to be utterly devastating to humanity and nature. We heard just a few months ago, in what is the most comprehensive ever assessment of the state of the natural world, the report from the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services, that 1 million species face extinction, many of them within decades. We have heard that, since 1970, the populations of the world’s wild animals have declined by 60%—a staggering figure. We learned from the World Resources Institute that, last year, we lost the equivalent of 27 football pitches’ worth of forest every single minute. Incidentally, we also learned from the World Economic Forum that, by 2050, our oceans will have more plastic in them than fish, if measured by weight.

We recognise the scale of the challenge. We are determined as a Government to provide the leadership that is needed globally and to do our bit at home. I was at the General Assembly of the United Nations when the Prime Minister made his announcement that we are going to double our climate funding. I was there when he made the important point about the crucial role of biodiversity in nature in tackling climate change. That directly addresses the point raised by a number of hon. Members, including the hon. Member for Strangford (Alex Chalk), the hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron) and no doubt others as well. The Prime Minister emphasised that much of that uplift in climate funding will be spent on nature-based solutions to climate change. We know that if we invest in protecting, saving and restoring forests, we protect the livelihoods of those hundreds of millions of people who depend on them for their livelihoods. We protect the harbour for 80% of the world’s biodiversity, and we also tackle climate change, given that deforestation is the second-biggest cause of emissions.

The same is true of our oceans. About 1 billion people depend on oceans for their main source of protein. Some 200 million depend on oceans for their livelihoods and on there being fish for them to catch. However, oceans are also a gigantic carbon sink, so the case for investing in nature-based solutions as a means of tackling climate change and helping to stop the extinction crisis, and also as a means of alleviating and preventing base poverty, is absolute and unarguable. I am thrilled that we are moving in that direction, and I do not sense any opposition from any party in this place to that shift. So that is where we need to go, and that is where I am thrilled to say we are going.

As a start to that package—these are just the things that have been announced in the past few weeks in relation to biodiversity—the Prime Minister announced a new £220 million fund. That includes a dramatic uplift to the Darwin initiative, which I am sure Members are aware of. That world-renowned programme has brought individual species back from the brink of extinction. We will see a major uplift in the illegal wildlife trade challenge fund, which is relatively new, but is already yielding incredible results, particularly on the continent of Africa, but elsewhere as well. It helps train local people to tackle poaching and create alternative livelihoods in areas most at risk, and it is having a significant and measurable impact.

We are creating a new fund. It does not have a proper name yet, but we are calling it the biodiverse landscape fund. It is a £100 million fund—a world first. It will tackle the drivers of biodiversity loss in large biodiversity hotspots around the world, focusing particularly on trans-frontier initiatives such as KAZA in southern Africa, which is a programme that five countries have signed up to to create wildlife corridors connecting their countries, their national parks and more. It is all based on helping local communities to create alternative livelihoods so that the viability of local economies is based and dependent on the health of the local environment and on flourishing biodiversity.

That is just a start. We are doing a lot, and I am thrilled that the UK has been given an opportunity to host the COP in 2020. We keep hearing about 2020 as a superyear for nature. It is absolutely the Government’s ambition to play a part so that 2020 will be the superyear for nature. We will host COP, and by the end of the year, in December, we aim to have aligned as many big countries in the world as possible with our ambition to step up our contribution to tackling climate change, to focus much more on nature-based solutions and to help turn the tide on this catastrophic extinction crisis, which is now beyond any doubt at all—it is happening right now on our watch.

I thank my hon. Friend the Member for Mid Derbyshire for bringing attention to this hugely important issue and for all the work she does as a parliamentary nature champion. I thank other hon. Members for their contributions too. We will crack on. We will get this done. We are not looking for the long grass. We will nail this issue as quickly as we possibly can.

3.58 pm

*Mrs Latham:* I thank the Minister and all hon. and right hon. Members for contributing to this debate. It must be terribly hard for the Minister to be the poacher
Mrs Latham

turned gamekeeper. He has a difficult decision, having now to stick with what he is told and what he has to do, but I hope that his passion will cut through some of the civil service speak and that he will get on and do it, because we are only temporary custodians of the wildlife and the environment of this planet. We really need to act if we want our grandchildren, their children and their children after that to be able to see these magnificent animals. We can play only a small part, but we can do a lot to persuade other countries to cease their activities. A ban on wildlife trophy imports into this country sends a hugely significant message that we care and want to change things. I commend this motion to the Minister and everyone else.

Question put and agreed to.

Resolved,

That this House has considered trophy hunting imports.

Leasehold and Commonhold Reform

[Albert Owen in the Chair]

4 pm

Sir Peter Bottomley (Worthing West) (Con): I beg to move,

That this House has considered progress on leasehold and commonhold reform.

This debate is an opportunity for the Government to explain what progress has been made on this issue, describe what is in their mind at the moment, and give us some hope that there will be even more improvements in future.

Before I start in detail, I want to thank colleagues who have worked really hard on the issue. I welcome the fact that the Labour party has developed proposals of its own, and I know that the Liberal Democrats have done the same. In particular, I thank and praise the hon. Member for Poplar and Limehouse (Jim Fitzpatrick), who I think has done more on this issue than any other Member of Parliament. I also thank the hon. Member for Ellesmere Port and Neston (Justin Madders), who has joined in and helped to make the scandal of leasehold homes in the north-west so relevant.

I also pay tribute to the right hon. Member for Kingston and Surbiton (Sir Edward Davey), who was deeply involved in the early stages of the campaign by the Leasehold Knowledge Partnership. That charity’s campaign, both for the ordinary leaseholders of flats and houses and in the retirement field, has done so much to make it possible for the work of MPs to be well directed and well supported. With Louise O’Riordan, it acts as the secretariat for the all-party parliamentary group on leasehold and commonhold reform, and I think we can all say that we have made progress together.

I say to those in the Government field and in the Government’s Leasehold Advisory Service, or LEASE, that we often agree that problems exist. We agree more often now than we did five years ago, when a succession of temporary Housing Ministers could not see that there is a problem, which partly was because the Department did not have many officials working on the issue of leaseholds and commonholds. The attempt by Parliament and the Government to bring in commonhold failed because the responsibility for it was split with the Ministry of Justice, which had no resources whatsoever. As a result, nothing happened. When we put forward the case for uniting commonhold with leasehold, I understand that the predecessor Department to the Ministry of Housing, Communities and Local Government said that it would take responsibility if it received the resources, but there were no resources.

Jim Fitzpatrick (Poplar and Limehouse) (Lab): I and other Labour Members are grateful to the hon. Gentleman for his generous comments, and I congratulate him on securing the debate. He does not have any support from other Government Members at the moment, whereas Labour Members are mob-handed in Westminster Hall today. However, I can assure him that we are here as his fan club and support structure, because it is the prominent role that he has played—leading the all-party parliamentary group, as co-chair—that has ensured that we have been able to press the Government on the issue. To the
Government’s credit, they have made a number of commitments on leasehold during the past five years, and we are very keen to hear the Minister’s response to this debate.

Sir Peter Bottomley: That is the sort of remark I can survive, and I am grateful for it.

I will say, as I try to in each of the debates on the issue, that I am a leaseholder of a small flat in my constituency, and with the other five leaseholders we bought the freehold. We had a good freeholder, good managing agents and we have had no problem whatsoever, and we know how the system can work. In effect, we are commonhold now, but we were originally freehold. Ground rents were low and we did not have the problem of ground rents doubling every 10 years.

We also did not have the kind of crooks, such as Martin Paine, who came in and gave informal leases, which really made a mess of people’s lives. We did not suffer from the Tchenguiz interests, which were responsible—both in the retirement field and in other fields—for some of the worst excesses. Frankly, the public authorities, such as the fraud people, the economic crimes people, the police and the Competition and Markets Authority people failed, and the Tchenguiz-controlled business got away scot free, when the people in that business should have been sent to jail and fined millions of pounds. The millions of pounds would have made up for the losses of the ordinary leaseholders who were failed by them.

I also pay tribute to Martin Boyd and Sebastian O’Kelly, chief executive and trustee of the Leasehold Knowledge Partnership, who have done so much, and they have now joined members of the National Leasehold Campaign and Bob Bessell, the former director of social services in Warwickshire, who in his retirement built 1,600 retirement homes without a single ground rent.

I thank my right hon. Friend the Minister for coming down on a fast train from Manchester, where she has given distinguished service over the past two days. I ask her to review whether it is sensible, necessary or right to allow ground rents in retirement properties. I look on the Churchill Group as the son of McCarthy and Stone, and we are very keen to hear the Minister’s response to this debate. I would say that if we get leasehold and commonhold right, the value of homes will go up, not down, and the income to the Treasury will go up.

Mark Tami (Alyn and Deeside) (Lab): My area has quite a few new leasehold housing estates, some of which have now been there for a number of years. The residents are being hit on a double whammy. They have all the costs associated with leasehold and they also have service management fees, which are absolutely enormous and growing. More and more people are reporting to me that they cannot sell their properties because they get partway through the process and the buyer looks at the cost and says, “No way.”

Sir Peter Bottomley: We are not able to cover everything in a half-hour debate, but that is one of the issues to which I think the House of Commons needs to return. We ought to have a full-day debate, preferably in Government time and on the Floor of the House, so that many other Members can speak and be a voice for their constituents.

As an example for those who do not read Private Eye on the day it comes out, there is a story about Rothesay Life, which apparently has £1.5 billion of loans. It can revalue the interest over 30 years and take it almost as instant profit. That is the kind of thing that leads people to say, “I am going to be greedy and get away with things as long as I can.”

Justin Madders (Ellesmere Port and Neston) (Lab): I echo the comments of my hon. Friend the Member for Poplar and Limehouse (Jim Fitzpatrick). We are very grateful to the hon. Gentleman for all the work that he has put into the campaign, which is growing stronger by the day. Some of the voluntary schemes that developers have entered into with leaseholders have a sting in the tail, with additional clauses carrying on afterwards. Does he agree that that example shows that it is important to get something on a statutory footing as soon as possible?

Sir Peter Bottomley: The whole House will agree with the hon. Gentleman. Incidentally, we got the Competition and Markets Authority to hold an investigation into leasehold and—this is one of my tributes to the Government—I want to say how grateful we all are for the mariages that have been sent across to the Law Commission, with the aim of getting practical and fair proposals that can be enacted.

One such important issue is lease extensions. There are more than 1 million leases, mainly of flats, that are coming to the 80-year limit where they cannot be mortgaged and where the marriage value starts coming in. At the moment, it is very difficult to find a cheap, easy and fair way of getting an extension on a lease. As and when we come to the elimination of new ground rents, we should find a way of putting a sunset clause on old ground rents, and give an incentive to freeholders to come forward with ways of getting some capital value now, rather than none later on. They have had the dawn of their money, and there needs to be some kind of sharing of the dusk that stops the money rolling in. We need to find a way of saying to them, “Let’s agree a simple chart; if you take 10 years of existing ground rent, don’t start saying you will take a doubling, and a doubling again after that.”

I interrupt myself to say that there is one announcement from the last couple of days that is potentially very dangerous to leaseholders, which is the proposal that people can put two more storeys on top of a block without planning permission. If the block is owned by an outside freeholder, that will ruin the chance of enfranchisement. If it is going to happen, all the value should go to the leaseholders, not the freeholder. In fact, it might provide an incentive for the leaseholders to buy the freehold and then agree among themselves how to deal with building on, and having a bigger community. As I said, I own a lease and part of a freehold of a block in Worthing. I am also contracted to buy a leasehold flat that is being built at the moment, which might be built in three years’ time. If anyone thinks that I have an interest in this issue, I do—if I get any benefit from it, I will give it to a good cause.
[Sir Peter Bottomley]

To go back to LEASE, MPs have had difficulty with its two previous chairs. The first, Deep Sagar, showed no understanding at all that LEASE should not be helping rapacious freeholders or clever managing agents to screw money out of leaseholders. He moved on, but I must say incidentally to the civil service appointments people that they should count how many public appointments he has had—I think he has had more than the number of years I have had in the House of Commons, which is 45. The second chair was Roger Southam, whom I took on trust when he was appointed. Others said that he was not trustworthy. It turned out that I was wrong and they were right.

I hope that when a permanent chair is chosen for LEASE—it now has an interim chair—the stakeholders will be consulted on the process and, if possible, given a chance to comment on who might be on the shortlist. If they do not want to trust me, perhaps they could ask the hon. Member for Poplar and Limehouse or someone else to bring an impartial view. LEASE has been led for many years by Anthony Essien. I have no complaint about him; I have treated him with respect on every occasion, and vice versa.

LEASE has been changing: it is now unequivocally on the side of leaseholders, thanks to the intervention of Gavin Barwell, who was the first Housing Minister to get a grip on what was needed—he provided leadership in the Department, and I am glad that the Department has responded. LEASE’S website now has more than 100 categories under which people can interact and get some advice. The problem is that LEASE could not give all the advice on practical things.

For example, on the Grenfell Tower cladding issue, when the Government rightly said that no social tenant should have to carry the cost of re-cladding, the private tenants were left stuck, either in public or private blocks. The advice that the campaigning charity Leasehold Knowledge Partnership gave was right, while the advice that LEASE gave—to go to court—was wrong, because the tribunals had to reach the unfair conclusion that the leaseholder was stuck with the cost.

I pay great tribute to the then Secretary of State for Housing, Communities and Local Government, my right hon. Friend the Member for Old Bexley and Sidcup (James Brokenshire), who got the Government to agree—perhaps against the advice of some civil servants—to carry the cost. He solved a problem that would otherwise have hit many small people.

There are other issues that I could cover at some length. I pay tribute to the National Leasehold Campaign, and to Katie Kendrick and Jo Darbyshire; to Victoria Derbyshire’s programme on BBC 2, which gave the issue prominence at a time when it mattered; to Patrick Collinson of The Guardian; to whoever advises Strobes at Private Eye on leasehold issues; and to others.

I declare this in public: if any of these big property interests threaten defamation proceedings against any of the leasehold campaigners, I will say on the Floor of the House of Commons exactly what can be said about them, in spades—I won’t hold back. Up to now I have been pretty restrained, but I want people to know this do not bully those who campaign for justice. We are all on the side of the small voice. By all means have discussion, and by all means have disagreement, but do not think that you can get away with lawyers’ letters of the kind that get prominence every now and again in Strobes’s legal pages.

Ruth George (High Peak) (Lab): I pay tribute to the hon. Gentleman for all the work that he has done in many, many years; many of us have come in on the back of it. Does he welcome the decision in the Persimmon case in north Wales last month and recognise that other leaseholders are in a similar position of not having had enough information when they bought out their lease? I have a situation with Barratt Homes in my constituency, where leaseholders are now looking to get the county council to take on a similar case under trading standards. Would it not be far more efficient for the Government to send out a clear message to property companies in this case that they really need to do the right thing by leaseholders who have been dishonestly sold to? That would save them from all those actions and relieve the pressure on county councils and leaseholders.

Sir Peter Bottomley: The whole House will agree. Perhaps it would help if the Ministry considered having a roundtable to go through some of these issues—it would not have to be secret, but it could be informally private. We were fortunate, in part, with Pete Redfern of Taylor Wimpey, when we discovered that the then chair of LEASE had written totally defective documents that put it as though Roger Southam could control blocks that should never have been anywhere near his control. That got resolved. Taylor Wimpey said it would set aside £130 million to put right some of the things it now recognises it should not have done—it has not done enough, but at least it recognises the issue and has made a start.

I think the trading standards case in Wales is a way forward. Responsible shareholders in each of the building firms should be saying, “With social responsibility in corporate governance, what are you going to do about it?” That applies to Barratt as to the other firms. As for Persimmon, I hope that it will say that this is not just a judgment relevant to Wales, where in fact it kept away from judgment by making a voluntary payment, but applies to England as well.

Put simply, we need to abolish new leaseholds in any but the most extreme circumstances; we need to find a way to convert to commonhold; and we need to make commonhold so well known that when people try to register, it is recognised by Help to Buy and by the Land Registry—it is now recognised by both, but it was not previously. Advice should be taken from the all-party group and our secretariat, the Leasehold Knowledge Partnership. When there is friction, let us try to resolve it in a normal way. I end with this offer: I hope that the chief executive of LEASE will accept an invitation to bring all his staff to a drinks party here in the House of Commons, where the all-party group and those who give day-to-day advice to leaseholders can come together and get past any problems that may be apparent at the moment.

4.16 pm

The Minister for Housing (Ms Esther McVey): I congratulate my hon. Friend the Member for Worthing West (Sir Peter Bottomley) on securing today’s debate on the progress of leasehold and commonhold reform.
He is a determined and formidable campaigner. I am also grateful to the Opposition Members who, with my hon. Friend, have been making solid progress on this important matter. With more than 4 million leasehold properties in the UK, we need to ensure that the system is working correctly, and that where it is not—where we see unfairness and exploitation—the market is held to account and changed.

**Sir George Howarth** (Knowsley) (Lab): During a recent Backbench Business Committee debate on the Floor of the House, my hon. Friend the Member for Ellesmere Port and Neston (Justin Madders) and others raised the problem of people who had bought new properties in the north-west with leasehold arrangements that, to be frank, are a rip-off. At that point, the body language of the Minister—great champion of free enterprise that, to be frank, are a rip-off. At that point, the body language of the Minister—great champion of free enterprise that is working correctly, and that where it is not—where we see unfairness and exploitation—the market is held to account and changed.

**Ms McVey:** I will indeed meet the right hon. Gentleman and a delegation of fellow MPs. I did not realise he was such a good reader of body language, but he is quite right. The cases raised are not right, the system is not working right and those who agree with the market can see that it is not working right for the market either. Such cases should not be happening.

Let me be clear: the Government are committed to improving consumer fairness for leaseholders, and we have a programme of work under way to make sure that changes are made. Some of that work has already happened, including setting out how the ban on leasehold for new homes will work and stating our intention to reduce to zero ground rents on new leases, if we have them at all.

**Mark Tami:** The Minister talks about going forward, which is great, but we must go back too. We cannot leave behind the people who have been sold a pup. People tell us how they were advised to use Taylor Wimpey’s own lawyers and how it was never pointed out to them that the properties were leasehold. Even now, some people do not realise that they have a leasehold property.

**Ms McVey:** The hon. Gentleman makes a fair point; I will come to it later in my speech. No doubt, he realises that with leaseholds dating back a long time, there are legalities to unpick, but we are working on understanding how to do that.

I am pleased to see that the leasehold house ban has had an immediate effect on the market. In 2017, when we first made the announcement, 10% of new-build houses in England were sold as leasehold; today, that figure is down to 2%, which is significant progress, but we obviously want to make more. We will still legislate to ensure that, in future, apart from in exceptional circumstances, all new houses will be sold on a freehold basis.

Developers will no longer be able to use leases on houses for financial gain—a practice that has become the norm in some parts of the country, as we have heard again today. That will make certain that the right tenure is used on the right properties, which will make it fairer for all. The reforms will remove the incentives for developers and freeholders to use leaseholds to make unjustified profits at the expense of leaseholders.

**Matt Western** (Warwick and Leamington) (Lab): To echo the point made by my right hon. Friend the Member for Alyn and Deeside (Mark Tami) about going back, do the Government see that as a responsibility and could they find a way to intervene? We have identical houses on the same estate: they were sold in the first phase as leasehold but are being sold in the second phase as freehold at the same price, yet the owners of the first-phase houses have been told that they must pay £3,750 to Persimmon, Redrow or whoever to convert to freehold. There is no market and there is no choice in that—is it not wrong?

**Ms McVey:** Everybody here can agree that is wrong, but it is about the steps that we will have to take to get the situation under control. We are looking at help for existing leaseholders, many of whom face, as the hon. Gentleman says, onerous fees and charges, including the doubling of ground rent in some cases. The Housing, Communities and Local Government Committee and many existing leaseholders want the Government to legislate to amend those. We are deeply concerned about the difficulties that people are having with those charges, but we clearly have to look at how to unpick those contracts, which are set in law.

**Jonathan Reynolds** (Stalybridge and Hyde) (Lab/Co-op): I am grateful to the Minister for her generosity in giving way and to the hon. Member for Worthing West (Sir Peter Bottomley) for securing the debate.

One thing I would beg the Minister for is a simple right-to-buy formula, perhaps based on the number of years remaining—a multiple of the ground rent, in some way—that could be applied nationwide. I know there will be a lot of complexities in that, but is it something she is looking at in those plans? It would be great to hear if she were.

**Ms McVey:** We are indeed looking at a much simpler model that people can understand and make sense of, and at how to make it easier, smoother and quicker to do.

We have also made sure that there is a voluntary way for the sector to come together to solve the problems of its own creation. The industry pledge is an important first step. It has been signed by more than 60 leading developers, freeholders and managing agents. We will work with them and keep a vigilant eye on how it is working. Through that pledge, freeholders have committed to identifying any lease that doubles more frequently than every 20 years and contacting the relevant leaseholders to offer to amend their lease where necessary. I acknowledge those developers that have signed the pledge not to insert such clauses into future leases and welcome that.

The pledge is an important first step, but we need to keep our eye on it. We will continue to monitor how effective it is in supporting leaseholders and we will take further action where necessary.

**Matt Western:** The Minister is being generous in giving way. It is interesting to hear that there is a voluntary assembly of the various housebuilders and
developers. Surely, however, there is an opportunity for a paid-for body, funded by all those builders, to come together and arbitrate on behalf of the leaseholders and come to a sensible cost for them to pay for the conversion to freehold. Would not an independent body funded by the builders be a better solution?

Ms McVeY: All the ideas that have come forward are being looked at to figure out what the way forward will be. That may well be something that ends up happening. At the moment, I cannot say, but we will look at every idea that comes forward.

The Government are looking to standardise the enfranchisement process and have asked the Law Commission to review the current arrangements. That is to support existing leaseholders and, as mentioned, it includes making buying a freehold or extending a lease easier, quicker and as cost-effective as possible. The Law Commission is analysing responses to its consultation paper on leasehold enfranchisement reform, “Leasehold home ownership: buying your freehold or extending your lease”. This autumn, it will report back to Government on the options for reducing the price of that, and on all other aspects of the enfranchisement regime early next year. I look forward to receiving its recommendations.

Mike Amesbury (Weaver Vale) (Lab): If there is evidence of mis-selling and collusion between solicitors and developers, what action can the Government take?

Ms McVeY: I shall come to that later, but the hon. Gentleman will know as well as I do, I hope, that that is looked at and where it can be proved that something wrong and unlawful has been done, it will be taken up and checked.

Obviously still more needs to be done. Our recent publications show the other plans we have for leasehold reform. They include our responses to the technical consultation on implementing reforms to the leasehold market, and to the Select Committee, most of whose recommendations we were able to accept in full or in part. We have also committed to regulating managing agents, and to improving the transparency and fairness of service charges. Too often, people feel ripped off by fees and charges, sometimes not even being told what they are paying for. We have committed to introducing a single mandatory and legally enforceable code of practice to set standards across the sector. We will also require agents to be qualified to practice.

Last October, we established an independent working group, chaired by Lord Best, to look at how standards can be raised across the property sector, and to consider how fees such as service charges should be presented to consumers. The working group published its final reports to the Government in July. We are considering its recommendations and will announce the next steps in due course.

Sir Peter Bottomley: The whole House is grateful to my right hon. Friend. There may not be time to get through all the things that the Government are doing and looking forward to doing, so would she consider making a written statement to lay things out and make them available to all, not just those who are here for the debate?

One thing that may not be dealt with straightaway is looking at the regulations on recognised tenants’ associations—in effect, recognising leaseholders, which I know is a tricky issue. The Government wrote to me saying that they would consult the property tribunal about how this was working. I do not ask for an instant response, but that is one of the issues that should go forward.

The Minister’s response to the Select Committee report is very good. The report was one of the best I have seen in all my time in the House, and the Government are responding to it well.

Ms McVeY: My hon. Friend makes a good point. We should and will lay the matter down as a written statement. Everyone, across the House, appreciates that there is bad practice. Where bad practice happens, in whatever form, it should be taken to task.

It is unacceptable that some freehold homeowners are unable to challenge excessive fees for the maintenance of their estates. We are going to legislate so that residential freeholders will be given the right to challenge the reasonableness of such fees. They will also be able to apply to the tribunal to appoint a new manager. That will help to increase the transparency, accountability and reasonableness of the fees.

Many leaseholders have raised concerns because they believe they were mis-sold their properties—the leasehold tenure was not properly explained to them, and the onerous terms were not made clear. Some were told that they could buy the freehold for a certain price after a couple of years, only to find out that it had been sold on to an investor in that time and that either the price had gone up considerably or they could not buy it. I welcome the Competition and Markets Authority’s current investigation of the issue.

I appreciate that I am running out of time, but I will indeed meet with my colleagues. I thank my hon. Friend the Member for Worthing West for bringing this important matter to Westminster Hall. It is something that all colleagues want to get right. Abuses will not be accepted by any of us.

Question put and agreed to.
Child Maintenance Service: Payment Recovery from Absent Parents

4.30 pm

Peter Grant (Glenrothes) (SNP): I beg to move.

That this House has considered the performance of the Child Maintenance Service in recovering payments from absent parents.

I would hope that everyone agrees that parents should continue to take financial responsibility for their children after the break-up of a relationship. We must understand that relationship break-up can often be a disturbing and distressing time for everybody, often leaving behind a great deal of bad feeling. It is not easy in such circumstances to come to an arrangement that is fair on both partners and, most of all, fair on the children. The criticisms that I will be directing today at the Child Maintenance Service, and its predecessor the Child Support Agency, should not be taken as an indication that I do not appreciate the difficult circumstances in which it has to operate.

Many absent parents do their best to care for their children, and I do not want to give the impression that everybody whose relationship has broken up is trying to avoid their responsibilities. Sadly, however, some people see the break-up of a relationship as an opportunity to abandon all responsibilities for their children. The Child Maintenance Service owes it to those children and to the resident parent to ensure that the absent parent complies with their legal and moral responsibilities. We are not talking about forcing somebody to pay to give their children a life of luxury. Indeed, we are often talking about ensuring that somebody pays money that they can well afford in order to keep their own children out of poverty. The Child Maintenance Service is sometimes not good enough at getting money from people who can afford it, and we sometimes see it pursuing people for payments that they quite clearly cannot afford.

I am grateful to several organisations that have provided me with background information not only for this debate, but to support my caseworkers in dealing with a significant number of requests for help from constituents. Fife Gingerbread does an enormous amount of good work in my constituency and elsewhere in Fife. My caseworkers also find the Child Poverty Action Group’s child support handbook indispensable, and that will be the same in every constituency across these islands.

Several individuals have also shared their experiences with me. I do not have time to go into any of them in great detail, and some of cannot be aired in public for reasons of confidentiality. In addition, some of the issues that have been raised—serious though they are—do not really fall within the remit of this debate because they relate, for example, to the regulations around exactly how somebody’s income is determined, which causes a great deal of anger, sometimes among the paying parents. I make that point because it will not be possible to go into most of these cases in any detail in the time available. I have also been approached by several colleagues who want to speak in the debate or to intervene, so I want to give time for that as well.

I see too many cases in which it is obvious that a parent is determined to avoid their responsibilities and that they can get away with it—sometimes for years at a time—which is just not good enough. It is far too easy, for example, to hide income from the Child Maintenance Service, which too often leaves it to the resident parent to produce the evidence that their ex-partner is effectively committing fraud. That is bad enough at times, but if the resident parent has been the victim of domestic abuse or financially coercive and controlling behaviour, it is wholly unacceptable to make them responsible for ensuring that the other parent of their children complies with their legal responsibilities.

Martyn Day (Linlitgow and East Falkirk) (SNP): My hon. Friend is making a powerful speech on an issue that I have raised in the past. Several constituents who are the resident parent have not received any money for years, and a common theme or trend seems to be that the paying parent claims to have given up paid work or become self-employed in order to hide their income. That totally thwarts the whole purpose of the Child Maintenance Service. Does my hon. Friend agree that the CMS must pull out all the stops to find a way to prevent that from happening, maintain its charter commitment and ensure that the child is at the heart of everything?

Peter Grant: Absolutely. I do not think we will ever have a set of regulations that everyone agrees with. If a relationship between two people has completely broken down, the one who is paying will think they are paying too much, and the one who is receiving payment will think they are not getting enough. Surely, if the rules are based on someone’s income, however, it should be no easier for them to hide their income from their children than it is to hide it from the Inland Revenue. I have assisted constituents affected by HMRC loan charge, as well as a constituent who was pursued to a ridiculous degree for a relatively small debt that they turned out not to owe to HMRC. Many resident parents in my constituency would like a fraction of that diligence to be used by the CMS when it chases down money that is owed not to the Government but to children who often desperately need it.

Jim Shannon (Strangford) (DUP): I congratulate the hon. Gentleman on securing this debate. Does he agree that more must be done to reconcile reported earnings with the lifestyle of the absent father or mother? I have seen parents in my constituency who give their child £10.50 a week, yet they drive a brand-new BMW, have the newest of gear and have that kind of lifestyle. An absent father must be allowed to live, but it should be difficult for them to disregard their financial obligations. We must make that more difficult.

Deidre Brock (Edinburgh North and Leith) (SNP): I congratulate my hon. Friend on securing this important debate. I have a constituent who is owed a substantial sum by an absent father, who lives very comfortably and flies in and out of the UK with no apparent difficulty. The only answer my constituent gets is that the service cannot touch him because it cannot establish a UK address for him. Does my hon. Friend agree that such cases need more than just ministerial hand-wringing, and that concrete action to seize passports or assets could be in order?
Peter Grant: Absolutely, and I will come on to some of the new powers that have recently been given to the Child Maintenance Service. Although those powers are draconian, there will be instances when they have to be used. Deliberately concealing income from people who you know want only to provide for your children should be a criminal offence. It is not a matter for the civil courts or for civil adjudication. If someone falsifies their tax returns, they go to jail, so if they falsify returns provided to assess their financial liability for their own kids, they should also go to jail.

Rachael Maskell (York Central) (Lab/Co-op): I have a constituent who has not received payment for years. Their former partner has moved home and jobs, and keeps changing bank account. They also disposed of two properties, yet that money is untraceable. Surely people should not be able to open new bank accounts if they owe all that money.

Peter Grant: Again, I entirely agree. I have had female constituents who use one name in their family and one in their professional work. They have difficulty opening two bank accounts, so it seems strange that others are able to get away with opening bank accounts all over the place.

Last year the powers available to the Child Maintenance Service were extended. I found it concerning to read the evidence submitted to the Work and Pensions Committee in 2016, because it seemed that the Department for Work and Pensions did not understand the difference between collection powers and enforcement powers. The DWP can implement collection powers immediately through the Child Maintenance Service—it does not need anybody’s permission—but enforcement powers are more severe and need the consent of the courts. If those who write the evidence for a parliamentary Select Committee are vague about the distinction between those two powers, it is no wonder that parents and children who are waiting for their money sometimes get confused about what the powers are.

Some powers that the Child Maintenance Service has should not be allowed as a form of debt enforcement, and even in certain cases I do not think that imprisoning someone for not paying their dues is acceptable. It should be an imprisonable offence if somebody falsifies information, but not if they refuse to pay money that has been established as owed. I certainly would not want any seizing of property, warrant sale or auction to happen in Scotland. One of the first private Members’ Bills put through the Scottish Parliament was to outlaw what I believe to be a barbaric practice. In a civilised country, there are other ways to carry out debt collection, without such draconian and barbaric actions. For example, we could restrict someone’s ability to open new bank accounts.

Ruth George (High Peak) (Lab): Will the hon. Gentleman give way?

Peter Grant: I need to make a bit of progress. If I have time later, I will give way to the hon. Lady. I am grateful for her interest in the debate.

Something that has been a major concern for many of my constituents recently is the Child Maintenance Service’s decision to write off debts that somebody has been owed for a significant time. Sometimes that is a relatively small amount of money, but it can open up all the old wounds again if the parent who is owed that money suddenly gets a letter from the CMS after 10 years, having heard nothing from it, as happened to one of my constituents recently.

Another constituent has been asked to agree to writing off a debt of £18,000 that she is owed for the children she has raised on her own. Her children are now grown up, and people could argue that they do not need the money, but the person who owes the money certainly does not need it. I do not think that is acceptable, any more than it would be acceptable for the HMRC to decide not to bother chasing somebody who owed £18,000 of tax. In the case I have referred to, the Child Maintenance Service knows where the absent parent is. It knows where he lives, it knows where he works and it knows his bank account details, so there is no excuse whatsoever not to require him to enter into some kind of arrangement to pay his children the money he owes.

The Minister for Disabled People, Health and Work (Justin Tomlinson): On that specific point, they will have been contacted. If that information is available and they would like that £18,000 debt to be pursued, it would be, and it would be a priority.

Peter Grant: Interestingly enough, when I contacted the Child Maintenance Service about that specific case, it promised to give us a fuller response by 3 October, so it has about 20 minutes left. If we finish a wee bit early, the Minister might be able to get on to his colleagues and ensure that they honour that. Of course, it may be that they have responded during the time that I have been on my feet.

Far too often, the parent who has the main responsibility for looking after the children physically is left to fight battle after battle with the CMS to get the money that is theirs and their children’s by right. Often, they feel as if the CMS is not working with them, but is almost acting as an obstacle to them. Far too often, when I look through the cases that have come in to my office since I was elected, the final point is that the parent has just given up and feels it is not worth chasing things up. Very often, they can no longer stand the stress of being forced to continue to contact somebody who, quite frankly, they never want to hear from again because of the way that person treated them while they were together. It is not only a tragedy, but a scandal, if somebody is forced to give up the fight for what they are legally entitled to simply because a Government agency has not supported them enough in the process.

Ruth George: I thank the hon. Gentleman for securing this important debate. Like him, my caseworkers and I have found it incredibly frustrating to try to get through to the CMS, both in cases where there is a claimant making a claim and where the CMS holds wrong information on a defendant. Just trying to get the CMS to look at that is very difficult. Does he agree that the fact that universal credit now takes account of maintenance income, whether or not it is received, will make recipients who are due that money even poorer if they do not receive it, and that that is a double whammy for them and often for their children as well? It just adds to the injustice of the situation.
Peter Grant: The hon. Lady makes a valid point. Those of us who are old enough to remember it would do well to recall that the original version of the Child Support Agency was set up not to help the children, but as a way of getting somebody else to pay the children’s maintenance costs to save the DWP or its predecessor a wee bit of money. That legacy can be seen sometimes in the fact that the CMS, through the DWP, is simply not as enthusiastic about pursuing money that is owed to other people as it would be if it were pursuing money owed to itself.

Stephen Timms (East Ham) (Lab): Will the hon. Gentleman give way?

Peter Grant: I think I can give way once more, and then I will have to move on.

Stephen Timms: I was looking through my records this afternoon, and I saw that I wrote to the Child Support Agency on behalf of one of my constituents on 30 September 1999. She finally received a first, partial payment on 1 August 2018. It took 19 years. Is the hon. Gentleman as unsurprised as I am that people, as he says, just give up?

Peter Grant: I just wish that I could wait 19 years before paying the bills that come into my constituency office with more regularity. I would love to think that the example the right hon. Gentleman raises was unique, but I do not think it is. What is the point of a child maintenance system that does not pay anything to the child until they are 18 or 19 and have left school, and possibly left home and gone to university? The children need the money when they are two, three and four years old, not when they are in their 20s. In a case I mentioned earlier, the children were literally grown up and had left home. Some were married, some were at university. As a point of principle, the parent was determined to carry on fighting, but he knows perfectly well that the money will not make any difference to his children. They have had the experience of being brought up when money was desperately tight.

A completely incomprehensible aspect to the write-off scheme is that the process the Child Maintenance Service has to go through before it can write off historical arrears depends, reasonably enough, on the level and value of the arrears, but that, by its own admission, “significant policy, operational and IT issues beset the 1993 and 2003 schemes which contributed to the build-up of considerable arrears of unpaid maintenance”.

In another document, it admitted that it cannot always be sure how much the arrears are. How can it be fair for the CMS to say that it can write off an amount of arrears because it is small enough within the scheme that it does not need the receiving parent’s permission, and at the same time to say, “We don’t really know how much the arrears are, because our record-keeping system was so appalling in the past?”

A great deal more could be said, but I know that colleagues want to speak as well, so I will bring my comments to a close. First, however, I want to add something that was not in my original speech. I decided to do that when I realised that, while we are having this debate, our colleagues in the main Chamber will, hopefully, be agreeing to the Second Reading of the Domestic Abuse Bill.

I cannot go into much detail about some of the cases I have had, because people are still under threat from ex-partners, but I hope the Minister can explain how someone whose partner has been convicted repeatedly of assault can hide their income from the Child Maintenance Service for more than three years after the CMS has been alerted to where the money was, where it was going and how it was being hidden. It was hidden in such a way that, if I had the same authorisation to visit premises and to make inquiries as the CMS and HMRC, I could have found it, as any of us could, within 20 minutes. It was not an elaborate offshore scheme; it was a very simple accounting practice that HMRC and the Child Maintenance Service know about.

How can it be that someone who has been and still is a victim of coercive financial control is told that it is entirely up to her to find evidence that her ex-partner is committing fraud against her and probably against HMRC as well? How can that be acceptable? Why is the Child Maintenance Service not working more closely with HMRC, so that when they get information that points clearly to a large-scale criminal evasion of tax by somebody whose address and place of work is a matter of public record, they can take action? How can it take three years for them even to begin an investigation? When the Minister sums up, I hope he can answer that question, as well as responding to the other comments I have made.

Several hon. Members rose—

Albert Owen (in the Chair): Before I call Mr Kerr, I remind Members that I will call the Front-Bench spokespersons at 10 past 5. Three Members have indicated in writing that they wish to speak, and I will call Mr Madders and Mr Pollard after Mr Kerr. If you dивvy the time up among yourselves, we might be able to get more Members in.

Stephen Kerr (Stirling) (Con): It is a pleasure to serve under your chairmanship, Mr Owen, and I congratulate the hon. Member for Glenrothes (Peter Grant) on bringing this subject back to Westminster Hall. I shall be brief.

It is important to remind ourselves that even though we live in a world of three-letter acronyms—we talk about the CMS and the CSA—at the centre of all our thoughts and considerations in this debate is the welfare of the child and of children. Nothing ought to be more precious to us than the welfare of our children. I have no doubt that the staff at the CMS are sensitive, conscientious and aware of the impact of what they do. I pay tribute to them, because they deal day in and day out with adults, many of whom are in distress or are emotional and sometimes very angry. Behind each case is a child or children, often bewildered and dealing with complexities they are often too young to process.

I have some questions for the Minister, for whom I have immense regard—I think he knows that. I have asked these questions before because they are the issues that surface in my constituency casework and they have to do with the powers of the CMS. By the way, contrary to what the hon. Member for Glenrothes says, I wholly support the powers granted to the CMS last December.
to track down these reluctant, absent parents, but I ask
the Minister, why is it so reluctant to use them? That is
how it appears to my caseworkers and me. Why does the
CMS seem not to be prepared to exercise to their full
extent its powers to investigate cases, especially when it
is clear-cut that something is seriously amiss?

I am thinking of a case, which I will anonymise,
where a non-resident parent is a clever accountant and
is clearly hiding his income: you can tell that by the
lifestyle he is able to maintain. It is clear what is
happening. Earnings are being hidden away, squirreled
away, disguised, but nothing happens. In another case,
the MP contact agreed that an investigation was urgently
needed, but, subsequently, someone somewhere else in
the CMS flatly turned that down. Those are just two
examples, but there are so many others.

Why the reluctance to press ahead? Is that reluctance
to use powers based on how resource-intensive this is?
The CMS has the powers, but does it have the resources
it needs to enforce them? Based on my constituents’
experience, I raise a question about how the CMS
works internally. Does it have the right internal systems
to support the work it does and to manage its casework?
I have no doubt it is a heavy case load for every single
constituent’s cases? They will phone up and they might
speak to the same person— that is an improvement.

However, looking from the outside in, it is hard not to conclude
that the systems are not functional, or that the system
users are not working to a standard.

Why does there appear to be so little in the way of
cohesive or comprehensive notes or records in my
constituents’ cases? They will phone up and they might
speak to the same person—that is an improvement.
Sometimes they speak to different people, and when
that happens, they have to rehearse their situation over
and over again. That is deeply upsetting and distressing.
It seems a very basic question to ask a Minister, but is
there a standard for making notes? Is there a standard
for creating follow-up items and action points? Is the
system quality-checked? Are the users of the system
being assisted to maintain a high standard?

Then there are the letters my constituents receive
when they are in the complaints process. They will often
receive generic letters with phrases in them where sometimes
the meaning is just not clear. That can create confusion
and upset. My senior caseworker Rachel Nunn, to whom
I pay tribute, and I have tried to help our constituents
decipher these letters. However, they are so general—not
specific enough, not personalised enough—and are
confusing because they are not sufficiently personalised.
Consequently, they create anxiety and stress for parents,
and the last thing those parents need is more stress.

Thank you for affording me the time to make these
brief comments, Mr Owen. I end with a simple home
truth: there is a human cost to the breakdown of
relationships. Yes, adults pay a price: an emotional
price, a mental price, a wellbeing price. However, those
who often—sadly and invariably—suffer the most are
children. Frankly, I am aghast at how mean-spirited
some adults can be when it comes to the welfare of their
own children. That is why I support the new powers
granted by the Government to the CMS and why I
improve the Minister and the CMS to use those powers.
When the Minister rises to his feet, I hope he will
address at least some of the issues raised in my remarks.

Several hon. Members rose—

Albert Owen (in the Chair): Order. If Members take
about three minutes each, we will get everybody in.

4.54 pm

Justin Madders (Ellesmere Port and Neston) (Lab):
Thank you for calling me, Mr Owen. It is a pleasure to
see you in the Chair.

All Members here will recognise that this issue is an
important matter that comes up in surgeries week after
week. We know that the maintenance service is vital to
ensure children do not enter poverty. One lone parent in
four is vulnerable to poverty, according to the Joseph
Rowntree Foundation, so it is critical that those payments
are delivered on time. Simply, when the system fails, it
fails the children we are trying to protect.

It saddens me that progress in improving the payments
seems to be slow. I met the Minister earlier this year and
I was impressed by his commitment and dedication to
improving things, but we still come across issues all too
frequently. Cases of non-payment are commonplace.
Non-payment problems seem to arise particularly when
parents switch from the collect-and-pay service to direct
pay. There needs to be greater recognition of the long
history of the parent’s paying record, rather than the
small period when they are on direct pay. Too often,
matters deteriorate again when they switch back to
direct payments, which can make things worse for everyone,
because arrears—sometimes of several thousand pounds—
begin to accrue, which makes it even harder for
commitments to be honoured.

I understand that a third of paying parents were
non-compliant in the first quarter of this year, which
demonstrates that my constituents’ experiences are not
isolated. The level of arrears appears to be creeping up;
more than £275 million of arrears was recorded in the
first quarter. This suggests that some of the measures
that the Government have introduced need further
refinement.

In particular, there seems to be a lack of effective
enforcement. My constituents tell me that the CMS
appears more concerned with meeting the priorities of
the paying parent than those of the receiving parent.
That is probably an incorrect perception, but it is how
they feel. There is also sometimes a feeling that some
payment is better than no payment at all and that a
hands-off approach with the parent seems to arise,
which leads to greater arrears accruing.

All too often, my constituents experience unreasonably
long delays in dealing with complaints, which not only
cause emotional and financial stress, but leave parents
without the support they are entitled to. Those payments
matter. It is vital that, whatever challenges the CMS
faces, it is effective in supporting children. Every
organisation makes mistakes and I am not here to
harangue it for those mistakes, but too often it seems
that, even when an error has been identified, the culture
of the organisation is too defensive, there is little candour
and it takes too long to put things right.

4.57 pm

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/
Co-op): I congratulate the hon. Member for Glenrothes
(Peter Grant) on securing the debate, because it is time
that we set out the concerns of our constituents—far too many of them. I have a real concern that the CMS is not fit for purpose. I say that because there are too few staff chasing too much demand, too many mistakes being made, and too many parents and too many children—as the hon. Member for Stirling (Stephen Kerr) said—not getting the support they deserve because of failings in the way the organisation works.

I wish to raise an issue that has not been discussed in detail, which is the Government’s changes to the way that historical debts are chased. I recognise that last year, the Child Support (Miscellaneous Amendments) Regulations 2018 were passed to enable the CMS to write off debts accrued when it was the CSA. There is a logic behind that in the adequate use of resources, but it means that there are far too many families in Plymouth and across the country who are legitimately owed money but who are having those debts written off. That is being done in a way that creates genuine heartbreak for the parents because of the lack of support for the children involved.

The Government have stated:

“If there is a reasonable chance of collection we will make reasonable attempts to collect the outstanding debt”,

but they are yet to articulate what “reasonable” means. I would be grateful if the Minister set out what the Department means by “reasonable attempts”, because far too many parents feel that there is no attempt to reclaim and go after those historical debts.

Consequently, it seems that if people avoid paying historical debts for long enough, they can simply get away with not paying at all. That is a deeply concerning sentiment that I have heard time and again in my surgeries. One constituent who visited me was owed £9,378.08 by her ex-husband. She was told that approximately £4,500 of that would be written off because it was accrued under the old CSA rules. After she got in touch with my office, we intervened so that did not happen. When the CMS actually investigated, it discovered that her ex-husband had more than enough money in his account to pay for the arrears, so the decision to write them off should not have been made in the first place, yet it was.

Another person who lives in my patch came to me with a similar issue: £13,359 was written off. In this case, it seemed that the absent parent was deliberately changing bank accounts and hiding income. The CMS said that the debt was a direct result of his determination to avoid meeting his responsibilities, yet my constituent was told that there was no right of appeal against the debt being written off. She is never going to see the £13,000 she is owed.

I have spoken to children involved. The money is not just cash; it represents a connection with a parent and a value for an individual. Children who are affected in these cases have a value and a worth; the historical debts hanging over them from parents who do not pay have no consequence on their value. Those children deserve to be loved, cared for and supported responsibly.

5 pm

Melanie Onn (Great Grimsby) (Lab): I congratulate the hon. Member for Glenrothes (Peter Grant) on securing this important debate. It is important that the adults on both sides recognise that the money that is reclaimed through the CMS is not for the parents; it is for the child or the children. The breakdown of a relationship can be incredibly difficult; it can be rather tempestuous and emotions can run high. However, it should always be remembered that the money is not going to the other parent who is taking principal responsibility for the care of the child; it is for the child’s benefit.

There have been long-standing problems with the transfer from the CSA to the CMS. People have been chased for debt that does not exist. My office has had to contact the CMS about money that has already been paid. The CMS is wasting its time and energies chasing debts that it should not be, and it should undertake its responsibilities to investigate seriously what individuals say to them.

On non-payments, constituents raise the issue of having no communication at all from the CMS and, again, it takes the involvement of my office to get any kind of resolution. It is striking that we do get a resolution, which makes me very aware that there is something going wrong in the system.

I also want to touch on reductions in salary. It seems from the examples we have heard that if someone has the financial flexibility, clout and wherewithal, they are able to hide their money. They are able to hide their funds, and it becomes incredibly difficult. If they are self-employed, they can put all the money into a company—the company can be in the name of a new spouse, for example—in order to pay for household bills and to live a more comfortable lifestyle and not necessarily pay what is owed.

The situation is different for those who are on lower salaries, who are taking their responsibilities seriously and who want to pay for their children, in the event that they are ill and they lose money. Because they are paid on a weekly basis, their salary has to go down by 25% for them to get any kind of reduction in the amount of child maintenance they are paying.

I have had people come to see me in tears because their illness has meant that they have been unable to work or they have had a serious reduction in their salary, and they have a new life and a new family who they have to pay rent for, and then they are unable to pay the money to the CMS. They are put into debt and financial hardship and then, when they are earning again, 40% of their salary is taken off them. It leaves them in a dire situation, wondering why they are bothering to work when they could be in the benefits system. I do not think that we should have a Government-sponsored system that encourages people to look to the benefits system as a way out.

5.4 pm

Stephen Timms (East Ham) (Lab): I congratulate the hon. Member for Glenrothes (Peter Grant) on securing the debate. I would like to say a little more about the case I referred to in an earlier intervention.

By the time of the letter I wrote on behalf of my constituent, Mrs A, on 30 September 1999, the father, Mr A, had been assessed as being due to pay just over £100 per week towards child maintenance. He never paid. He claimed to be on a very low income. He claimed that he had absurdly high housing costs. At one stage, confronted with incontrovertible evidence that he was working, he claimed to be doing so free of charge. He is actually a prosperous and busy builder, who owns his own large home.
I was more or less continuously in touch with the Child Support Agency, its successors and Ministers for 19 years on my constituent’s behalf. There was a short period when she was distracted because of the ill health and later the death of her mother. However, she showed extraordinary ingenuity and determination in compiling evidence of Mr A’s true circumstances. Without that evidence, I do not think that he would ever have been forced to pay at all. He was absolutely determined not to pay. He spent a fortune in legal costs. If only that money had gone to his child, things would have been very different. He made three small contributions in 2003, amounting to just over £1,000, and that was after he had lost three tribunals in succession and appealed against the decision each time. But other than those three small payments, he refused to pay any money.

By December 2013 it had been established that Mr A owed £54,000: £15,000 was due to Mrs A; and £39,000 was due to the Government, to reimburse benefits that should not have been paid. It then took another five years for that demand to be enforced. My constituent finally received the £15,000 on 1 August 2018, 19 years after she had first approached me. The system completely failed to deliver the support that she and her son were entitled to throughout his entire childhood. As a result, he grew up in much more straitened circumstances than he should have.

The point that I put to the Minister is that surely the Government must act to ensure that an absent parent can no longer use legal chicanery to avoid their responsibilities for 20 years.

5.7 pm

Ruth George (High Peak) (Lab): Thank you, Mr Owen, for allowing me to take part in this debate. I will discuss both sides of the arguments that go on in this area. Like my hon. Friend the Member for Great Grimsby (Melanie Onn), on occasion I am on the side of people who have to defend a claim to pay child maintenance. The Child Maintenance Service is the worst organisation that my office and I have to deal with, in that we see bills for payment that come from it that pay no regard to reality or income. It can put people who were previously healthy into situations where they are so stressed and so upset with the whole situation that it literally makes them ill.

Getting any sort of response from the Child Maintenance Service is almost impossible. It seems that people actually need their Member of Parliament to intervene on their behalf in order to get a response from the CMS. That is not good for MPs and our staff, and it is not good for people out there who need the child maintenance.

Having spoken to a friend in the Chamber who represents a very poor area of east London, I know that she has no child maintenance cases. We believe that is because the system is so complicated and so unresponsive that people simply do not come forward to claim the child maintenance that they are due. That is not good for them and it is certainly not good for their children.

I know that the Minister will be well aware of the situation concerning universal credit and the fact that parents with care are now deemed to be in receipt of child maintenance even if they are not actually receiving it.

5.10 pm

Brendan O’Hara (Argyll and Bute) (SNP): As always, Mr Owen, it is a pleasure to see you in the Chair. I just wish that we had more time to debate this hugely important topic. I congratulate my hon. Friend the Member for Glenrothes (Peter Grant) on securing the debate and on his powerful and thoughtful opening speech; he spoke for many of us, and for many of those who have been badly let down by the Child Maintenance Service. All MPs deal day in, day out with a steady stream of child maintenance cases in which a parent can and does avoid paying, simply because the current system is not robust enough.

Earlier this year a constituent from Argyll and Bute contacted me about a case that had begun in the days of the Child Support Agency, which highlights the failure of the system. Back in 2015 the father of Fiona’s children declared through Her Majesty’s Revenue and Customs that his gross annual income was just over £7,500, on which basis he was ordered to pay £20 a week to support his children. Knowing full well that was not the case, Fiona appealed. Sure enough, the investigation that followed discovered that his true earnings were £200,000. The amount that he had to pay was increased accordingly, yet four years down the line, in a letter to my office dated May 2019, the CMS admitted that Fiona’s former partner was still in arrears to the tune of £68,000. That is unacceptable.

Fiona’s case is just one example—albeit perhaps an extreme one—of the cases that we deal with daily in which a former partner simply refuses to pay out. We have been contacted by a constituent who believes that the CMS is working on former calculated earnings; by a dad whose former partner refuses to pay out despite a CMS ruling; and by a young mother who feels that she has been sent from pillar to post, between the CMS and the Ministry of Defence, while trying to get regular payments for her eight-year-old daughter from her ex-partner in the Royal Navy. I could go on—there are numerous examples—but the fact of the matter is that...
the system simply is not robust enough; it is too open to abuse if one partner or the other is determined enough to avoid their parental responsibilities.

Children living in single-parent families are twice as likely to fall into poverty as children living with two parents, which makes regular maintenance payments even more important for securing their future and protecting them from falling into poverty. Charging single parents to access their right to support for their children is therefore completely wrong and unacceptable. It is grossly unfair that a receiving parent is charged £20 per application fee and a 4% deduction of maintenance when the CMS collects the payment, given that the CMS’s involvement is almost exclusively down to the fact that the payee is non-compliant with the rules. Why should children suffer at the end of that system?

There is ample evidence from stakeholder groups to show that the CMS’s charges have deterred many people from using the system. Indeed, a recent survey by the Department for Work and Pensions found that 40% of receiving parents on direct pay said that they found the application fee difficult to afford. That figure rises above 50% among those on very low incomes.

Will the Minister explain why we have a system wherein the people who need the money most—those parents whose children are recognised as most at risk of falling into poverty—are being made to pay to get something to which they are fully entitled? Is it not high time the Government heeded the call of so many people in and outside this House to remove all the hurdles that stand between single parents and the money to which they are entitled, to protect their children from poverty regardless of their situation? The primary role of the Child Maintenance Service should be to ensure that those children whose parents, for whatever reason, are no longer together, are not in any way disadvantaged because of it.

5.15 pm

Mike Amesbury (Weaver Vale) (Lab): It is a pleasure to serve under your chairmanship, Mr Owen. I congratulate the hon. Member for Glenrothes (Peter Grant) on bringing the debate to Westminster Hall today, as well as the 13 Members who have contributed. When I spoke in this place a few months ago, I made the point that child maintenance does not exist in isolation. It provides essential help with the costs of raising a child—food, clothing and travel expenses. It can make a huge difference, as hon. Members on both sides of the Chamber have pointed out, to the welfare of the child and their start in life, which is crucial. Whatever the administrative challenges, and whatever the technicalities of the child maintenance system, it is important to remember that children are centre stage, as the hon. Member for Stirling (Stephen Kerr) eloquently argued.

It is crucial that children—it is often the most vulnerable—should have access to the financial support that every one of them deserves. It is equally crucial that the system should function in their favour when that support is withheld without good reason. Research shows that child maintenance alone lifts a fifth of low-income one-parent families out of poverty. We must remember that lone-parent families are particularly vulnerable to poverty. One in four lone parents is in persistent poverty—twice as many as in any other group, according to the Joseph Rowntree Foundation. The inadequacy of social security arguably makes child maintenance even more vital as a source of income for struggling single parents. However, as we have heard from across the Chamber, it is fair to say that there is a considerable distance to go to ensure that the current system of child maintenance achieves its aim.

A recent report from the charity Gingerbread has shown major problems with the payment of child maintenance through the direct pay system, for example. The Government could and should take action to assess the accuracy of the concerns. The current situation, whereby the DWP does not even track whether payments have been made, means that it cannot report on compliance in two thirds of cases. On collect and pay, Gingerbread has consistently argued that there is no evidence that charges encourage collaboration between parents. In the second quarter of 2019, 33% of paying parents in the collect-and-pay service built up arrears owing to non-compliance. The DWP’s own figures reveal that that is nearly £19 million. Furthermore, there remain continuing problems such as those highlighted today with inconsistent casework handing and follow-up—no follow-up at all in many cases—as well as poor and non-existent communication.

In my own constituency case load, as with other hon. Members, concerns have been raised time and again, and constituents believe that they will never get any money because it is tucked away through creative accounting. Like many in the Chamber, I firmly believe that collecting unpaid child maintenance should be a priority for any Government, and that the considerable toolbox of enforcement measures—many, in all fairness, the result of the 2018 review—should be applied more consistently. There has been a significant fall in enforcement activity by the DWP to recover payments that are, by definition, owed to children. According to Gingerbread:

“The hands-off approach, compounded by poor administration, places the burden of responsibility for pushing for Direct Pay enforcement onto receiving parents”.

Where direct pay arrangements break down and arrears accumulate, the CMS can assist by moving the arrangement on to collect and pay, but to use the service paying parents are charged 20% of the child maintenance plus a £20 registration fee, and receiving parents pay 4%. That introduces additional costs for already financially stretched households. Even on collect and pay, only 67% are paying something—I stress that word “something”—towards what they owe. Indeed, some of the testimonials that have been heard in the Chamber today make it abundantly clear that the current system needs to be more robust, and that the leadership of the DWP should listen and take more robust action. This is not simply a question of processes and systems; relationships and emotions are at the heart of how this approach affects those who use it.

Having listened to the debate, I have a number of questions to ask the Minister. Will he introduce monitoring of direct pay compliance, so we can have a clear picture of its effectiveness? Will he commit to introducing improved and more transparent service standards around enforcement and late payments? Will he review the effectiveness of collect-and-pay charges for receiving parents and look at the provisions that relate to the Domestic Abuse Bill around coercive relationships?
The Minister for Disabled People, Health and Work (Justin Tomlinson): It is a pleasure to serve under your chairmanship, Mr Owen.

I pay tribute to the hon. Member for Glenrothes (Peter Grant) for calling this debate. On the basis of all the contributions, it is clear that this is one issue that unites those in all parts of the House, and that we want to do the very best for those receiving parents who have taken on the primary responsibility of the childcare and are having to battle to get the support that they rightly should be getting.

Let us remember that the CMS is a service of last resort. We would all hope that, wherever possible, parents can make amicable arrangements that do not necessarily need our involvement and have no impact on the children. Where that cannot be the case, however, because either one parent is or both parents are in dispute about what their responsibilities should be, it is absolutely the case that the CMS is there to provide support.

I want to make it very clear that all the cases raised show why this is such an important area, where we have brought forward significant new regulations and powers.

I will go through some of those processes, but I repeat: a lot of the cases raised are legacy cases that would initially have been dealt with under the old rules and show why we have brought forward the rules I am going to talk about. There is still much more to do, and we are working very closely with stakeholders, including organisations such as Gingerbread, and on the other side those such as Families Need Fathers, which can provide constructive and helpful feedback. It is about getting balance between both sides.

There are around 700,000 cases a year. We record 2,500 complaints a year, which is less than 0.5%, but we still want to go further. We are absolutely focused on improving the customer experience. I pay tribute to my hon. Friend the Member for Stirling (Stephen Kerr), who I know has been proactive in this area.

I must stress that I am not actually the Minister responsible for child maintenance, although I used to be; I have a great deal of interest in this area both as a constituency MP who raises cases and having served in a different role in the operations team. Is that offer open to all of us who have participated in this debate?

Justin Tomlinson: That is a fair point. I am sure the team would be very happy to meet those who are particularly interested in the operations side.

On direct payment, there are cases where we have advised what the financial contribution should be, and the parents set out to try and do that without using us. A number of people have highlighted how that can break down. The problem is then that the debts mount up, and the bigger the debts, the bigger the problem it is to get that fixed. So, we have rightly tried to be more proactive. Not only is there the annual review, but we now text the receiving parents proactively to ask whether there are any issues, and if there are issues, we ask that they should contact us immediately so we can either escalate ultimately to enforcement or move them on to the click-and-pay service. In the last quarter of last year, 9,000 people moved from direct pay to collect and pay. We are nudging that proactive level of support as quickly as possible.

The shadow Minister, the hon. Member for Weaver Vale (Mike Amesbury), talked of 33% not being collected on collect and pay. The 67% was the last published figure, in June 2019, which is up from 62% in the previous year, and the improvement has been long-standing.

The amount unpaid in June 2019 was £18.5 million, down from £22 million. That is £18.5 million too much, but we are heading in the right direction, through a combination of better training of our frontline staff, so that they can explain the options and potential punishments to both the receiving parent and the paying parent; better enforcement, which I am coming to; and the regulations that we passed to strengthen our ability to investigate and enforce.

Hon. Members have rightly raised areas where enforcement has not been quick enough. The right hon. Member for East Ham (Stephen Timms) set out the exact reasons that we needed the two separate sets of regulations that were brought in over the last 12 months, which we did after listening to the cases, learning the lessons and seeing what was missing and what stopped us taking the action we all support. That is underlined by the fact that action must be taken much more quickly. The sooner we act, the easier it is to remedy.

We are also now benefiting from the ability to access more real-time information from HMRC and the strengthening of our ability with deduction orders, where we take money directly from people’s salaries. We are also reminding employers. Quite often, employees will say to an employer who is their friend, “My other half is being unreasonable. It would be really helpful if you helped me fudge this.” We are now using legal powers to remind employers that they will be liable, unsurprisingly, those collections have gone up to 48,000 in the last quarter, collecting about £26 million, compared with the same quarter last year when there were 31,300 collections, collecting £19 million. We are also proactively highlighting success stories in the media, which doesn’t half focus people’s minds.

The most significant change is the introduction of the financial investigations unit. In the past, when lifestyle queries were raised, we relied on HMRC to investigate.
HMRC had finite resources; if a premier league footballer was clearly defrauding it of a huge amount of tax, it was very quick to go and look at that, but, for many of the cases highlighted, while it was a significant amount of money to those children, it might not have been enough for HMRC to prioritise it.

The financial investigations unit, which is solely ours, does not look at the value of the money, because the money is as important to every single parent regardless, and it will chase each case. These are highly-trained ex-police officers and tax inspectors with fiscal investigation experience and they focus on doing a deep dive, using evidence, in these sorts of case. We initially recruited 30 in 2017 and it went up to 50 in 2018 and 80 in 2019. They are making a significant difference; about 4,000 cases are being investigated at the moment, and those numbers will increase as we gain evidence. That is a double win, because we will share that evidence with HMRC, which can chase any tax avoidance that has gone through.

The new regulations that we passed to help here include the ability to seize people’s passports. In the past, we went after drivers’ licences, but when people went to court, they would say, not unreasonably, “Well, you can take my driving licence, but I then won’t be able to earn, and I won’t be able to pay any more money.” But the possibility of losing their summer holiday doesn’t half focus the mind. Having sent out more than 1,000 warning letters, there is high engagement at that point.

We now have powers to access joint and business accounts, because that is a clever trick of solely employed people for hiding money. We can also look at assets, so when self-employed people are transferring what would be wages into assets, we can now take a nominal 8% of those assets. It is now easier to access information from pension providers, and we will be doing more joint work with HMRC. I gently remind some colleagues who have been calling for those extra powers to vote for them next time, because some hon. Members voted against. We must put the receiving parents first.

Albert Owen (in the Chair): I am grateful to the Minister, who has been a great deputy here today on behalf of his Department. Before I call Mr Peter Grant to wind up, I thank all hon. Members for their self-discipline and restraint about time, which has allowed us to get in all speakers, as well as a number of interventions.

5.29 pm

Peter Grant: I realise that I must be very brief, so I thank everybody who has contributed to today’s debate. A couple of points: first, people do not need a clever accountant to hide their money; they only need an accountant who knows how to set up a private limited company, and it then takes years to find it. Secondly, we do not need to be Sherlock Holmes to find these scams; we only need a Facebook account, and then we can see the luxury yachts, the holidays, the umpteen fancy houses and so on. If somebody on benefits was boasting about their wealth to that extent, the DWP would have them very quickly. That is the speed at which we should be chasing down money from other people as well—

5.30 pm

Motion lapsed, and sitting adjourned without Question put (Standing Order No. 10(14)).
Westminster Hall

Thursday 3 October 2019

[PHILIP DAVIES in the Chair]

BACKBENCH BUSINESS

Sanctions Policy and Implementation


1.30 pm

**Tom Tugendhat** (Tonbridge and Malling) (Con): I beg to move.

That this House has considered sanctions policy and implementation.

It is a pleasure to see you in the Chair, Mr Davies. Sadly, I will not be following your example with a 12-hour peroration; I will limit myself to merely five.

I am very pleased to move this motion on a subject about which the Select Committee on Foreign Affairs, which I am privileged to chair, has felt strongly for several years, because sanctions are one of the tools that defend the commercial frontline of the United Kingdom. This debate is an opportunity for me, and I hope others, to speak about the country’s sanctions policy. In June, the Committee published our first report on sanctions, and last month we received the Government’s response. On behalf of my colleagues, I thank everyone who submitted evidence, particularly those who appeared in person.

We focused on sanctions policy because it increasingly matters. Two thirds of the UK’s sanctions are currently agreed and implemented at European Union level, so we need a coherent and robust sanctions policy ready for when we leave the organisation. However, Brexit is far from being the only reason for urgency. An effective sanctions policy is an important part of something much more fundamental to communities across our country. It is not just a crucial part of UK foreign policy and national security and the rules-based international system, although of course it is part of all of those; it is a rampart that defends public confidence in open and honest markets. It is, in many ways, a defence of the capitalist system on which we have built our prosperity and economy for so many years. That matters because confidence in that system is key to our future prosperity, but that confidence is in short supply.

Two years ago, Matthew Elliott and James Kanagasooriam wrote an excellent report, “Public opinion in the post-Brexit era”, based on polling by Populus. They found a growing tendency among people of all ages—not just the young—to label capitalism as greedy or corrupt. We all know about the problems in some markets that explain why people think of the word “greedy”, but I am interested in why they think capitalism is corrupt. The answer, I think, lies in people’s growing awareness of how a tiny number of people have made staggeringly large sums of money, and of how those oligarchs use bankers, lawyers, accountants and company formation agents in this country to protect their ill-gotten wealth. Last year, the compelling BBC series “McMafia”, based on a book that Misha Glenny wrote a decade ago, did a superb job of dramatising how they have done so.

If there was any residual complacency about this country’s role in international corruption, Oliver Bullough’s book “Moneyland”, which was published only a few months later, dispelled it. His extraordinary tome is an essential read for anyone who wishes to understand how international finance can corrupt even us—even here, in one of the most law-abiding societies in the world. Oliver Bullough set out the three-step cycle that oligarchs follow—steal, hide, spend—and described the role that middlemen in this country play in parts two and three of that process. It is nothing to be proud of, but it means that our sanctions policy can have real bite.

Our sanctions policy can be a real tool of foreign influence. The reliance of many oligarchs on London as a place to launder and spend the money that they have stolen creates an opportunity for us to carve out a role as the champion of a more moral capitalism. From arts, to education, to property, we all know that this country has sometimes been too tolerant of those who would do us harm using our schools, our galleries and our buildings that house them. Well-aimed sanctions will help us to tackle the dangerous, corrosive perception that all capitalism is corrupt by making less easy the lives of those whose wealth derives from theft and violence.

Evidence that we took during our “Moscow’s Gold” inquiry last year reinforced that point. We heard how the En+ Group was listed on the London stock exchange at a time when the sanctions regime in the UK was not equipped to prevent that, even though the company was linked to sanctioned organisations in Russia. As part of that inquiry, we invited Linklaters to give evidence. It is a highly reputable law firm that conducts half of the deals in Russia—or so it says—and acted for En+ during the listing. We invited it to give evidence not on any specific client, which of course it could not do, but on the nature of doing business in the legal wild west that is modern Moscow. It declined to do so. I will leave others to judge what that says about its willingness to offer evidence to the British people. I welcome the Government’s confirmation that they will explore ways to block listings on the London stock exchange on national security grounds.

In “Moscow’s Gold”, we advocated a Magnitsky Act, which many in the House will have heard of. It is named after Sergei Magnitsky, a tax adviser who was tortured to death in Russia. The law would enable the Government to impose sanctions on human rights abusers around the world. The measures were all included in the Sanctions and Anti-Money Laundering Bill, which has now become law, but there was uncertainty as to whether sanctions could be implemented before Brexit and the end of any transition period. I am pleased to see that the Government have established that there is no obstacle to doing so, and I very much welcome the Minister’s acknowledgement of that.

Many of our allies have already implemented the measure. It is not just targeted at Russia, despite the name; it is targeted at human rights abusers around the world. A Magnitsky Act would enable us to join our allies and send a powerful signal that we support the victims of human rights abuse around the world and will not profit from their abusers’ theft and murder.
As our latest report on sanctions shows, there is much else still to be done. Witnesses repeatedly told us that the Government’s approach to sanctions is fragmented and incoherent. The Foreign and Commonwealth Office makes the policy, which a variety of other Departments then implement. Departments interpret sanctions policy inconsistently and, sadly, too often with very little guidance. It does not help that sanctions and anti-money laundering policies are separate. As the then Minister of State, my right hon. Friend the Member for Rutland and Melton (Sir Alan Duncan), put it when giving evidence to our Committee, financial crime “is not quite our patch.”

To bring more coherence to the sanctions policy of the United Kingdom, we recommended that the Government establish a senior responsible officer for policy and its delivery. While multiple senior responsible officers overseeing sanctions policy exist within the Foreign Office, Brexit offers a perfect opportunity, as the Government note, to create one who can span the whole of Whitehall. We also recommended that this person should be accountable to the National Security Council, which should in turn designate sanctions strategy as an urgent priority. We have therefore called for a review this year by the National Security Council to ensure that the resources that it needs to make sanctions a priority are in place. To be effective, the review should explore how the UK can explore its heft in financial services and address exactly how we should engage with our international partners and influence their decision making in the years ahead.

This report was the second one we have published in this Parliament on the connection between finance and foreign policy. In “Moscow’s Gold”, we showed how Russia is using our financial markets to subvert the international rules-based system. What is more, the cynicism that that generates undermines our own faith in the order that has kept us safe.

We are looking at more work, however. One area that we are beginning to investigate is the nature of autocratic engagement with democracies such as ours. Although the focus, so far, has been on Russia, we could list many other countries. We could certainly look at some of the ways in which China uses its state assets to influence markets around the world. The United States is also considering that, so we will be working on it together.

Our new report shows that the Government have much to do if they are to make sanctions an effective weapon and not cede the initiative to others in the field. In a world where financiers have become foot soldiers in foreign policy, we need to wake up and recognise that our international financial markets are the frontline. They can be used against us, but they also give us a home advantage. In a world where the rule of law is threatened, the pursuit of dirty money is now a vital part of foreign policy.

That fight starts on our doorstep. There is no room for complacency; we need to hurry. The UK is on the frontline of financial crime. Our people deserve a better defence and they deserve to have the weapons to achieve it. We need to make sure that our commercial fortifications are as strong as our physical ones. We need a Royal Navy for the financial markets.

Peter Grant (Glenrothes) (SNP): I did not expect to be called to sum up so soon. I will try to stick to the seven-hour limit that the Chair of the Select Committee, the hon. Member for Tonbridge and Malling (Tom Tugendhat), indicated. I congratulate him and his colleagues on the Committee on a couple of very thorough reports. I know that they are only two of a large number of detailed inquiries that they have undertaken, which have involved a lot of work from him, his colleagues and the Clerks and others who support the Committee—we should never forget how important their work is.

I will make a few general comments. When we are talking about sanctions, we should ask ourselves what they are for and why they are there. There are two kinds of sanctions: first, those that are imposed usually on countries or Governments because they are behaving in a way that we find unacceptable; secondly, those that we impose on individuals usually because they have been identified as a significant threat to the financial and economic stability of the United Kingdom or to the safety and security of our citizens.

It will come as no surprise to hear that I am not always happy about the decisions that the UK Government take about which countries are subject to sanctions and which are not, but that is a topic for a different debate. The principle should be that, if we know that a country is acting in breach of international law, we must use all the levers that we have. That certainly includes diplomatic influence, but we also have to be prepared to use financial and economic levers, if necessary, to bring even supposedly friendly countries into line. Sometimes we are too slow to exert financial pressure on countries that are designated as our friends, as opposed to those that are designated as neutral or potentially unfriendly.

When it comes to sanctions against individuals, the principle should always be that those who are involved in systematic human rights abuses or international crime, or those who are actively seeking to undermine democracy in their own country or anywhere else, will simply not be welcome, no matter how much money they are prepared to invest in our financial institutions or to pay the Government to buy their way in.

It is a sad irony, but a salutary lesson, that the first person to be stripped of substantial amounts of money about a year ago—a Russian lady or a partner of a known Russian individual—was here only because she had enough money to fast-track the UK immigration system. The rules allow people to come in with a substantial amount of money because it is deemed to be of economic benefit, so she was able to come in more quickly than if she had not had billions of pounds with her. When it turned out that the source of those billions of pounds was extremely dodgy, enforcement action had to be taken.

That is a salutary lesson that when we look to make people welcome because of assets they bring with them, we have to be very careful—before we make them welcome—about where those assets have come from. And if there is a question about that, it is much better for us to say, “I’m sorry. You wait outside until we are sure that it’s acceptable to let you come in.”

I will raise another issue that I know is not strictly covered within these reports and that is not strictly within the remit of the Foreign Affairs Committee. As the hon.
We have certainly seen that happen in the past; it is the reason why a number of countries in Latin America had severe economic crashes in the past. I think that we would be naive to think that somebody is not looking at the UK economy crashing. And if those people are also in a position to wield influence that makes it more likely that the economy will go down, then we have a very serious problem. So, although it is not within the strict remit of the hon. Gentleman’s Committee, I think it is an indication that when we start to look at the malign influence of Russian money in the City of London, eventually we have to start looking at the malign influence of other people’s money in the City of London, too.

My final comment is about when we leave the European Union. I thought it was very interesting that the sanctions report pointed out that effectively the Foreign Office—along with, I think, the rest of the Government—catastrophically underestimated how much very detailed technical work had to be done. It was not simply a case of, “We leave tomorrow, and we have a customs deal the next day, and everything’s fine.” Work that the Foreign and Commonwealth Office should have been doing to protect us from malign influences was not able to be done as quickly as it should have been, because the FCO had so many other things going on. Okay, that is a case of being wise after the event, but this issue should still concern us.

When we leave the European Union, there will be a question as to whether it will ever be credible or effective to have an entirely independent sanctions policy, because although the United Kingdom is—what?—the sixth or seventh biggest economy in the world, depending on how it is measured, if it imposes sanctions and nobody else does, those sanctions will not work. And if the other big players—the USA and the European Union—impose sanctions and we do not, we would then be in serious danger of falling victim to secondary sanctions, because if we do not stop our trade with sanctioned countries, the European Union or the United States of America will sooner or later start considering whether they should continue to trade with us.

So, although we have been part of a framework and any sanctions were imposed on an EU-wide basis, in practice we have a customs deal with European colleagues, even if and when we leave the European Union. That is because sanctions, and probably international sanctions, can effectively protect the unique institutions of the City of London, only if they are applied not only by the United Kingdom but by other major players as well.

I welcome the publication of these two reports. The timing of this debate is unfortunate, and in other circumstances we would have had a much greater attendance. I do not think there is a lack of interest in this subject; I think there is a great deal of interest. It is just that there are so many other demands on Members’ time just now. I hope that the Chair of the Committee will take back—on behalf of myself and indeed the whole House—our thanks, not only to his colleagues on the Committee but to all the Clerks and other staff who have helped to get these reports published.

Mr Khalid Mahmood (Birmingham, Perry Barr) (Lab): It is always a pleasure, Mr Davies, to serve under your stewardship.

I thank my friend the Chair of the Foreign Affairs Committee, the hon. Member for Tonbridge and Malling (Tom Tugendhat), for raising this important issue. Since he has been the Chair of that Select Committee, he has been studious and worked very hard. Even through the so-called Prorogation, I know that he was here most of the time—I have come in and he has been here. When the Prorogation was deemed illegal, he was one of the first people in the Chamber. I congratulate him on the effort and the energy that he has brought to his work; being a Select Committee Chair is really hard work, particularly in the Foreign Affairs Committee, which has a hugely important function. I am pleased that he heads that Committee, and he does so excellently.

The UK adopts sanctions primarily through the UN and the EU, and two thirds of its sanctions regime has been driven through the European Union. Leaving the European Union will thus bring about a seismic shift in how the UK adopts, imposes and implements economic and financial sanctions. For this reason, Parliament passed the Sanctions and Anti-Money Laundering Act 2018, which provides the legal foundation for an autonomous UK sanctions policy. Since the Act became law in May 2018, the Government’s activity on sanctions has been focused on ensuring that the UK will be legally able to maintain existing EU sanctions under UK law, even in a no-deal Brexit scenario.

As the Chair of the Foreign Affairs Committee said, the Committee conducted an inquiry. It is important that we understand the issue of sanctions and how and where we deem them fit to apply to specific countries. Part of the sanctions framework is the use of a Magnitsky Act, which I will come to later. Both types of legislation should be applied together, as individuals are coming through international loopholes as well as using national mechanisms. We need to be able to address the individuals who have been placed under sanctions by the United Nations or the European Union, or will be placed under sanctions by us. As he quite rightly says, such people interfere with the normal wellbeing of our financial economy; they distort it. It is important for us to understand and deal with the effects on financial institutions.

The hon. Gentleman has clearly explained Magnitsky powers and it is important to recognise these issues. Sergei Magnitsky was a Russian lawyer; for his efforts, he was tortured by the Russians.
As we place financial sanctions and travel sanctions on certain individuals, we must understand how such powers work and how they should operate. The hon. Gentleman also pointed out the problem of people being able to circumvent the sanctions policies that we might apply, and how they might be able to do that. The report recommends the appointment of an officer to monitor the situation, which I think is much needed, because, at the moment, we do not really think about the process of how to apply sanctions and we need to do so in a joined-up way. We need a senior responsible officer bringing the laws together and addressing the issues—considering how people use their immigration status or their financial wealth, from which country they are operating and what secondary operations are related. There must also be a clear trail examining the input into our finances; such individuals distort our finances and make it difficult for the people of the United Kingdom who are trying to behave properly to have a proper regime around what they are doing. We must look at and deal with that situation. We need to take a serious cross-Whitehall approach, as the hon. Gentleman recommends. If we do not, how we deal with sanctions and money laundering will remain fragmented.

It is also important to look at what the Labour party wants to do. Sanctions can certainly be an effective and useful tool for achieving policy objectives. For example, they can apply pressure on states and individuals that are carrying out human rights violations to alter policies and behaviour. I mention that in reference to Myanmar; the hon. Gentleman mentioned Russia. I would also add India’s current situation—I declare an interest, as I am a Kashmiri. There are issues going on there and it is important for us to be able to look at that and see how those policies affect a nation that is bringing people into subjugation. As the hon. Gentleman will understand, we have to look at where human rights and civil liberties are being abused day in, day out. We cannot allow abusers to engage in international markets via financial convention.

I will cut down my speech because we all need to keep to a similar length of speaking time, but I will question the Minister. Three years after the referendum, little thought appears to have gone into the consideration of the UK’s strategy and policy approach to co-operation with EU sanctions. What progress has been made in the development of a plan for post-Brexit co-operation with the EU in terms of sanctions? If the Government claim to take seriously the actions of human rights abusers, why have no individuals accused of human rights abuses been sanctioned? Sixty-six individuals have been sanctioned by Lithuania and 49 by Estonia—both countries are EU members. Will the Government set out a clear position on whether the UK can independently sanction human rights abusers while it is still an EU member state? Does the Minister agree with the Foreign Affairs Committee report that the Government would benefit from having a senior civil servant who is accountable for sanctions policy implementation?

1.56 pm

The Minister for the Middle East and North Africa (Dr Andrew Murrison): It is a pleasure to serve under your chairmanship, Mr Davies. I shall do what I can to expand my speech to fit the time available. I congratulate my hon. Friend the Member for Tonbridge and Malling (Tom Tugendhat) on introducing this subject for debate today. I am sorry there are not more people here to debate the matter. It is, as the hon. Member for Glenrothes (Peter Grant), who speaks for the Scottish National party, says, an important matter and such a debate would ordinarily be attended by a significant number of colleagues wishing to contribute—but these are not normal times, are they?

The speech made by my hon. Friend the Member for Tonbridge and Malling was magisterial; he hit the nail on the head, and I will do my best to cover the issues he has raised. I also congratulate him and his Committee on their report of 5 June. As the ex-Chairman of a Select Committee myself, I know a little about drafting Select Committee reports. I understand full well that the main thing is to get the title right, and his report’s title certainly shoots from the hip: “Fragmented and incoherent: the UK’s sanctions policy”. I do not think we need to read much further, although I did, last night. I read it in great depth and detail to know where the Foreign Affairs Committee is coming from. Since the report, a lot has happened and I hope in my remarks to be able to persuade my hon. Friend of that.

I apologise that the Minister for Europe and the Americas, my right hon. Friend the Member for Tamworth (Christopher Pincher), is not in the Chamber today; he is the Minister with responsibility for sanctions, but he is abroad on duty. I have dealt with sanctions a fair amount because of my geographic portfolio, so I hope I am reasonably well placed to comment on some of the issues contained within the report and the more general questions. I enjoyed the remarks made by my hon. Friend the Member for Tonbridge and Malling about capitalism in general. We could have such a debate for many hours, but this is not the place—you would probably call me to order, Mr Davies, if I attempted to do that. However, I sympathise with the general thrust of what my hon. Friend said. I am reminded the remarks made about a decade ago by Peter Mandelson, now Lord Mandelson, about being “intensely relaxed” about people getting “filthy rich”. I did not particularly like that at the time, not because I object to people becoming wealthy if they have the talents and the attributes to do so, but because I objected to the word “filthy”, which probably touches on the thought processes that will have gone through the minds of members of my hon. Friend’s Committee when they drafted their report on dirty money from Russia.

It is clearly not the case that this country does not want people to invest here. London and, indeed, Edinburgh rely heavily on inward investment and financial transactions. However, this country has a reputation for standards—that is part of the UK’s attractiveness as a source for foreign investment—and that depends on sufficient, adequate and proper regulation and the rule of law. In anticipation of Brexit, we will need to think about that when transposing into our domestic law the European Union’s rules and regulations, and when we consider what we will do next. Clearly—I will come on to this—we need to be alongside others. Today’s contributors made the point well that this is so much more effective if we work with others. We also need to consider what the UK will need to do unilaterally. There are advantages, I would say, in our soon to be autonomous status and in being able to do things more rapidly. That has to be counted as one of

[Mr Khalid Mahmood]

Mr Khalid Mahmood (Birmingham, Yardley) (Lab): It is good to serve under your chairmanship, Mr Davies. I congratulate the hon. Member for Tonbridge and Malling (Tom Tugendhat) on his report, which is a very important piece of work. He chaired a Select Committee, which is a useful tool for achieving policy objectives. For example, for Brexit the report recommended drafting their report on dirty money from Russia. Of members of my hon. Friend’s Committee when they considered how people use their immigration status or their financial wealth, from which country they are operating and what secondary operations are related. There must also be a clear trail examining the input into our finances; such individuals distort our finances and make it difficult for the people of the United Kingdom who are trying to behave properly to have a proper regime around what they are doing. We must look at and deal with that situation. We need to take a serious cross-Whitehall approach, as the hon. Gentleman recommends. If we do not, how we deal with sanctions and money laundering will remain fragmented.

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the advantages of Brexit after 31 October. I would certainly anticipate that being the case in relation to sanctions, but I absolutely accept the added value in acting rapidly in terms of particular issues. There is very good evidence to suggest that that is the best way to approach sanctions in the main.

Sanctions are a key tool for the pursuit of our foreign policy and national security objectives. They play a central role in supporting our efforts on priority issues, including tackling human rights abuses, which formed the substance of a great deal of what the Chair of the Foreign Affairs Committee touched on. They are central to countering terrorism, to the non-proliferation of chemical weapons and to upholding the rules-based international system.

This country has consistently played a leading role in the use of sanctions at the United Nations and the EU, to support our foreign policy objectives on Russia for its actions in Ukraine, and on Iran and the Democratic People’s Republic of Korea to slow or halt nuclear proliferation. In the last year alone, we have led the way in the adoption of sanctions against challenging individuals, from hate preachers to Syrian businessmen intent on funding the murderous Assad regime. We also led efforts to establish the first EU chemical weapons sanctions regime, and secured travel bans and asset freezes against individuals and leadership in the Russian intelligence service responsible for the use of chemical weapons on the streets of Salisbury last year. That is an issue about which I feel particularly strongly, since my constituency has been able to apply sanctions to them. It is those sorts of individuals, and the entities they work for, that any future sanctions regime would seek to act against.

In total we implement 37 UN and EU sanctions regimes, and almost 2,000 individuals and entities are prevented from travelling to, or investing in, the United Kingdom as a result. The Government’s focus over the past two years has rightly been on preparing for Brexit. The Sanctions and Anti-Money Laundering Act received Royal Assent in May 2018, and since then we have laid 24 statutory instruments, mostly in order to transfer EU and UN sanctions regimes into domestic law from the point that the United Kingdom will no longer be bound by the EU.

We have reviewed about 1,000 individual EU sanctions designations to consider whether they satisfy United Kingdom legal thresholds. We have also set up the necessary processes to allow us to publish on gov.uk the names of those sanctioned under United Kingdom sanctions. The scope of that task was unprecedented, and as such we prioritised the work accordingly to ensure the continued application of existing sanctions after Brexit. I am sure that right hon. and hon. Members will understand that, first and foremost, our focus with this and every other Brexit-related piece of work across Government is on having to transpose into UK domestic law the best way to approach sanctions in the main. The Sanctions Act and the supporting secondary legislation give us the freedom to decide national sanctions as we see fit, aligning with our key priorities, notwithstanding my remarks about acting together.

Sanctions are most effective when jointly enforced by many nations. That is why we fully intend to continue to drive co-ordination on sanctions with our key partners, EU members and other close allies such as the US or Canada, and through the G7. Indeed, in the 5 June report, the importance of working together is underscored several times, notably by authorities such as Professor Paul Cardwell and RUSI, who were quite clear that sanctions are most effective when they are applied multilaterally—a point that was well made by the SNP spokesperson, the hon. Member for Glenrothes.

We will continue to use our permanent seat on the UN Security Council to ensure co-ordinated and effective action on UN sanctions; indeed, that was one of the issues that was discussed around the bazaars last week at the UN General Assembly, from which—by force of circumstance, sadly—Ministers were untimely ripp’d. Nevertheless, it is clearly an important part of the toolbox that multinational forums such as the United Nations are exercised about. They are right to be, and it is very often at those forums that such measures are most effectively exercised. We will continue to make sure that is the case with the European Union and with others.

The United Kingdom wants a supportive and constructive relationship with the EU as constitutional equals going forward, and as friends and partners we want to face the challenges that lie ahead together. Although we will exercise the power to impose sanctions independently, that will not prevent the United Kingdom from co-ordinating with the European Union. The outcome will be that we enjoy both freedom of manoeuvre and the option of working alongside the EU on sanctions where our objectives align.

In answer to a point raised by the Opposition spokesperson, the hon. Member for Birmingham, Perry Barr (Mr Mahmood), however, we cannot set out in detail how the UK and the EU will co-operate on sanctions in future until the terms of the United Kingdom’s departure from the EU are clear. I am sorry that I cannot be any more specific, but he will understand that these things are all evolving all the time. With respect to the future relationship, it would be very difficult to be more prescriptive about what the future will look like, not least because the United Kingdom is only one party to the arrangements going forward. That is a matter that will have to be determined, but it seems to me that of all the things to determine in the future relationship, such issues are perhaps among the lower-hanging fruit.

The United Kingdom’s impact in multilateral settings has ensured that sanctions play a part in confronting and combating a range of hostile state activities. It has also ensured that those sanctions have wide applicability...
beyond the United Kingdom’s jurisdiction. We led the debate on maintaining and strengthening multilateral sanctions against Russia for its illegal annexation of Crimea and for its destabilising actions in eastern Ukraine. The United Kingdom also fully supports new sanctions in response to Russian elections in Crimea and Sevastopol, the construction of the Kerch bridge, the illegitimate elections in the Donbas, and Russia’s attack on Ukrainian vessels in the Black sea. National sanctions will also allow us to continue to constrain the ability of those who wish to do us harm, to encourage changes in behaviour from malign actors, and to send a clear signal about the role of global Britain as a moral anchor in the world today.

Let me turn to the Magnitsky powers, which were the principal focus of the remarks of the Chairman of the Select Committee. As he knows, preparatory work is under way to implement a new independent human rights sanctions regime as soon as practicable after we leave the European Union. That work has proceeded apace since March—from around the time that he delivered his report. It was probably reasonable for the Select Committee to comment at that time about its concern that not enough planning had been done for the subsequent sanctions regime, but I assure him that a great deal has happened since then.

Tom Tugendhat: Our report had the desired effect.

Dr Murrison: Indeed. One has to take credit where one can in this business, and I am pleased to say that my hon. Friend is right to take some of the credit for moving the narrative along. More particularly, I am pleased to see that the work in the Foreign and Commonwealth Office, which also involves others, as I will come on to, has been proceeding apace. I am comfortable that we are in a good position to deal with some of those things in a timely manner at the point of our departure on 31 October.

As a non-lawyer, it is sometimes challenging and tricky to get my head around some of the complexities of the issue. The worst thing that we could do would be to create bad law that would be challenging, because it would cost the British taxpayer many millions of pounds to defend the UK Government against people with very deep pockets. The last thing that my constituents want is for large sums of their cash to be disbursed to some of those individuals in damages. It is absolutely right that, across Government, we work hard to make sure that the legislation is in place and the statutory instruments are prepared in such a way as to minimise the chance of the UK Government being challenged by lawyers.

The sanctions regime that we are discussing derives from the so-called Magnitsky powers provided for in the Sanctions and Anti-Money Laundering Act. Clearly, all those here gathered are intensely interested in that legislation and its secondary legislation. Establishing a national human rights sanctions regime will show the United Kingdom’s commitment to human rights worldwide and will be an important plank in our post-Brexit foreign policy. It will allow the United Kingdom to impose travel bans and asset freezes, and it will ensure that people who abuse human rights anywhere in the world will not be able to travel here or invest in our economy. The Government will publish the names of those subject to those sanctions.

To impose a sanctions regime for human rights, we have drafted a statutory instrument to ensure the associated processes and structures are in place to implement and manage it. It is important that we set it up correctly, and I am absolutely focused on ensuring that those processes and structures are as legally robust and watertight as they can be. That has perhaps accounted for some of the delay that was remarked on in the report, in which the frustration of Select Committee members was palpable. I hope that my hon. Friend the Chair of the Select Committee understands the reasons for that. There is a need to replicate EU sanctions following Brexit and work has been going on in the past few months with legal draftsmen to ensure that the subsequent regime, particularly in relation to the Magnitsky clause that was introduced by the 2018 Act, is robust and will hold water against what is likely to be a hostile response from some of those designated under the legislation.

Hon. Members will be pleased to know that we are working closely with key partners, such as the US and Canada, which already have specific human rights sanctions regimes, to co-ordinate our efforts and to ensure that the sanctions that we impose have maximum effect. The Government are absolutely committed to tackling illicit finance, corruption and money laundering. We do not want dirty money here; money launderers are not welcome in the UK. We are actively implementing our anti-corruption strategy, led by the Prime Minister’s anti-corruption champion, my hon. Friend the Member for Weston-super-Mare (John Penrose). The National Security Council has met twice to discuss the issue, and the Government are consulting on reforms to Companies House and on introducing legislation to require foreign companies that own or purchase property in the UK to provide beneficial ownership information.

We have new and exciting tools to tackle illicit finance, such as unexplained wealth orders and account freezing orders, which were introduced under the Criminal Finances Act 2017. Those have been used to isolate millions of pounds across hundreds of bank accounts. Consequently, and as a direct result of all that work, the Financial Action Task Force found in 2018 that the United Kingdom had the strongest anti-money laundering regime of more than 60 countries assessed to date. I think we should all be proud of that, but there is no complacency. In July 2019, we published an economic crime plan in conjunction with the private sector. The plan outlines the public and private sectors’ collective ambition to combat economic crime and sets out a series of actions that both sectors will undertake to enhance the United Kingdom’s economic crime response. The plan was the first output from the economic crime strategic board, which the Chancellor and the Home Secretary co-chair. We are also actively looking at the possibility of introducing a power to block a listing on the London stock exchange on national security grounds. The work is well under way.

Although the issues are primarily the responsibility of the Home Office and the Treasury, the FCO plays a part as well. It has the credentials to be the lead in some of the Home Office serious and organised crime strategy, supporting the overseas territories and Crown dependencies in tackling illicit finance and co-ordinating with the
Department for International Development, Her Majesty’s Treasury and other Departments to deliver a global anti-corruption programme. It is important to understand the central role of the Foreign and Commonwealth Office. Ministers within the FCO are signed up to jointery and the idea that if we are to deal with all the issues that we have been discussing this afternoon, we need a cross-Government response.

I note the concerns about senior responsible officers for sanctions, and I read the remarks in the report very carefully. If we had a senior official responsible for this piece of work, which runs like a vein through the whole of Government business, I would be concerned about their being isolated. Although the proposal is that such an individual should report to the NSC, my worry—it is a concern that I have more generally with the machinery of government—is that we would be taking important bits of Government policy outside implementing Departments and making Departments respond in a sort of silo format to the NSC. Before too long, we would find that the NSC was responsible for a raft of Government policy, and Departments were in some way isolated and frozen out. The Departments are expected to implement all of this and they have the experts and the expertise to deal with it, and I am vaguely uncomfortable with such a proposal.

In defence of the current position—all issues around the machinery of government are of course kept under review and are always subject to change and modification—the national security strategy and implementation groups, with which my hon. Friend the Member for Tonbridge and Malling will be familiar, are headed up at director general level and report directly into the NSC. I know that Russia is a particular concern of the Foreign Affairs Committee, for example, and the one on Russia is influential in securing that cross-Government response to the challenges posed by that particular malign actor. My sense is that such a mechanism serves Government well and is the best fit right now, but as with anything in this space, it is always subject to constant review and reappraisal.

The remarks made in the report are important in informing the general debate on how we do this. I hope that the Chairman of the Select Committee, and others, will understand the rationale for perhaps resisting, at this juncture, the solution proposed in the report. Perhaps it is something we may come back to at a future date.

The Foreign Office is intent on supporting the United Kingdom’s effort to strengthen international standards in general. You will be interested to reflect, Mr Davies, on the fact that in spring at the Open Government Partnership summit in Ottawa the Prime Minister’s anti-corruption champion, my hon. Friend the Member for Weston-super-Mare, launched a global leadership group to drive international efforts to strengthen international beneficial ownership transparency. The United Kingdom is an active member of the G20 anti-corruption working group and will be strongly represented at the conference of states parties to the UN convention against corruption in Abu Dhabi in December. As the Foreign Affairs Committee has identified, sanctions are a powerful foreign policy tool and form part of the overall approach to protecting the United Kingdom from threats from overseas and to delivering our foreign policy. Dirty money should not be in the United Kingdom, and we should be using domestic law enforcement tools and international co-operation to send a clear signal that we do not tolerate illicit finance in any form, not simply for moral or legalistic reasons.

Part of the power of the United Kingdom in terms of financial services is the reputation that we have for upholding the rule of law—and in particular for dealing with anything to do with illegality, corruption or things that transgress our rules and norms. That is much of the power of the City of London and, indeed, other financial centres such as Edinburgh, and it must continue. Unless we take these matters seriously we shall find that the reputation of the United Kingdom falls away in that respect, and we will all suffer as a consequence. There is therefore a strong financial imperative to ensure that our sanctions regime is as robust as it can be.

The United Kingdom is a global leader on sanctions, as I hope my remarks have explained. It is a major contributor to the development of international sanctions policy. I am very proud that when Ministers go to institutions such as the UN General Assembly we can be seen to be in a leadership position in respect of much of the debate. We can already draw on more sanctions expertise and resources within Government than any other European partner, and maintaining that capacity will be a priority after we leave the EU. We have increased the number of officials working on sanctions across Whitehall and intend to maintain those numbers beyond Brexit. The United Kingdom has one of the world’s largest and most open economies, and London is one of the world’s most attractive destinations for foreign investors. That means that the sanctions we impose will really bite.

The Foreign Office’s primary objective is to ensure that we can continue to use sanctions as an effective foreign policy tool to tackle some of the most serious threats to our national security and moral values and to drive forward our foreign policy. That is why our focus over the last two years has been to safeguard existing sanctions in the United Kingdom post-Brexit and why we will have a new global human rights sanctions regime.

To conclude—I have filled the time available as best I could—sanctions will remain a key part of the United Kingdom’s approach to a wide range of foreign policy priorities after we leave the EU. The importance that we attach to sanctions is reflected in the huge effort put into our preparations for Brexit and the additional resourcing that we have put in place across the FCO network. As I am sure hon. Members can understand, it was right for the Government to prioritise the work to ensure that existing sanctions would continue to apply in the event that we leave the EU without a deal. However, I hope that they will equally understand that in the past few months we have put an enormous amount of work into determining the future relationship, and that they are content with the general approach. I am grateful for all the recommendations outlined in the Foreign Affairs Committee’s report of 5 June and our response to it, since when a great deal has been done. I am by no means complacent about the task ahead, but I hope that the Committee will accept that we are on track.

Once we are outside the EU, we will continue to work in concert with others and will have the opportunity to implement our own autonomous sanctions, including on human rights, to combat threats, protect our norms
and protect our values. We will continue to demonstrate through our actions that the UK is and will remain a global sanctions leader.

2.25 pm

Tom Tugendhat: I am grateful for the Minister’s speech, which recognised not just many of the ideas that I raised but many of the ideas that the Foreign Affairs Committee has debated. That demonstrates that, despite having been Chair of another Committee, he was assiduous in following the work of ours, even before he became a Foreign Office Minister.

I am also grateful to my friend the hon. Member for Birmingham, Perry Barr (Mr Mahmood), who has been of invaluable support in many projects that I have done outside this place. His kind words supporting the Committee’s work and recognising the challenge that we all face, on whichever side of the House we sit, are extremely well received; I thank him for them.

The hon. Member for Glenrothes (Peter Grant) spoke extremely well on behalf not just of his party but of the House. He recognised many areas in which we all face similar challenges; one area that he did not mention, but could have, was the UK Government’s responsibility with respect to Scottish limited partnerships, on which he and his party have assiduously led the campaign. His speech reminded me that one reason why we are in this position in the UK is that we have the legacy of a very unusual political and economic system of absentee landlords that lends itself to foreign oligarchs in a way that many other economic systems do not.

I am particularly grateful to the Minister for speaking about the rule of law, because it is the economic underpinning of the United Kingdom. It is fundamental, and highlighting it is extremely important. That leads me on to an area that none of us mentioned, but that perhaps we should have—the challenges in places such as Hong Kong, where the human rights abuse of individual citizens could easily raise questions about Magnitsky implementations. It may also raise questions about the position of British judges on the Court of Final Appeal. After all, at what point is the defence of commercial justice reliant on civil justice? At what point does the undermining of civil rights in a territory undermine the ability of any judge affiliated to the UK—certainly a former UK High Court or Supreme Court judge—to deliver justice? At what point is that no longer possible? Maybe that is a question for another day.

The fundamental point is that the UK’s reliance on its economic markets is essential, as we know. We therefore need to look at whether the markets are not just open and fair but properly regulated with rules that are properly enforced. In the same way that the Minister’s ancestors on Her Majesty’s men of war—like their counterparts on Her Majesty’s frigates and destroyers today—implemented the rules of the sea and fought the evils of the slave trade and so many other forms of tyranny in the pirate wars from 1600 to about 1900, there is a place for a new red ensign to fly over our financial markets. Everyone should know that the people who put their money here and invest through London, Edinburgh or the UK’s markets, and the businesses that use those institutions, cannot be the human rights abusers, thieves and oligarchs who enrich themselves in places such as Moscow by raping and pillaging the people. They should know that because our markets have the best sanctions regimes to prevent any such crimes.

Mr Mahmood: I congratulate the Chairman of the Foreign Affairs Committee on mentioning the Navy’s fight against slave traders. It is very important to point that out, particularly now that we are in Black History Month.

Tom Tugendhat: I am grateful that the hon. Gentleman raises that issue. It is also worth mentioning that today is the anniversary of the death of Alan Henning; I do not know how many hon. Members remember him, but he was a taxi driver with a huge heart and enormous courage who took aid to Syria. His abusers probably enriched themselves in ways that we can only imagine.

One very encouraging thing that the Foreign Office is doing—forgive me if it is not quite in the sanctions line—relates to the work of the British Museum in fighting the vile trade in historic artefacts. It is clearly connected to the sanctions issue, so I hope that the Foreign Office will pick it up, although the Committee did not cover it in our report.

I thank you for your chairmanship, Mr Davies, and all hon. Members present. I particularly thank the Clerks of the Foreign Affairs Committee, whose work has been exceptional, on this and many other subjects.

Question put and agreed to.

Resolved,

That this House has considered sanctions policy and implementation.

2.31 pm

Sitting suspended.
Internet of Things: Regulation

[Mike Gapes in the Chair]

3 pm

Chi Onwurah (Newcastle upon Tyne Central) (Lab): I beg to move,

That this House has considered regulating the internet of things.

It is a pleasure to serve under your chairmanship, Mr Gapes, in a debate on such an important subject. I am a tech evangelist. I believe that technology is an engine of progress. Growing up in the north-east, in Newcastle, the home of the first industrial revolution—although I know that some from the north-west may debate that—I gave a love of science, technology and innovation. The achievements of local greats such as Armstrong, Stephenson and Parsons—that is Rachel Parsons, the world’s first female naval engineer—inspired me to study electrical engineering and embark on a two-decade career as a chartered engineer working in telecoms all over the world.

Newcastle’s experience of the industrial revolution was captured in the excellent BBC series “A House Through Time” with David Olusoga, which showed a mixture of life-changing technological progress and huge social problems, as in many other cities. We are now in the midst of what some consider to be the fourth industrial revolution—although how to count them is not agreed—powered by data and renewable energy, instead of labour, discipline and steam.

Last week the Prime Minister made what I can only call an interesting speech to the United Nations on technology, with this historical analysis:

“When I think of the great scientific—
I cannot pretend to do his way of speaking, so I will just quote—
“revolutions of the past—print, the steam engine, aviation, the atomic age—I think of new tools that we acquired but over which we—the human race—had the advantage”.

The industrial revolution radically changed society, but it is a mistake—one, if I may say, of privilege—to say that the human race had the advantage. The steam engine rapidly increased productivity but also powered factories and mills with brutal working conditions that produced textiles from slave-milled cotton. Those new tools brought benefits, but the benefits were not equally shared. Of course, that happened before the United Kingdom had universal suffrage or a labour movement and a Labour party, and when many in the world were colonial subjects. Our opportunity, and our duty, in the fourth industrial revolution is to make those technologies work for the many, not the few. In that context, I will today set out what the internet of things is, the benefits it brings, the concerns and the current state of regulation.

What is the internet of things? I was surprised to see that in the Prime Minister’s speech on the gov.uk website, the internet of things was in inverted commas. I am sure that the Minister is aware that IOT is not sci-fi, but a reality of our daily lives. I was the first Member of Parliament to mention the internet of things, in my Westminster Hall debate on machine-to-machine communication in June 2011, just a year after I entered Parliament. One of the Minister’s predecessors, the right hon. Member for Wantage (Mr Vaizey), responded, so I think he was the second MP to mention it.

I called that debate because my experience as a chartered electrical engineer and as Ofcom’s head of telecoms technology had brought home to me, even then, the opportunities and threats that the internet of things represented. At the time, Ericsson estimated that 50 billion things would be connected to the internet of things by 2020. In fact, that was a bit of an exaggeration, because we have about 7 billion. However, global spending on IOT is forecast to reach $745 billion by the end of this year. Ericsson now estimates that by 2023 we will have 31 billion things connected to the internet, and the Government’s own estimate is that there will be 420 million internet-connected devices in the UK within the next two years.

The internet of things is basically things connected to the internet—it does what it says on the tin, for once. That allows everyday objects to talk to each other and to people. In fact, the first internet-connected toaster was revealed in 1989. While there has been speculation for years about how the internet of things will change our lives, it is now that we are really beginning to see its full implications for how we live, work, play and do everything in between.

Smart homes and connected appliances are perhaps the most commonly understood applications. Smart meters mean that we can turn our heating on when we leave work, whatever time that is. A fridge can tell someone when they are out of milk. More poignantly, a child’s teddy bear could record their first words and share them with the whole family.

However, IOT is about much more than household gadgets and cuddly toys. Scaling up IOT will bring us smart cities, where bins can signal when they are full, parking spaces can tell us when they are empty, and traffic lights can tell an autonomous car how fast to drive, so that it never has to hit a red light. Every time I wait at a bus stop—despite the ridiculously high cost of bus travel in Newcastle, that is still quite often—I look forward to an IOT-enabled and truly integrated public transport system, which will mean buses stopping when and where people want them to, and not stopping if there is no one at a bus stop. That means a saving in fuel efficiency, and a saving in all our time.

IOT is also transforming industry. The fourth industrial revolution has at its heart smart factories, and intelligent and flexible automation, making manufacturing cheaper, quicker, more efficient, more personalised and more reliable. Indeed, the smart factory might be in someone’s home—3D printing plus IOT could equal home manufacturing.

I am an internet of things believer. I have studied it, lived it and effectively built bits of it all over the world. It has huge economic and social benefits, as well as environmental benefits, ranging from energy management to tracking endangered species. We cannot address climate change without the internet of things. It allows the monitoring of energy usage but also enables a smart grid. IOT can literally save the planet, which is just as well now that it accounts for 8% to 10% of European electricity consumption.

However, I hope that the Minister will agree that people, and not technology or things, must be at the heart of the internet of things revolution. An IOT that works for everyone requires action—action that this Government seem unwilling to take. IOT will be as pervasive as electricity, and found in every home and
handbag. And, like electricity, IOT is an enabling technology, only the enabler is not electric current but data—people’s data—and right now we have no idea who owns that data.

Take personal health tech. A company called OrCam has developed discreet camera glasses for the visually impaired, which can read text and recognise people, while the L’Oreal UV sensor, which detects ultraviolet exposure, is small enough to be worn comfortably on someone’s fingernail. However, who owns and controls the data gleaned by these devices? I hope that the Minister can tell us that, and say why it is not the people who generate that data.

As companies bring more IOT devices to market, this is a pressing issue. Although the GDPR represented progress, it is already years out of date: it addresses privacy, not control; it barely takes account of artificial intelligence and algorithmic management; and it ignores completely the internet of things. The Information Commissioner’s responsibilities over IOT are unclear.

The more interconnected things are—which in itself is a good thing—the bigger the potential for cyber-attack, which is already a huge area of concern. In 2018 there was a 500% increase in the average size of a botnet attack. There are more than 7 billion IOT devices in circulation, and that number is only going to grow. Given that each IOT device is always on, it is possible to build and deploy large-scale attacks within minutes.

In 2017 the US Food and Drug Administration recalled almost half a million pacemakers due to fears that they were vulnerable to hacking, while a Chinese IOT firm recalled 4 million cameras for the same reason. November 2018 saw the first scaled botnet attack using smart TVs. Other household appliances can also be used not only to bring down internet platforms such as Spotify, Amazon and Twitter, as happened in 2016, but to take control of our homes or any networked utility. Back in 2010 an Iranian nuclear facility was targeted by a malicious computer worm, which led to the shutdown of multiple gas centrifuges, and in 2015 blackouts in Ukraine were caused by cyber-attacks. Although we call them “cyber-attacks”, they have very physical consequences. In 2017 the Federal Network Agency, the German communications regulator, told parents to destroy a talking doll called Cayla, because its smart technology can reveal personal data. A couple of years ago I wrote about the implications of internet of things security for sex toys, but today I will spare Members’ blushes.

The lack of security on IOT devices is not only a risk to the individual user; it threatens huge economic and social damage. Importantly, security for IOT devices does not just need to be built in at the start, even though that in itself takes time and money; it needs to be upgradeable over time as threats evolve. However, producers of IOT devices are simply not incentivised to consider security concerns, with global supply chains competing mainly on costs for devices that can be sold for only a few cents or even less. Of course, the lowest-cost device is, inevitably, the lowest-security device. This is one problem that the market cannot and will not solve on its own, which means that it is up to Governments to correct.

In his speech, the Prime Minister used quite lurid language on the issue of internet of things surveillance: “But this technology could also be used to keep every citizen under round-the-clock surveillance. A future Alexa will pretend to take orders. But this Alexa will be watching you, clucking her tongue and stamping her foot”.

The Prime Minister shows both his lack of respect for women and his lack of understanding of technology in caricaturing it as a nagging housewife arguing with an unfaithful husband. That sort of gendered view is, sadly, far from uncommon. Technology is far too often the creation of well-off men and, unsurprisingly, it reproduces their biases and prejudices.

There is an important issue of surveillance to address, both in the private and public domain. The recent book by Shoshana Zuboff, “The Age of Surveillance Capitalism”, addresses the ways in which data is used not just to monitor us but to direct and control what we do. We see it already in the practices of Amazon, Sport Direct, Uber and Deliveroo, to name just a few, where the companies’ control of data can control work life.

Research by Defend Digital Me shows that the internet of things has an increased presence within our classrooms, from direct monitoring through biometrics to facial recognition and tracking technologies as part of a smart campus project, in some cases run by the Office for Students. Many of the applications that are marketed claim noble aims around improved health or scholastic performance, but they are rather less clear when it comes to consent. When we consider how the internet of things can be used to monitor children in compulsory education, how can the child or parent be said to consent if it is a generalised practice?

The Government have repeatedly ignored warnings on cyber, much less done anything to ensure that small businesses and citizens, as opposed to big businesses and national security agencies, are protected. There are no current regulations that require a security standard for internet of things devices. About 30 groups are developing security standards for the internet of things, but if we have 30 standards, we do not have a standard. Our public response needs to be as joined up as our networks, but it is not. Responsibility for cyber-security lies across several disconnected Government silos. The Home Office publishes cyber-security stats; the cyber-security strategy comes from the Cabinet Office, although it was launched with a speech by the then Chancellor; the Department for Digital, Culture, Media and Sport takes care of cyber-skills for young people; and the cyber-essentials scheme sits in the Department for Business, Energy and Industrial Strategy. Responsibility for cyber-security is defused across Government. There is a lack of leadership and, even worse, a lack of concern. The policies seem largely to ignore mobile devices and the internet of things.

At the same time, and for some years now, the Government have been encouraging us to take up smart meters, for example, without a regulatory framework to protect us from attack. Personally, if a device is called smart, I do not buy it, at least not without a one-hour technical interrogation, which few customer service agents can pass.

Daniel Zeichner (Cambridge) (Lab): My hon. Friend is making a very important speech. I, too, have spent time reading the Zuboff book, and the more I read it, the more alarmed I became. Does she agree with me that the real issue is the one she started with: whose data
is it? Without that being resolved, there is an inevitable drift towards big tech companies using it for profit. Why wouldn’t they? But it is our data, and on every one of these issues, if we could pin that down, it would completely disrupt their business model. That is why it is a tough thing to do, but it would ultimately resolve the issue.

Chi Onwurah: My hon. Friend, who is a great champion of innovation and technology—coming from the constituency that he represents, it is appropriate makes a critical point. I could not have put it better. Although this debate is about regulation of the internet of things, it is impossible to talk about protection and security in the internet of things without talking about the data that is its lifeblood: the flows of data that both drive and enable the internet of things. We are in a confused state about who owns and controls the data and how it can be shared. The Government, for example, had at the last count at least 80 different ways of sharing data with themselves. As long as that is the case, we cannot have real security or integrity within the internet of things.

Last year the Government finally took some action with their Secured by Design voluntary code of practice on the security of the internet of things, as well as guidance for consumers, which was later codified as ETSI TS 103 645. In May this year, the Government announced a consultation on the introduction of some mandatory legislation on labelling. For example, retailers would have to label internet-of-things products as complying with varying levels of the Secured by Design code. Labelling is necessary because the Government will not decide what is secure and make it mandatory—if everything were secure, it would not need to be labelled. We await the outcome of the consultation. However, there are at least five major issues, and many others besides.

First, the tone of the consultation is, “Regulation is very, very bad and stops innovation, so let’s just have as little as possible.” Secondly, there is no enforcement or sanction. Thirdly, while some mandatory requirements are proposed, they would simply be a declaration of adhering to standards. That approach puts a major emphasis on the consumer to understand these increasingly complex problems and does not account for the use of the devices in public spaces.

The fourth major concern is that the regulations deal only with consumer things. The clue is in the name: it is an internet of things. We need an architecture of standards and a regulatory framework that enables security and interoperability across the internet and also considers the lifeblood of the internet of things—data. Fifthly and finally, there are billions of insecure old-generation IOT devices already emeshed in our digital infrastructure. The regulations do nothing to address them.

The Government need to recognise that technology is not something that happens to us; it is something that we actively participate in, or should do. That does not mean stifling innovation. Instead, it means using Government influence to look forward to the impact of technologies and to shape them for the public good. The Government must understand technologies in terms of social purpose, rather than just profit margins. That must be done with the tech sector, but the Government must recognise that it is their job to protect the interests of the people. During the first and second industrial revolutions, it was the trade unions, organised workers, the nascent Labour movement, feminists, abolitionists and former slaves who pushed laws in a positive direction and legislation in place that would direct the use of technology to more egalitarian ends. I fear that it will be for a Labour Government to ensure that that is what happens here.

Technology can be used for good or ill. My hope is that intervening now to set up a framework for data and the IOT will mean that we do not face problems and resistance further down the line.

Last year, I was at CES, which is the largest computer electronics show in the world, in Las Vegas. An American start-up literally begged me to put in place security regulations for IOT devices, so that it could compete on a level playing field with the cheap but totally insecure exports from less reputable manufacturers. It is cheap and, frankly, lazy to set up a sort of binary choice between regulation and innovation. A clear regulatory framework and strong governance allows good companies that are making socially useful products to succeed without markets being flooded with poor quality and potentially dangerous products that threaten security.

I want to say a little on Labour’s plans as I understand them—I know that the shadow Minister, my right hon. Friend the Member for Birmingham, Hodge Hill (Liam Byrne), will set them out in more detail—and I want to put that in context. I am a technology evangelist. Before becoming an MP, I worked all over the world building the national education service, the NHS for the innovation and enabling, but just as cyber-crime seemed so foreign only a decade ago, we do not yet fully understand the new risks posed by the internet of things. To fully realise its benefits, we need to be able to deal with the increasingly pervasive security threats it presents. To address them, we need regulation as well as action in other areas. For example, we need to invest properly in skills and adult learning to help people to become digitally literate citizens. Labour’s pledge to create a free truly universal national education service, the NHS for the innovation
age, will help everyone to become part of an innovation nation in which everyone is a creator, not simply a user, of technology.

We also need the power of Government to address our creaking infrastructure, and close the productivity gap at the same time, by enabling businesses across the country to invest in the internet of things. Our national transformation fund will do what it says on the tin—transform our infrastructure to bring it up to OECD levels.

We need to address a critical part of the tech sector that I referred to earlier, which is a lack of diversity. Diversity is not an optional add-on; it is an economic imperative. It needs to be at the heart of economic and technological policy, because we cannot build a more prosperous economy without making use of everyone’s talents. We need a more comprehensive sector-wide approach to diversity, particularly in the tech sector. It is key that the creators of new applications for the internet of things come from diverse backgrounds, so we have technologies that work for all and make use of the full array of talent in our society.

Finally, an internet of things requires the right digital rights and responsibilities to exist across our nation. That is why Labour plans to introduce a bill of digital rights that will provide strong and easily understood protections for citizens and will give us all rights and control over our own data.

As I draw to the end of my comments, I want to make sure that the Minister understands the questions that I am asking, so I will list the ones to which I would like him to respond. First, as I have mentioned, who owns and controls the data flowing to and from internet of things devices? Why is it not the people who are generating the data? The Prime Minister said that data is the new oil, but we have seen what the corruption around the oil industry did to many developing economies. Our citizens deserve to be in control of their own data.

Secondly, what steps is the Minister taking to ensure that insecure internet of things devices cannot be sold? Thirdly, will the provisions of the online harms legislation, that insecure internet of things devices cannot be sold, be more than adequate? I should perhaps have said that the Minister has a background in technology, as a tech correspondent, so I am sure that he has the answers to all the questions.

Fourthly, when the internet of things is connected to the internet of things, what scenarios are being considered? What are the problems that it raises, and lay out a clear framework for technology companies to work in. However, to take advantage of the changes, we need a Government who understand the opportunities of the internet of things, and who work with industry to mitigate the threats. That is a question not primarily of technology but of standards, interoperability, protocols, control, industry co-operation, self-regulation, legislation and enforcement. If we get that right we can look forward not just to a future of the internet of things but to a prosperous future of innovation that works for all, and things that have yet to be thought of, the benefits of which will be shared by everyone.

The internet of things could represent a more profound technological change than anything since electricity, as I have said. To make it work we need to understand the problems that it raises, and lay out a clear framework that is a hard Brexit, after which we would not have the support of our European friends and colleagues in establishing internet of things regulation.

Sixthly, I believe that all our critical national infrastructure is connected to the internet of things. I have mentioned the blackouts in Ukraine and attacks on an Iranian power station. What regulation is there of the internet of things in critical national infrastructure?

Seventhly, what analysis has been made of how the Government should respond to the misuse of internet of things devices? What scenarios are being considered and what plans are in place?

Eighthly, for the purposes of internet of things regulation, what is the nature of the relationship between the Department for Digital, Culture, Media and Sport, the National Cyber Security Centre, the Cabinet Office and the Information Commissioner’s Office? I expect the Minister to respond to the five criticisms of the current consultation.

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Matt Warman): How long do you think we’ve got?

Chi Onwurah: We have an hour and a half, which will be more than adequate. I should perhaps have said that when US presidential candidate Elizabeth Warren talks of regulating the tech giants for the benefit of consumers Facebook trembles—so much that Mark Zuckerberg has promised to “go to the mat” and fight her over it. However, when the Prime Minister talks about “pink-eyed terminators” the world laughs. That matters, particularly as the Minister advocates a hard Brexit, after which we would not have the support of our European friends and colleagues in establishing internet of things regulation.

I have asked the Minister nine questions and here is the 10th and final one: can we have a comprehensive forward-looking review of digital rights and responsibilities to deliver a regulatory framework fit for the future, which encompasses data rights and delivers an internet of things security architecture in which citizens can have confidence?

I hope that the Minister noted that when US presidential candidate Elizabeth Warren talks of regulating the tech giants for the benefit of consumers Facebook trembles—so much that Mark Zuckerberg has promised to “go to the mat” and fight her over it. However, when the Prime Minister talks about “pink-eyed terminators” the world laughs. That matters, particularly as the Minister advocates a hard Brexit, after which we would not have the support of our European friends and colleagues in establishing internet of things regulation.

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3.34 pm

Jon Cruddas (Dagenham and Rainham) (Lab): I, too, look forward to hearing the Minister’s response to all those questions in a few minutes’ time. I congratulate my hon. Friend the Member for Newcastle upon Tyne Central (Chi Onwurah) on securing the debate, which covers some of the most challenging issues that society—
indeed, humanity—will face over the coming years, many of which are rarely discussed in Parliament. Her speech was quite brilliant.

The internet of things is such a vast subject that it is difficult to know where to start, but I will restrict myself to the ethical questions that underlie the regulation issues that my hon. Friend spoke about, given the epochal technological challenges. In a general sense, many challenges that the country faces appear inversely related to our capacity as politicians to properly discuss them, let alone resolve them. Increasingly, liberal democracies appear unable to navigate the complexities of the modern world. One obvious example is the escalating authoritarianism across Europe and the globe—where is the political diagnosis and response to it, and where is the defence of liberal democracy? To give another example, do we really talk, post referendum, about the issues and feelings that ushered in the referendum, or are we preoccupied instead with the technical aspects of Brexit?

Maybe politics has lost its ethical grip and become too technocratic, and maybe today’s populism is a backlash against that managerialism. Maybe we require a different conversation that addresses moral and ethical questions about the lives that people wish to live. I realise that that point appears unrelated to questions of robotics, the internet of things and artificial intelligence, but I would argue that it is imperative to embed our discussion of those technological changes in a deeper conversation. I welcome this debate because maybe we can start that conversation—arguably the most profound conversation that confronts us as politicians and public policy makers in this country and across the planet.

Whether the forecasts are apocalyptic or utopian, no one doubts the significance of artificial intelligence and the internet of things. They have the potential to affect all aspects of policy, from education to the labour market, and from policing to health and social care. However, much of the current political thinking about artificial intelligence is reactive and geared simply towards ensuring that Britain is at the forefront of technological change—we might describe that as the utilitarian approach. Maybe we should begin instead by discussing what role technology should and should not play in our societies, our workplaces and our personal lives. That departure point would be different from the one that tends to dominate the utilitarian approach: instead of focusing simply on utility or economic benefit to Britain plc, it would focus on justice and how society should be organised.

Shrinking the political debate down to technical rather than ethical terms is especially dangerous in this area of technological change, owing to our lack of expertise in it—notwithstanding some notable exceptions, some of whom have just spoken. For example, being unable to evaluate the claims of developers or independently discern the likely outcomes and risks of their products means that politicians and the public are prone to being swayed by either apocalyptic or utopian technological narratives. Many technologists have bought into what has been termed techno-solutionism: the idea that all problems that humanity faces can be solved using technology—even those that technology has caused.

Chi Onwurah: I thank my hon. Friend for his excellent remarks, which cover the ethical debate about technology that we too rarely have about the internet of things. One example of the approach he describes—the idea that technology can solve all our problems—is the proposals for alternative arrangements on the island of Ireland, which I understand are being driven by blockchain and other technologies that the Government are not fully familiar with. That libertarian idea that technology is the answer to everything has driven our regulatory approach for too long, so he is right to say that we need experts on technology who can stand up for and consider its future applications from the point of view of society and citizens.

Jon Cruddas: That is bang on. For many in silicon valley, that confidence in the potential of technology goes hand in hand with a widespread libertarianism: as the role of technology and profit margin expands, so the role of the state should contract.

My hon. Friend did not mention those who come at the issues from a transhumanist approach. Modern transhumanism asserts that technological change creates the opportunity to transcend the human condition and become transhuman, and that that is to be celebrated, while resistance is deemed nostalgic or parochial. Politicians now and in the future will have to defend a discernible human condition in these debates, which will be a huge challenge.

For example, what happens when transhumanist thinking informs the technologists? Nick Bostrom is the director both of Humanity+, an international transhumanist organisation, and the Future of Humanity Institute at Oxford University, which regularly produces policy recommendations for Government. The point is that politicians and policy makers need to avoid being captivated by the promise of technological progress without an appreciation of the philosophical assumptions that inform the thinking behind the policies being advocated by those with agendas. Consequently, philosophers such as Jürgen Habermas have argued that politicians and policy makers should maintain a “species ethic” when navigating this terrain. These are deep waters, yet such questions are not really addressed in modern political debate.

On a slightly more practical level, the potential risks of mismanaging artificial intelligence are phenomenal. The most obvious example is mass unemployment. It is not possible to pick up a newspaper without reading about the march of the robots and the end of work. Estimates of the proportion of jobs in the UK that could, over the next two decades, be replaced by artificial intelligence and related technologies range from some 22% to between 40% and 45%. There are a wide range of estimates—some of them quite dodgy—of future structural unemployment, and they point to a range of conflicting policy options, such as universal basic income versus full employment. That suggests a wider range of policy remedies, but we are not spending enough time scrutinising the assumptions and empirical data that underscore those policy debates. Maybe we should.

To give a further example, we have already seen data analytics being used malignly in targeted political campaigns, and that practice will become ever more sophisticated, at the expense of our democratic process. As has been mentioned, in the corporate world facial recognition software is now being trialled for the purpose of marketing, to detect the efficacy of an advert on the viewer by judging their facial expressions. Businesses now have the potential to reach into people’s lives in the way Orwell’s “1984” imagined for totalitarian regimes.
Similarly, we have seen the social media filter bubble effect on civic and social life. It feeds us information that aligns with our preconceived notions of the world, closing us off from any contradictory information. Perhaps in the future our children will ask why we as parents allowed them to be so unprotected against such technological power. Left unchallenged, future public debate will suffer from the ease with which fake news could be produced on an industrial scale, given that AI makes the processing and manipulating of all forms of digital data substantially easier and cheaper.

Our very knowledge of the world around us and notions of truth are at stake. That may seem melodramatic, but I do not think it is. The greatest threat to the established political parties, however, could come from the powerlessness and exclusion felt by many as they feel that decisions about them—from hiring, to policing, to insurance—are made by machines. In its evidence to the Lords inquiry into AI, Future Intelligence said that “the most challenging point relating to AI and democracy is the lack of choice that is offered to the population at large about the adoption of technology. It is, to say the least, undemocratic”.

As wealth becomes increasingly concentrated in the hands of businesses that employ fewer and fewer humans, the powerlessness and exclusion felt by many as they feel that decisions about them—from hiring, to policing, to insurance—are made by machines. In its evidence to the Lords inquiry into AI, Future Intelligence said that “the most challenging point relating to AI and democracy is the lack of choice that is offered to the population at large about the adoption of technology. It is, to say the least, undemocratic”.

Chi Onwurah: My hon. Friend is making excellent points. Although my remarks on Brexit and technology were limited, I want to emphasise his point. If we agree that part of the Brexit vote was based on people’s sense of disconnect from Brussels and the corridors of power, how much greater will that sense of disconnect be when all decisions are made through technology that monitors but is not under the control of the people?

Jon Cruddas: Exactly. These are essential issues for the democratic character of western market democracies. That takes us back to the question my hon. Friend asked the Minister about the Government’s proposed remedies and policies. As it stands, policy proposals to meet these challenges are phenomenally weak. For instance, they include developers undergoing training in ethics as part of their computer science degrees, companies ensuring that their workplaces are diverse, and individuals who are made redundant by AI, perhaps repeatedly, being able to train for a new career. As I mentioned earlier, universal basic income is one proposal floated to ensure that those who lose their jobs are not made destitute, but that would mean the state taking on a phenomenal welfare burden just at the time when fewer people were able to pay income tax. To make up the deficit, people such as Bill Gates have suggested a robot tax, but would we tax algorithms as well as robots? Trying to define a robot is a legal and regulatory nightmare.

Returning to the question of regulation, before we make good policy, perhaps we need to return to first principles, asking questions about the values we place on work, freedom, privacy, community and justice—in short, what we want our society to look like. From there, we can then discern the role that we wish to allocate to technology, rather than being seduced by the hype of novelty and processing power. We decide the ethical environment and responsibilities of technologists and their platforms, not vice versa. If we do not build policy on a well-defined vision of human flourishing, policy makers run the risk of slipping into technosolutionism, thereby putting technological and economic progress above people, leaving them to become citizens of those corporations.

Alternatively, we could endorse a somewhat softer technological determinism and use policy only to manage what we euphemistically call “risk”, when what is really at stake is huge social issues: rising inequality, the accumulation of power in the hands of private companies and human dignity itself. Deeper political conversations are required about what constitutes a good life and a good society. That should inform our approach to regulation. We literally need to rethink human rights in a different way, in terms of the preservation of the species. Thanks to my hon. Friend the Member for Newcastle upon Tyne Central, we can start that conversation.

3.47 pm

Patrick Grady (Glasgow North) (SNP): It is a pleasure to serve under your chairmanship, Mr Gapes. I congratulate my friend the hon. Member for Newcastle upon Tyne Central (Chi Onwurah), with whom I serve on the all-party parliamentary group for Africa, on securing this debate and being very fleet of foot in doing so. Of course, we were not supposed to be meeting this week, so goodness knows when she might have had time to secure the debate otherwise. It has been a pretty profound and comprehensive debate, and there is plenty for the Minister to respond to, so I do not want to take desperately long in reflecting as the Scottish National party spokesperson. However, given that we started with some debate about the industrial revolution, I remind Members that if they care to take a stroll through Glasgow Green, they will find the boulder that commemorates the spot where James Watt conceived of the condensing steam engine, and much has flown from there.

Chi Onwurah: I thank the hon. Gentleman for giving way. I recognise that while I did acknowledge a debate between the north-east and the north-west of England as to whether they were the home of the industrial revolution, I failed to acknowledge Scotland’s claim, which is equal. I will only add that obviously Watt’s initial invention was perfected and made commercial as a steam engine in my constituency in Newcastle.

Patrick Grady: I think there is enough credit for it to be happily shared. It is a timely debate, not least in the context of the Prime Minister’s speech at the UN General Assembly. Both the hon. Lady and the hon. Member for Dagenham and Rainham (Jon Cruddas) have made comprehensive contributions in which there was much to agree with that does not necessarily need repeating.

I am not certain whether the SNP has an established view on transhumanism. We have a vision for the future of Scotland and our population, but whether that extends into the far future of the human race, I am not entirely sure. It is important that we have these opportunities to reflect on this kind of thing, and the idea of starting from first principles is important. A range of significant and exciting opportunities come with the internet of things, but it clearly raises challenges, too. It is already
part of some people’s daily lives, perhaps without them even realising or with them already taking it for granted. I know several people who take for granted being able to control central heating from a remote location and switch it on when they are on their way home.

On the roll-out of automated and electric vehicles, I saw a report today on the first tests that will take place in London. The hon. Member for Newcastle upon Tyne Central spoke about her experience of the roll-out of such technology in Africa. I am aware of parts of Africa—Rwanda, for example—where drones are used to deliver medicine and medical devices. That all relies on the technology of the internet of things.

There are undoubted challenges, to which I will return, but I want to reflect briefly on the position in Scotland. Notwithstanding the challenges and the importance of getting regulation right—the United Kingdom Government and devolved Administrations need to co-operate in doing so—the Scottish Government welcome many of the opportunities presented by these technologies. Last year they announced a £6 million project to develop the internet of things across the country. To support businesses to develop new and innovative applications, IoT Scotland provides a wireless sensor network for applications and services to collect and send data from devices without the need for 3G, 4G or wi-fi. Examples include installing smart bins in local high streets that can indicate to local authorities when they require emptying; making the best use of bin lorries through the correct collection cycle, which in turn helps to reduce carbon emissions; and monitoring office environments to lower costs by saving energy. That three-year project includes investment from both the public and private sector, with the Scottish Government investing almost £2.7 million.

Some of that is already coming to fruition in Glasgow, which will become one of the first cities to offer that technology across the board, working in partnership with some private companies to provide the city with over 99% coverage via 22 different gateways installed across the city. Up in the far north in the highlands and islands, progress is being made in using internet of things technology to gather data from the council’s water systems, providing effective ways to monitor and control the risk of waterborne diseases.

Many positive examples of the technology are already being rolled out and working in people’s day-to-day lives. However, it is important that we consider the serious impacts that have been raised. The fact that the Government have consulted is welcome, but whenever the Government publish consultations we want to see the response and we want to know exactly what the next steps will be. I echo the calls for clarity around that.

We already see the challenges arising from data handling in the social media networks and the traditional internet, and these questions will only get bigger. Who controls access to data is a question not only because people can hack and misuse devices or control access and be physically disruptive, but because mass monitoring of data has led to attempts to influence human behaviour as we have seen in the growth of fake news online and fake consumer goods. That kind of manipulation is undoubtedly a real concern and it is important that this is all properly thought through and that we do not rush ahead. This is a global challenge that relies on international co-operation. Every debate in this place seems to touch on Brexit consequences. How will the Government make up for the withdrawal from international co-operation that Brexit represents? How will they re-establish such co-operation on these important issues?

We must also consider our own personal responsibilities. We are forever being reminded in Parliament about the importance of cyber-security and best practice in sharing passwords, devices and so on. That applies equally to any such systems that we and the wider population install for domestic use, whether in households, vehicles or elsewhere. Getting that message out to the public is hugely important. It is right that we have had an opportunity to consider these issues. How does the Minister intend to work with the devolved Administrations on these matters as they become a more and more fundamental part of our daily lives?

Liam Byrne (Birmingham, Hodge Hill) (Lab): What a fantastic debate we have had this afternoon. I congratulate my hon. Friend the Member for Newcastle upon Tyne Central (Chi Onwurah) very warmly on securing it. I am extremely glad that she started with a brief account of the industrial revolution, which started in 1712 when the Newcomen steam engine was demonstrated at Dudley castle, a day that we commemorate every year on Black country day.

The debate that unfolded subsequently illustrated an important point. The steam engine was not perfected until James Watt joined Matthew Boulton at the Soho manufactory. It was 1789 before the first rotary steam engine was sold to a man called Peter Drinkwater, who created the first steam-powered textile factory and lit the spark on a textile revolution in Manchester, which was the beginning of Manchester’s claim. Peter Drinkwater’s factory manager was a man called Robert Owen, who went on to found New Lanark mill in Glasgow. It was 1825 before steam technology was incorporated into Locomotion No.1, which was set to work on the Stockton to Darlington railway. The point is that it was 113 years over which the steam revolution unfolded and began to transform every aspect of this country, including our economy.

The speech made by my hon. Friend the Member for Dagenham and Rainham (Jon Cruddas) was important in setting the wider stage and the bigger story, because the new technology required a revolution in law and regulation. Over the course of the 19th century there was not one factory Act but 22 different factory Acts and Bills, and over this century there will no doubt be just as many different attempts to reform, revise, regulate, legalise and make lawful or unlawful different aspects of the technology that we are debating here today. So my hon. Friend the Member for Dagenham and Rainham was right to say that what is needed from the Government is a plan for a just transition. We now understand what “just transition” means when it comes to climate change, but we need a plan for technology just as much, just as we need a plan for just transition given the new trade conflicts that are now ensuing. The rise of temperature, robots and conflicts will define our economy over the next 20 or 30 years, so we need not only just transition but just transitions, and at the moment we have nothing from the Government to tell us how that journey will be steered over the years to come.

As the Minister knows, because he was at the sharp end of these debates during the proceedings on the Data Protection Bill, which became the Data Protection...
Act 2018, our approach is rooted in a particular philosophy. Our inspiration is the work of Amartya Sen and the work that he set out first in “Development as Freedom”. Over the course of the revolution in this century, we must ask ourselves what capabilities we want every citizen in this country to have.

Adam Smith talked about how a man might need a linen shirt to go out in public. That was something that people needed in order to participate in civilised society at the time when Adam Smith was writing. These days the capabilities that people need will be different. We therefore have to ask ourselves what those capabilities are and how we turn them into rights. That is why, given the complexity and the regulation and re-regulation that is to come in this century, it would be wise now to set out a document of first principles. We believe that a Bill of digital rights will make the business of regulating far simpler over the next 50, 60, perhaps 113 years. Who knows what the life cycle of this debate might be?

We set out in the debate some of the rights that we think should feature in a charter. We set them out because we wanted to have a debate, and I am pleased to be able to have a bit of that debate this afternoon. I think that some of the issues are uncontested; I think we agree on equality of treatment and on the right to security. I also think we agree on the right of free expression, although we believe that we should incorporate lessons from Germany, which has pioneered the NetzDG legislation to take out hate speech online. I think we agree on equality of access, although, as my hon. Friend the Member for Newcastle upon Tyne Central said, ideas such as the national education service are important here, because of course they will transform rights to digital literacy. We believe in universal digital literacy; we believe that it is a fundamental right for the 21st century. We also believe in a right to privacy; I believe that is uncontested.

However, what is perhaps not agreed on is the kind of rights to algorithmic justice that my hon. Friend the Member for Cambridge (Daniel Zeichner) insisted on during the Committee stage of the Bill that became the Data Protection Act 2018. Crucially, we also believe that there should be some kind of right of ownership and control of data that is created through our use of technology. That was absolutely at the heart of the speech by my hon. Friend the Member for Newcastle upon Tyne Central and the arguments that he set out first in “Development as Freedom”. Our inspiration is the work of Amartya Sen and the Centre for Data Ethics and Innovation. We cannot keep multiplying these regulators and allowing them to proliferate.

Chi Onwurah: That is what is required under that 2018 Act, which is the Data Protection Act 2018 brought in a new organisation, or institution, which is the Centre for Data Ethics and Innovation. We cannot keep multiplying these regulators and allowing them to proliferate.

Something like 13 different advisers and regulators have some kind of bite in relation to what happens online. They all do an important job and they are all staffed by excellent people. My hon. Friend used to work for one of them—indeed, she helped to set it up—so she knows very well how long it takes to set up a regulator or to merge regulators. Consequently, we are not calling for some kind of bonfire of the quangos here. What we are asking for is for some proper thought about how those 13 different regulators and advisory bodies might number something closer to one—not one, but not 13, either. We believe that we will have to start bringing these regulators together, if we are to concentrate the firepower that is needed to take on the biggest and most complicated regulatory challenge in human history.

Chi Onwurah: I thank my right hon. Friend for giving way and for the excellent comments that he is making, which have raised some of the key issues we face. In 2002-03, the then Labour Government held a wide-ranging review of the communications sector and the many regulators that existed for television, for radio and for spectrum, etc. Then, in concert with the industry sector, civil society and so on, they developed a plan to bring them all together in Ofcom. That process took time, but it also built consensus and agreement about what the key challenges were. In addition, it enabled the right technical talent to come together. Could that not be a model for developing the right regulatory approach to these challenges?

Liam Byrne: It absolutely could and it absolutely should, because the truth is that that work will have to happen at some point, so all we are arguing about is when and how. It is inconceivable that we will have 13—now 14—different regulators and advisers; the Data Protection Act 2018 brought in a new organisation, or institution, which is the Centre for Data Ethics and Innovation. We cannot keep multiplying these regulators and allowing them to proliferate.

Equally, however, we cannot take the approach that was taken back in 2010-11, when the Government sought to wipe out many different quangos. They had their bonfire of the quangos and it sounded excellent in the pages of The Daily Mail. Of course, in practical terms, it was a bureaucratic disaster and many of the efforts to abolish organisations that were doing an important job had to be reversed. It was a complete waste of time, energy and money, at a time when civil service bandwidth was under tremendous pressure. So what we are asking for is a road map—a proper one—with a timetable to be debated, in order to bring together the regulatory firepower that is needed to hold to account the biggest companies on Earth.

There is a final piece of the puzzle. We have discussed rights and regulators; the third piece of the puzzle is redress. If we do not have accessible forms of redress, this debate is a waste of time. Yesterday, in the Court of Appeal, the three senior judges handed down a challenge to the Minister by saying that the process that we suggested during the passage of the Data Protection Act 2018 for class action should be implemented. My key question to the Minister is whether he will introduce what is required under that 2018 Act, which is the review that was promised of opt-out class actions, given the advice that was handed down to him in the judgment on Lloyd v. Google in the Court of Appeal yesterday. 
For those who have not seen the case, it began in November 2017 and was brought by Mr Richard Lloyd on behalf of millions of iPhone users who, he alleges, had their personal data taken between 2011 and 2012. The Court of Appeal basically ruled that that representative action could now proceed. It found that personal data has economic value—the principle at the heart of the contribution of my hon. Friend the Member for Newcastle upon Tyne Central; that a violation of that right to privacy was a damage; that individuals do not need to demonstrate pecuniary loss and distress; that a loss of control of personal data is the same loss and the same interest, as if there had been economic loss or economic damage; and finally, and perhaps most importantly for the Minister, that representative actions, in which people opt out rather than opt in, are effectively the only way in which such claims could be pursued.

The judges have underlined the argument that we underlined a number of months ago in the Committee that considered the Data Protection Bill and which is at the core of this debate: if we do not have redress, those rights, even the rights that we have enshrined in the Act, are meaningless. We are talking about humble individuals taking on some of the biggest firms on earth. The only way those rights can be made a reality is if we allow effective remedies in court. We have now heard from the judges that those effective remedies are most likely to be class actions. I look forward to the Minister confirming that he will introduce that review forthwith, so that we can at least begin to make some progress on the critical issues that my hon. Friend the Member for Newcastle upon Tyne Central has highlighted to the Chamber.

4.7 pm

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Matt Warman): I begin by saying that I will not intrude on the private grief of where the industrial revolution began; I am certain that it did not begin in Skegness, so I have no dog in the fight. I congratulate the hon. Member for Newcastle upon Tyne Central (Chi Onwurah) on securing the debate. I well remember the work that we did together in the parliamentary internet, communications and technology forum—PICTFOR—and in other forums.

The hon. Lady says that she is a tech evangelist, and so am I. Although I regret the tone of some of her comments about some aspects of the Government's policy, I think we agree that there is not a huge amount of partisan disagreement on many of the issues. We want to get it right. The right hon. Member for Birmingham, Hodge Hill (Liam Byrne) and I also agree on a huge number of issues, as he said, particularly around discrimination and what we should do to ensure that the well-known principles that exist in the offline world persist online. I hesitate to use the slogan, but we too want technology to work for the many, not the few.

I will begin by seeking to answer some of the questions of the hon. Member for Newcastle upon Tyne Central, which might be a novel approach, although I am sure she will not be satisfied with all the answers. In many ways, as she identified, this is a debate about data, not the internet of things. On the principle of who owns the data, the general data protection regulation applies to data controllers in exactly the same way whether they are processing data that derives from the internet of things or anywhere else, so the principles that we all subscribe to, of the consumer owning their data, should persist. That is a hugely important starting point, and we should acknowledge that there is agreement on it. The hon. Lady frowns as if she disagrees, so I invite her to intervene.

Chi Onwurah: I thank the Minister for the tone of his opening comments. It is certainly true that there are many areas on which we agree. The reason for my frowning is the idea that the GDPR recognises the right of ownership of consumers or citizens. The fact that there is a data controller who is not the citizen or consumer suggests that it does not. As I have said, the GDPR is progress, but issues of ownership and control are still far from clear. My right hon. Friend the Member for Newcastle upon Tyne Central; that a violation of that right to privacy was a damage; that individuals do not need to demonstrate pecuniary loss and distress; that a loss of control of personal data is the same loss and the same interest, as if there had been economic loss or economic damage; and finally, and perhaps most importantly for the Minister, that representative actions, in which people opt out rather than opt in, are effectively the only way in which such claims could be pursued.

The hon. Lady pre-empts my next point: all of this is predicated on consent. The consumer has to understand that they are giving up their data for a particular purpose and a particular benefit. As the hon. Member for Dagenham and Rainham (Jon Cruddas) said in what was a fascinating speech—albeit one where I wondered if I had at times transcended, if not humanity, at least this debate—these are fundamental issues that have effects far beyond what we might think of in an arcane debate about the ownership of data. I commend the approach that says we are dealing with issues that go far beyond a debate about technology, which will have an impact on huge aspects of humanity itself, whether we get them right or wrong. That is why it is important to consider them in that wider way.

The hon. Lady was right to point out that, in some ways, the internet of things represents a whole new chapter of how technology is becoming more common in our homes and making our lives easier and more enjoyable, but potentially also more fraught with decisions that we need to be aware we are making. I will trump the hon. Lady's numbers: Statista says that by 2025, there will be 75 billion internet-connected devices worldwide—I am sure other analysts are available to provide even higher numbers. In our estimates, that translate to some 15 devices per household by next year. The internet of things is very real; it is already with us.

Liam Byrne: Before the Minister moves on, I just want to clarify one point. Is it his position to accept that data that is generated as user data does have an economic value, but that it is basically fine for the individual to surrender that economic value through the way in which they consent to use a service?

Matt Warman: I feel like the right hon. Gentleman is going to accuse me of wilfully misunderstanding his question, but it is obviously fine for an individual to choose what they do with their own data. If that involves, as he puts it, surrendering the data for a particular purpose, that is their decision to make. I am not sure that that is quite the question he was asking. The point about consent being absolutely in the hands of the user is the most important one to make. That is why the cyber-security of the products that the hon. Member for Newcastle upon Tyne Central referred to is so hugely important, in many ways: it is why we have put so much effort into delivering the code of practice for consumer IOT security.
The hon. Lady mentioned the sale of potentially insecure devices, which is one of the key planks that we are seeking to address. People want to have implicit trust in their devices and they need to have confidence in how their data is being used, not just when they first purchase that device but into the future as well.

Liam Byrne: The Minister is helpfully helping me jump some dots. Why does he think that it is right for the Government to intervene to ensure that the consumer has particular cyber-security protections but not to ensure that the consumer enjoys any particular economic protections, for example around the value that is created through third-party use of their data?

Matt Warman: It is obviously about a balance between different situations. The Government, in a host of ways, provide a degree of opportunity for the kind of protection that the right hon. Gentleman seeks. In other fields there are already opportunities for redress in extreme circumstances. In some ways he and the hon. Member for Newcastle upon Tyne Central are asking for greater coherence in this space, and others. It is precisely for that reason that my Department is developing the strategies that they both referred to. On the one hand he seems to attack the bonfire of the quangos, but on the other he seemed to want fewer regulators, so I am almost reduced to asking what his favourite number is.

Liam Byrne: My point is simply that according to the Chancellor of the Exchequer I will soon not be allowed to sell my labour for less than £10.50 an hour. The Government have put a floor on the economic freedom that I enjoy, and that is giving me a degree of economic protection. Why does not the same principle apply to the way in which my data as opposed to my labour is exploited?

Matt Warman: That is a philosophically interesting question but it is also obvious that at the moment data is readily given up in exchange for a service. I am not sure whether the right hon. Gentleman would therefore seek to put a value on the service and say, “That service, whether offered by Facebook or whoever, should not be worth less than a certain amount.” That seems to be the logical conclusion of his argument, which is why I say it is perhaps more an interesting philosophical question than a practical one.

Daniel Zeichner: Will the Minister give way?

Matt Warman: I am conscious of the time, but this is all very interesting, so I am happy to give way.

Daniel Zeichner: It is more than interesting. It is critical. Is the Minister assured that people are involved in a free exchange, and that there is transparency—that they understand the terms and conditions of all the things that capture data on their devices? I am certainly not. I think most people who look at it are convinced that people do not know, so they are not getting the economic benefit of that behavioural data.

Matt Warman: Essentially I agree with the hon. Gentleman that it is obvious that not everyone reads the terms and conditions of every single thing they have signed up to for any website; but it seems to me that Government’s role in this space is not to stop people making those decisions. It is to make sure that people have a better understanding of the decisions they make, and that they trust the companies that are doing whatever it may be with their data. That obviously requires us to put certain constraints on the behaviour of companies, as we do in every other circumstance. However—and I do not think the hon. Gentleman is suggesting this—it should surely not be for us to say that people should not be allowed to make certain decisions. I think that on the Government side of the House we would be keen to free people up to make whatever decisions they reasonably want to make.

Liam Byrne: The Minister is being incredibly generous and this is the last time I shall intervene. To round out the picture that my hon. Friend the Member for Cambridge (Daniel Zeichner) is presenting, network effects mean, obviously, that in social media land we have monopolies—or, if not monopolies, certainly oligopolies. It has long been an established principle of consumer welfare protection that there should therefore be some kind of price protection. In a debate about how we protect and enhance the economic welfare of the citizen if we do not recognise a defined value for their data—which they are not freely surrendering into a free market, but giving over to a monopoly—surely the quid pro quo is some kind of price regulation on the other side. The Minister cannot have it both ways.

Matt Warman: The right hon. Gentleman raises a lot of points in one short paragraph. I understand what he accuses me of seeking, when he speaks of having it both ways. Actually the services that are offered digitally, ostensibly free, are different from services in a physical world where we might talk about the kind of monopoly that he has mentioned. In that sense, all he is doing is underlining why we need to get things right, in a way where the digital challenges are understood, without reinventing the wheel and pretending that all online challenges are necessarily different from those in the physical world. It is an emerging picture, which is why I refer back to the technology innovation strategy that we published in June 2019 and that includes new measures, such as the Spark procurement programme, to enable Government and the wider public sector to benefit from new digital technologies and the service that can be provided by stimulating the UK’s world-leading tech sector. It is also why we set up the Centre for Data Ethics and Innovation, which will allow us to consider how we might best benefit from those opportunities and ensure that we seek not to design in the kind of prejudices that the hon. Member for Newcastle upon Tyne Central mentioned. One of its first papers is on smart speakers and voice assistants and on how industry and Government can work together to ensure that the products do what they are supposed to and that users consent to them.

We should also be mindful that the 75 billion devices, or however many there turn out to be, will have a physical environmental impact. I am therefore pleased that as part of its resources and waste strategy, the Department for Environment, Food and Rural Affairs has committed to updating the existing guidance for local authorities on managing the collection of smart items and similar electrics. That might sound like a minor point, but it is probably less minor than others.
The hon. Lady mentioned the Prime Minister’s speech at the United Nations General Assembly. I am not delivering the rhetorical flourishes that he delivered late at night at the UN, but it is important to say that he made that speech in that location because this country is already a world leader in this area in so many ways. It is right that our Prime Minister is addressing these issues and the legitimate public concern.

It is also right that, as several hon. Members have mentioned, when we seek to regulate in this area and on online harms, we in this country and across the parties should be proud that the UK is a liberal democracy that seeks to lead the way. We have an opportunity to shape a global debate, as my Opposition counterpart, the right hon. Member for Birmingham, Hodge Hill, observed.

In some ways, the greatest thing we can do is use Britain’s status in this area and on the world stage to try to develop global standards. The hon. Member for Newcastle upon Tyne Central mentioned those of the ETSI, which in its way is world-leading: it seeks to produce standards that can be replicated or mirrored globally, addressing some of the coherence that risks arising in the area. She says that we are not providing leadership and quotes the Prime Minister’s speech, but I say that his speech demonstrates the existing status of Britain’s leadership in the area already. If I am being kind to her, although we disagree on several minor issues, I should say that she too would agree that Britain has a huge opportunity to capitalise on its place in the world on this issue.

In June, we published a White Paper, “Regulation for the Fourth Industrial Revolution”—we are sticking to that number, although I understand that there is a dispute over whether it is correct. It confirms that the Government will establish the regulatory horizons council to identify the implications of precisely the sort of technological innovation that the hon. Lady spoke about, and to advise the Government on regulatory reform so that we can take exactly the kind of steps that she highlights.

In that process, security should not be an afterthought; it has to be embedded. Thus far, we have taken the approach of working with industry, and industry is now saying to Government—the hon. Lady will have heard these calls as well—that greater clarity, particularly in regulation, will help consumers and the industry itself. Many of the internet-connected devices that are currently on the market still lack even the most basic cyber-security provisions. Some 90% of 331 manufacturers that supply the UK market and that were reviewed in 2018 did not use a comprehensive vulnerability disclosure programme up to the level that we would expect; I think that hon. Members on all sides would agree that that is unacceptable. Organisations have a duty of care to their customers, to help make sure that they can access and use their internet-connected products safely.

Although Government have previously encouraged industry to adopt a voluntary approach, it is now clear that decisive action is needed to ensure that stronger cyber-security is built into these products by design. That is why we launched our consultation on secure consumer IOT in May. That consultation, built on the extensive work to which I have referred, it allows us to talk about minimum security principles for connected devices, which my Department elaborated on in the document published last year. Our focus will be on ensuring that there is a baseline of cyber-security built into all consumer IOT products by design, to eliminate the most harmful practices.

These are, I freely admit, low-hanging fruit. We wish we did not have to tackle issues such as forbidding the use of universal default passwords, ensuring that manufacturers provide a contact point for security researchers, and making sure that consumers are informed at the point of sale of the minimum length of time for which security updates are provided for their device. Those measures address some of the issues raised by the hon. Member for Newcastle upon Tyne Central, and we would like to go further in due course. We will respond on what that will look like as soon as possible after the consultation.

We are advocating a staged approach to enforcing those principles through regulation. Obviously, there is always a balance to be struck between regulation and legislation, and in this case I think it will be a bit of both. We will publish the formal response to our consultation on the regulatory approach later this year, but we are mindful of the urgency of this work. Our approach must keep pace with the technological change identified by the hon. Lady. We have said that we will review the code of practice every two years. The development of the code of practice may not sound exciting, but as the hon. Lady acknowledged, and as the hon. Member for Dagenham and Rainham said, these things are hugely far reaching, even if they do not sound as exciting as some people might wish, because then they would attract the attention they perhaps deserve.

There is major business support for our approach, including from the signatories to the cyber-security tech accord. I always hesitate to say “major business support”, because businesses will not always necessarily greet with enthusiasm the actions of a sensible regulator. Some would say that this is a sign of success. We will develop the strategy, but ultimately the security of the internet of things is a global challenge and it requires a global effort to get it right and to shape those norms.

In February 2019 we worked closely with international standards bodies and the National Cyber Security Centre to make sure that we publish the ETSI standard to which the hon. Lady referred, though without the complementary tone it deserves. None the less, I understand her point.

We do not think it is right to expect all users of all internet-connected devices to become cyber-security experts, and we recognise the need to take from them the burden of differentiating between good and bad. That is why we have been clear with industry what good practices will look like, and we wish to support manufacturers of all sizes to embed them and to support retailers to make sure that they are obvious.

Chi Onwurah rose—

Matt Warman: I will give way to the hon. Lady, but she does not have long.

Chi Onwurah: I thank the Minister for giving way. In the absence of any time to sum up, I want to thank him for his comments and to confirm that I will write to him with my list of questions so that he can answer them in full. Will the regulatory horizons council cover all regulation with regard to technology or only that
relating to manufacturing, and does he agree that this is about not only consumer data but citizen data, because it relates to Government as well?

Matt Warman: I absolutely agree with the hon. Lady’s second point. The council will, of course, be wide ranging. I look forward to answering her comprehensive list of questions, and I will be grateful to Hansard for providing clarity on them.

Finally, in response to the intervention from the hon. Member for Cambridge, this Government do not think there is a choice between innovation and security. We have to make those two complement each other. That is at the core of our strategy and will continue to be so, and I would hope that we can move forward together with the cross-party consensus to which the hon. Member for Newcastle upon Tyne Central alluded.

Question put and agreed to.

Resolved,

That this House has considered regulating the internet of things.

4.29 pm

Sitting adjourned.
Amazon Deforestation

4.30 pm

Daniel Zeichner (Cambridge) (Lab): I beg to move, That this House has considered e-petition 266638 relating to deforestation in the Amazon.

It is a pleasure to serve under your chairmanship, Mrs Moon. I declare at the outset that I have been a member of Greenpeace for many years.

This timely debate focuses on a real and urgent concern for the environment, on a day when so many are standing vigil outside Parliament and across the capital, making their strength of feeling on this critical issue heard peacefully, calmly and, as I can hear from my office, often with gentle, soothing music—although interspersed occasionally by energetic drumming. However, that commendable gentleness should not be misunderstood. Urgent action is needed, as demanded by the many people who signed the petition.

The petition, which currently stands at more than 122,500 signatures, including more than 500 from my Cambridge constituency, reads as follows:

“Demand the EU & UN sanction Brazil to halt increased deforestation of the Amazon. The government of Brazil led by Bolsonaro favours the development of the Amazon rainforest over conservation, escalating deforestation. Deforestation threatens indigenous populations who live in the forest, loss of a precious and complex ecosystem and a vital carbon store that slows global warming. Indigenous people have called for the EU to impose trade sanctions on Brazil to halt the deforestation because they fear genocide. Also, the UK parliament has recognised a climate emergency. Since the Amazon rainforest is an important carbon store, absorbing huge volumes of CO2 each year, its deforestation is of global significance. The intrinsic value of the rainforest should also be recognised. Trade sanctions are used elsewhere for important issues as an effective means to force action.”

Andrew Selous (South West Bedfordshire) (Con): The hon. Gentleman is absolutely right to mention Brazil, but I understand that it is responsible for about half the deforestation of the Amazon, and that countries such as Bolivia and Peru are also significantly involved. For accuracy, could he include those countries and all others that are involved in this important issue in his remarks?

Daniel Zeichner: I will come to the definitions in a little while; the hon. Gentleman has pre-empted me.

Climate change and environmental issues have shot up the political and public agenda this year—we should all be thankful for that—due in no small part to young people, the school climate strikes and Greta Thunberg, and to various campaigns that have led to long-overdue media attention. In my city of Cambridge, some 3,000 people took to the streets a few weeks ago to support the school children, and today thousands are taking part in the Extinction Rebellion protests. Protecting our natural environment has captured the public consciousness and cannot—and indeed, must not—be ignored by politicians.

What a natural environment this petition refers to. The Amazon rainforest is 5.5 million sq km of rainforest surrounding the Amazon river. Some 60% of it is contained in Brazil, as the hon. Member for South West Bedfordshire (Andrew Selous) indicated. It is home to about one quarter of the world’s species, it accounts for about 15% of terrestrial photosynthesis and it is a major carbon sink. The World Wildlife Fund reports that it is home to perhaps 34 million people, including 385 indigenous groups. It is integral not just to the habitats of the people, plants and animals to which it provides a home, but to the global ecosystem, so it is very precious.

The Amazon rainforest has been under threat from deforestation for some years. Between 2001 and 2018, Brazil lost almost 55 million hectares of tree cover—a staggering amount.

Caroline Lucas (Brighton, Pavilion) (Green): Does the hon. Gentleman agree that the word “lost” makes it sound like an accident, like someone losing their specs down the back of the sofa, whereas in actual fact—particularly recently—it is due to the deliberate actions of President Bolsonaro, who wants to open up more of the Amazon rainforest? Does he agree that we should not enter trade talks with Bolsonaro unless and until he upholds strong environmental standards and stops that action in the Amazon?

Daniel Zeichner: The hon. Lady has provided a short and precise synopsis of my entire speech. I am afraid I will continue with it anyway. She makes an important point: “lost” is perhaps not the right way to put it.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Did my hon. Friend listen to the Environment Minister from Brazil on the World Service this morning, and did his heart sink, as mine did, at his failure to answer any of the questions that my hon. Friend is addressing to the Bolsonaro regime?

Daniel Zeichner: I did not hear that exchange, but of course it is not uncommon in the political arena for questions not to be directly answered. The point I will develop in my speech is that the failure to act is devastating and dangerous.

Let me return to the 55 million hectares of tree cover, because not everyone knows what that looks like. I am reliably informed that it translates to a loss of 5.7 football pitches per minute. That is something that I can envisage. It is staggering that so many football pitches have been lost in the time that we have been speaking in this debate.

This is not a new problem. We have known about it for some time. Previous Brazilian Governments have tried to reduce deforestation through a number of measures, which have indeed slowed the rate. In 2012 Brazil recorded its lowest deforestation rate of the past 20 years. However, that has been reversed this year. The New Scientist reported in July that more than 3,700 sq km of forest has been deforested this year alone. According to preliminary satellite data, the losses for the first seven months of 2019 are 16% higher than the high of 3,183 sq km in 2016. There was an 88% increase in deforestation in June 2019, compared with June 2018. Those startling and worrying numbers understandably provoke strong and passionate responses from people across the world.
James Gray (North Wiltshire) (Con): I congratulate the hon. Gentleman on securing this extremely important debate, and I apologise for missing the first few moments of his speech. He is of course right to call attention to the vast increase in deforestation that has occurred this year, but it is also right to put that in the context—he mentioned this in passing—of the very significant reduction in deforestation. As recently as 2004, it was 10,500 square miles a year. Last year, it was 4,000 square miles. This year, as he correctly mentioned, it has gone back up again. It is right to say that the Brazilian Government have been doing their best, albeit this year there seems to have been an extremely worrying reversal.

Daniel Zeichner: The hon. Gentleman makes an important point: there has been progress. The problem is that something has happened. That is what I will come on to.

The threat of natural loss as a consequence of these changes is very real and is under way, but the political situation that underpins this issue deserves careful and considered attention because, as the hon. Member for North Wiltshire (James Gray) pointed out, something has changed. It is hard not to conclude that the environmental damage is a direct consequence of a change in policy direction and political attitudes.

That brings me to President Bolsonaro—clearly a controversial figure, although by no means the only controversial figure on the world stage at the moment—whose attitude to climate change is worth highlighting. Back in December 2018, at the 24th conference of the parties to the United Nations framework convention on climate change, the Brazilian Government promised that their carbon emissions would decrease by 37% by 2025, and by 43% by 2030, compared with 2005 levels. However, since President Bolsonaro took office in January there has been a clear change. He is widely considered to be sceptical of actions to curb climate change, and in his election campaign he said he would take Brazil out of the Paris climate change accord—a note, I fear, from the Trump playbook. He has back-pedalled a little and has argued that he may not do that so long as Brazil’s control over the Amazon remains intact. I have to say that I do not think these are issues to be negotiated. We should all be working to preserve such an important part of our environment.

This summer the world watched on with huge anxiety as forest fires burned in the Amazon, with many attributing blame to forest clearance policies. The Rainforest Alliance called the situation a “catastrophe”. The Guardian pointed out that “Bolsonaro launched a cantankerous and conspiratorial defence of his environmental record, blaming Emmanuel Macron and the “deceitful” media for hyping this year’s fires in the Amazon. In a combative 30-minute address to the UN general assembly, Bolsonaro denied—contrary to the evidence—that the world’s largest rainforest was “being devastated or consumed by fire, as the media deceitfully says.”

Similarly, The Guardian has reported that “Bolsonaro is set to unveil draft legislation that would allow commercial mining in indigenous territories, something currently outlawed, despite overwhelming opposition from voters.”

Clearly there are differences of view, but I find it hard not to conclude that the Brazilian President’s pro-development agenda is having a clear and dangerous impact, and that the clearing of the rainforest will be used to allow further development of mining and agriculture.

If we conclude that we all have an interest in this issue because of the impact on the global climate, the question becomes, “What do we do?” The petition calls for trade sanctions, a measure that the Government have not adopted or advocated so far. The Government state in their response to the petition:

“The United Kingdom shares concerns about deforestation in the Amazon rainforest, and the severe impact on the climate, biodiversity and livelihoods. However, key to tackling these issues is to work with Brazil to find solutions rather than imposing sanctions.”

I am afraid that I must characterise that as a “do nothing” response, or rather a “do a tiny little bit to maybe give us some cover” response, because the Government also stated:

“In response to the recent forest fires, the Prime Minister pledged a further £10 million at the G7 summit on 25 August. This contribution is an expansion of an existing project: Partnerships for Forests.”

The rainforest is burning and the Prime Minister has offered a water pistol—maybe he could have sent an unused water cannon.

Remember the scale of the challenge that we face. The Government’s actions hardly equate to the “rapid”, “unprecedented” and “far-reaching” transitions that the Intergovernmental Panel on Climate Change called for in its report last year.

Anneliese Dodds (Oxford East) (Lab/Co-op): My hon. Friend is making an excellent speech. Does he think that the UK has a critical and special responsibility in this matter? Non-governmental organisations such as Global Witness have shown that much of the deforestation has been backed by companies that often have operations in the City of London, so we should really take more responsibility rather than pretending that it just affects a country many miles away.

Daniel Zeichner: My hon. Friend makes an important point on the wider context of Britain’s role on the global stage. I would argue that although we are shamefully withdrawing from our positions of influence on the global stage, we remain important through many of our major companies and should use that influence and position of authority.

Matt Rodda (Reading East) (Lab): Does my hon. Friend agree that we are approaching a very dangerous tipping point in the context of climate change and that the wider world faces catastrophic climate change if urgent action is not taken? That action must include an end to deforestation, radical action to reduce the consumption of meat in the western world, and Government intervention in markets.

Daniel Zeichner: That is the important point: the sense of urgency. Of course, this Parliament has declared a climate emergency, not that one would necessarily guess that from the Government’s actions, and actions are what count.
What a marked contrast there is between our Government’s feeble response and the responses of other Governments. Our European partners have called for trade sanctions, with Austrian MPs demanding that their Government veto the EU’s proposed trade deal with South America’s economic bloc, which is currently composed of Brazil, Argentina, Uruguay and Paraguay. That was due to concerns over workers’ rights, which is absolutely correct, but the environmental reasons are paramount. Similar concerns have been voiced by countries such as France, Ireland and Luxembourg.

Although I have been critical of the Government, I will add a rider, because as a country with an imperial and colonising past, criticism can always be levelled at the UK that, because we industrialised and polluted, it is hypocritical to blame others for doing the same. Brazil could argue that, as a post-colonial industrial country, it should have the chance to develop its economy, as the UK and other European countries did in the past, and it can point to our lack of environmental concerns during that industrialisation. Those sympathetic to Bolsonaro’s argument could point to data indicating that Brazil has historically contributed to around only 1% of global emissions since the start of the industrial age.

To criticise other countries for pursuing industrial development by saying, “We benefited from that kind of approach but now we know more so you should not put your economy first” is a poor argument. However, it is possible to develop the economy in a much more sustainable way if it is not driven just by short-term profit maximisation—that is the answer to the conundrum.

The way forward is through international agreements, ratified by the countries involved, to secure a better future approach. Economic avenues could be pursued more sustainably to future-proof Brazil’s industry while maintaining environmental protections and regulations.

Many would argue that there is no need for self-inflicted harm. Greenpeace tells us that indigenous groups across Brazil are calling for global support to protect their rights in their struggle to safeguard the forests that they have inhabited for centuries. Greenpeace argues that environmental governance bodies in Brazil have been dismantled and weakened. For instance, the Climate Change and Forests Office and the Inter-Ministerial Committee on Climate Change have been closed, which has impacted policies and deforestation prevention, as well as resourcing. Minister Salles has slashed the budget and staffing of the Brazilian Institute of the Environment and Renewable Natural Resources, or IBAMA. Highly trained units have reportedly been grounded, and the value of fines imposed for environmental offences has dropped by 43%. In August, the director of Brazil’s National Space Research Institute was forced out of office after the President refuted data on rising deforestation.

Of course, the Brazilian Government have a different account and reject the notion that “Brazil does not take care of the Amazon, does not take care of the environment.” People will make their own judgment, but at the centre of the issue is the fact that we are in a climate crisis. If Brazil rejects the chance to reform its practice, recommit to stopping the fires and return to anti-deforestation policies, and if the Brazilian President continues to take Brazil down such an environmentally damaging path, it is right that the international community thinks hard about how to proceed to best protect the environmental jewel that is the Amazon rainforest.

That is hard because it touches on the most basic issues of national sovereignty. Brazil has reaffirmed many times that this is indeed an issue of sovereignty, and it believes that its approach to the Amazon is one of domestic policy, but we cannot look at this issue in a vacuum. As was mentioned earlier, the Amazon spans not just Brazil, but Bolivia, Colombia, Ecuador, Guyana, Peru, Suriname and Venezuela. It is an internationally revered natural treasure, and parts of it that are lost, including some species that are found nowhere else on earth, will not be recovered. That is a global loss.

Vera Hobhouse (Bath) (LD): The hon. Gentleman has touched on something so important in our current political debate: nationalism is completely the wrong answer to a global crisis. We can solve these things only if we think globally rather than just in our own national interest.

Daniel Zeichner: The hon. Lady is right. If only we could find a way of achieving that consensual approach.

This is a global loss, and many would conclude that that risk creates a global responsibility to respond. How do we solve this dilemma? Greenpeace has asked that “all trade talks with Brazil be suspended until the Bolsonaro government changes tack and guarantees the necessary protections”.

It says that should include effective support for urgent action by the Brazilian Institute of the Environment and Renewable Natural Resources and other agencies responsible for monitoring and enforcement, to tackle environmental crimes and implement forest protections, with guarantees of necessary funding as well as other measures to improve environmental protections. That is the tough approach.

Our Government seem to hope for the best outcome. The Minister of State has previously told Parliament:

“If we help to ensure that these sensible trade arrangements are made, those fires can be put out and they will stay out”.—[Official Report, 3 September 2019; Vol. 664, c. 7.]

That seems to be over-optimistic at best and complacent at worst, but we will await the Minister’s response. If the situation remains as difficult as it currently appears to be, I have to say, I am with Greenpeace. The Amazon rainforest is sometimes said to provide 20% of our terrestrial oxygen, or one in five of each of our breaths. Most of us now recognise that we are in a climate crisis, and that it is time for action and urgency in our approach to both domestic and international policy.

I hope that the Minister will be able to reflect a hitherto undetected ambition and urgency to do what is needed. He could start today by supporting the petitioners in their ambition to secure global action to protect the precious rainforest.

Several hon. Members rose—

Mrs Madeleine Moon (in the Chair): Order. A total of 16 Members wish to speak. I will call first the nine Members who notified me in advance.

4.51 pm

Mark Menzies (Fylde) (Con): Thank you, Mrs Moon, for calling me so early. As always in debates, one hopes to have more time to perfect the speech that should have
been written last week. With your generosity, Mrs Moon, hon. Members will have to listen to what I have in front of me.

I do not think there is any disagreement among us about the importance of the rainforest, be it for the physical entity that it is or for the animal and plant species that it hosts. The hon. Member for Cambridge (Daniel Zeichner) highlighted that the Amazon spans much more than just Brazil. I will concentrate on not just Brazil but Colombia next door, and I will draw some comparisons.

I refer to Brazil following my visit there—I led the Inter-Parliamentary Union delegation there two weeks ago. Unfortunately, we had to cut our visit short because Parliament was recalled. One of the key themes of our visit was to raise British views on the rainforest with the Brazilian Government, parliamentarians and non-governmental organisations. Particularly when we visited the Senate and Congress in Brasilia, it became clear how sensitive they feel to outside criticism. They certainly hear the voices across the world in response to the crisis in the rainforest. People should not think that is not the case.

I differ from the essence of the petition on the need for economic sanctions. I would like us to find solidarity and common cause with groups in Brazil who care passionately—arguably, even more so than we do, because it is their home—to find ways to collaborate to unleash the true value of the rainforest. The rainforest’s value should never be in cutting down trees—that is a blind, short-term gain. The true value of the rainforest can be seen next door in Colombia, where the United Kingdom works in collaboration with GROW Colombia, using science to unleash some truly phenomenal long-term possibilities.

GROW Colombia is a UK-funded four-year collaboration involving multiple partners, including the Earlham Institute, the University of East Anglia, the Natural History Museum, the Eden project, Colombia’s Humboldt Institute, the Universidad de los Andes and the University of Sydney. The project is designed to demonstrate that biodiversity conservation can drive sustainable economic growth and secure peace and prosperity—in this case in Colombia, but the same lessons can be drawn in many other areas of the Amazon.

Even though the project is in its early days, former guerrillas have been transformed into guardians of the rainforests; people with no scientific or natural background have been trained up to recognise unique species of plants and animals and what they are capable of. It has helped farmers to reform their agricultural practices and techniques to grow crops and forage varieties that can offer conservation gains. It has enabled producers to identify and cultivate wild relatives of commercially produced coca varieties to make production more profitable, eco-friendly and sustainable and less dependent on human intervention.

It has taught rural communities taxonomic identification techniques, combining biotechnology resources with practical field work to catalogue species. It has assisted policymakers in analysing socio-economic models to support the ecological restoration of the rainforest. Above all, it has coached rural communities in business models for ecotourism initiatives that guarantee a genuine and lasting conservation benefit to the ecosystem. Some of those measures could be rolled out in Brazil, in collaboration with the regional Governments—an area such as Amazonia is every bit as important as the federal Government in Brasilia. Some of that collaboration with the United Kingdom is already beginning.

I urge the Government to continue to work on pointing out to Brazil not only that it is an economic powerhouse thanks to its variety of rare species but that, if harnessed properly, as is beginning to happen in Colombia, the potential for biotech and pharmaceutical applications of some of the very complex and rare plant species could generate billions of sustainable, clean revenue that would benefit the planet in the long term while generating revenue to benefit the science community in Brazil. That would flow through to communities, particularly the indigenous communities in those areas.

Andrew Selous: My hon. Friend is making an extremely well-informed and powerful speech. Could he tell us a little more about what enthusiasm there is in the Brazilian Government for adopting a scheme similar to GROW Colombia in Brazil? Would that be part of the answer, to make Brazil see this issue as global as well as Brazilian?

Mark Menzies: Let me again point out the importance of the federal and state Governments and legislatures. There is huge sensitivity to the criticism directed at Brazil in recent months. There is a danger that that will shut off avenues of co-operation, dialogue and discussion, preventing some of the positive things that we all want to achieve. Particularly in rural areas, people want to be better off. They want better standards of education, better employment opportunities and better prospects for their children than they had. We must show them a way to achieve that without following a path of devastation and destruction. The trees can be cashed in once, but the other possibilities I mentioned can pay dividends in the longer term.

Another reason we should not go down the path of sanctions, or the threat of them, is that Brazil is a global superpower in its renewable energy potential, both solar and wind, thanks to its enormous coast and tremendous sunshine. UK companies are the biggest investors in solar generation in Brazil. The City of London, by providing access to green finance and green reinsurance markets, is fundamental to unlocking some of that sustainable, renewable power. Many of those schemes are micro schemes, which can unlock access to affordable, sustainable energy—a problem that has often plagued Brazil—for the very people we have talked about, who live away from the coast in isolated, poor communities.

However, those schemes can be unlocked only by global co-operation and the free flow of finance to ensure that there is somebody to help to finance them in the long term. Simply pulling up the drawbridge and saying, “No more co-operation; we’re withdrawing from trade agreements and trade discussions with you,” strengthens the hand of the people who want to build a wall around Brazil—those who say, “There they go again: the imperialists are threatening us. We shouldn’t listen to anything they’ve got to say. We do things our way”—and weakens the hand of those in Brazil who want co-operation and to follow a path of alternatives to deforestation.

As somebody who is passionate about Latin America—I have visited the Yungas in Bolivia, and I have visited Colombia five times in my trade envoy role—I know
very well the economic power of these rainforests. This is not just about protecting rare species and defending an ecosystem; it is also about allowing people to earn a fantastic living while protecting precious and unique environments. If we get this right, we can do both.

5.1 pm

Kerry McCarthy (Bristol East) (Lab): It is always a pleasure to see you in the Chair, Mrs Moon. I do not think it will surprise anyone that I am not going to adopt the same conciliatory tone as the hon. Member for Fylde (Mark Menzies). The situation we face is far too serious to adopt such an approach. As we heard, the Amazon is being willfully destroyed. It remains the biggest rainforest in the world and a vital check on climate change. The seriousness of the situation cannot be overestimated and, as my hon. Friend the Member for Cambridge (Daniel Zeichner) said, there are people gathered outside this building who want us to take it seriously.

I make no apologies for referring to a debate I led in this Chamber in March 2009 about the impact of livestock on the environment. I read my speech back and I actually think it was rather good, but the Minister’s response was appalling; she went on at some length about how she really liked her mum’s shepherd’s pie. I would like to think we have made progress since then, but although we are talking about the issue more, we certainly have not made as much progress as I hoped we would back then.

Extensive cattle ranching is the primary culprit for deforestation in virtually every Amazon country. It accounts for 80% of current deforestation and is responsible for the release of 340 million tonnes of carbon into the atmosphere every year. That is equivalent to 3.4% of current global emissions. The Brazilian Amazon is home to approximately 200 million head of cattle and is the largest exporter in the world, supplying around a quarter of the global market.

The impact of cattle ranching and deforestation was first publicised by conservationists in the early 1980s—they coined the phrase “the hamburger connection”—but it was fairly small business back then. Government incentives, and improvements in the road and electricity networks and in meat processing facilities, spurred the industry on. Then, with the devaluation of the currency and much of Brazil’s herd being declared free of foot and mouth disease, exports exploded, which led to the current deforestation situation.

Typically, deforestation starts not with animal agriculture but when roads are cut through the forest to open it up for logging and mining. Once the forest along the road has been cleared, commercial or subsistence farmers move in and start growing crops. However, forest soils are too nutrient-poor and fragile to sustain crops for long, so after two or three years, when the soil is depleted, crop yields fall and farmers let the grass grow and move on. That is when the ranchers move in. Little investment is needed to start raising cattle on cheap or abandoned land where grass is already growing, and the returns can be high, at least for a while. However, after five to 10 years, over-grazing and nutrient loss turn rainforest land that was once filled with biodiversity into an eroded wasteland, so ranchers have to look for somewhere else to move on to.

As we heard, deforestation causes irreversible environmental damage if it is not checked in time. The clearing and burning of forests releases billions of tonnes of carbon dioxide and greenhouse gases into the atmosphere. Scientists estimate that deforestation causes roughly a quarter of all human-induced carbon emissions, and then there is the loss of biodiversity. I have not been to Brazil, but I have been to countries such as Belize; the extent to which the rainforest remains undiscovered and unexplored is amazing. There is so much more to be discovered. Forests are home to more than 13 million distinct species, representing more than two thirds of the world’s plants and animals. Obviously, if their habitats are destroyed, many will be at risk of extinction. When the trees are gone, the soil becomes depleted, which often leads to water pollution as the soil gets washed away. That is something for which we in this country must accept responsibility.

James Gray: The hon. Lady is making an extremely powerful speech, with which I entirely agree. What she says about the catastrophe in the rainforest, which I have visited many times, is absolutely true. Surely, however, the point of the debate is not so much to say how awful it all is but to ask what we can do about it. The petitioners request trade sanctions against Brazil. The question is how efficacious that would be in persuading the current Government of Brazil to go back to what the Government there were doing only a year ago.

Kerry McCarthy: I will get to what I think needs to be done. Sanctions could play a part, but change in consumption habits could play a much bigger part, and that is something we each have some control over.

In their recent “Risky Business” report, WWF and the Royal Society for the Protection of Birds estimate that more than 40% of the UK’s overseas land footprint—nearly 6 million hectares—is in countries that are at high or very high risk of deforestation and of having weak governance and poor labour standards. The more I read about it, the more I see the links between this trade and modern slavery and human rights abuses, with people being displaced from their land, and so on; they are all part and parcel of the same thing.

WWF and the RSPB looked at seven key agricultural commodities imported into the UK: beef and leather, cocoa, palm oil, pulp and paper, rubber, soy, and timber. Of those, beef and leather account for by far the largest proportion of our land footprint overseas, despite the fact that we produce almost 80% of our own beef in the UK and import a lot from Ireland. However, the actual picture is much worse, because we must look at animal feed, too. In the EU, around 90% of soy imports are for livestock feed, so it is not just a case of beef from Argentina or Brazil being bad and British beef being fine, as I often hear people try to argue. Yes, there is a case for pasture-fed livestock—I chair the all-party parliamentary group on agroecology for sustainable food and farming, of which the Pasture-Fed Livestock Association is an active member—but that is not what we are talking about.

Every year, the UK consumes around 3.3 million tonnes of soy, more than 75% of which is related to meat consumption, either as imported animal feed or as soy embedded in imported meat products. We must also consider the feed for chickens that lay eggs, and the feed...
for dairy herds, as well as soya bean oil, which is the second most widely used vegetable oil after palm oil. This has happened to me many times, but I remember the former farming Minister, Jim Paice, trying to tell me that that was all down to more people eating veggie burgers. I assure people that this is not the case. That figure may have gone up in recent years, but I think it is still well below 5%—but yes, it is all the vegetarians’ and vegans’ fault, as usual.

It is interesting to compare what has happened with soy bean oil and palm oil. We import nearly three times as much soy bean oil as palm oil, yet it is palm oil that has tended to receive the attention of environmentalists, probably because of the orangutans. Some 21% of global palm oil production is now certified, whereas soy certified by the Round Table on Responsible Soy or ProTerra accounts for only about 2% of global production.

Wera Hobhouse: It is true that we cannot be sanctimonious or hypocritical and tell developing countries what to do, given that we deforested our country in the past, but we now know a lot more about the consequences. The hon. Lady makes a powerful point. Should not we also adopt a responsible, conscious approach to consumption, and promote that politically, rather than saying, “We don’t really need to do anything about it, and it’s not about sanctions”? We must all understand that we are responsible, too.

Kerry McCarthy: I think so. There have been some interesting global initiatives or attempts at global initiatives. When I was a shadow Minister in the foreign affairs team, I remember meeting representatives from Ecuador. Yasuni national park in Ecuador is almost as biologically diverse and as amazing as the Galapagos Islands, but oil has been discovered there. The representatives wanted to raise funds from across the world by saying to people, “We are a poor country. We need to exploit our natural resources. We need to get the finances in. If you don’t want us to do that and you think that is appalling, then give us some money not to do it.” I understand that was not a successful approach; they did not raise any money and they ended up having to exploit the natural resources.

The Seychelles issued an ocean bond, saying it would protect its marine areas and not overfish if people gave it money to do that. Although there are wealthy people in the Seychelles, there is a lot of poverty too. That blue bond was successful; we need to look at such initiatives, because it is not just about sanctions, but about working together. As the hon. Lady mentioned, I think it is the wrong approach for us to say, “You cannot exploit what you have got,” when we have exploited everything we have got, and we have been to many other countries and exploited what they have as well, over the centuries.”

Some 77% of UK soy imports come from the high-risk countries of Argentina, Brazil and Paraguay. In its recent report “Money to Burn”, the NGO Global Witness identified the financial institutions behind six key agribusiness companies involved in deforesting climate-critical forests in Brazil, the Congo basin and New Guinea. It revealed that UK-based financial institutions were the second biggest source of financing, providing $6.5 billion, so the UK has a huge responsibility to take action to tackle the source of financing for deforestation.

I urge Members to read the report, which is powerful. We must have due diligence regulation across sectors and throughout the supply chain, so people know what their money is being invested in. That would send an important message to businesses, and companies would change the way they operate.

In 2009 I held a debate in this Chamber that was prompted in part by the UN Food and Agriculture Organisation’s report “Livestock’s Long Shadow”, which was released in 2006. It made a compelling case for action to tackle the consequences for the climate and for our natural environment of the ever more industrialised and intensive livestock industry. As I said in that debate, growing animal feed is a supremely inefficient use of land; it takes around 8 kg of grain to produce 1 kg of beef, and there is a huge water footprint, too. It takes almost 21 square metres of land to produce 1 kg of beef, compared with 0.3 square metres to produce 1 kg of vegetables.

Since then, numerous other highly authoritative reports have made the same arguments. They make the headlines and most people agree that something needs to be done, and yet we seem to be no closer to action, apart from people making their own decisions about what they consume.

I finish by expressing my disappointment at the recent report from the Committee on Climate Change on how we reach net zero; it was, frankly, pathetic. At the launch, the chair of the committee said in his opening speech that his least favourite environmentalists were those who expected people to be cold in their homes or to eat disgusting food. I wondered what he meant by disgusting food, but I can guess. This was from the man who fed his daughter, Cordelia, a hamburger at the height of the BSE crisis; I think we know where he is coming from. We were then told that because people could not be expected to eat disgusting food, the recommendation of the Committee on Climate Change was for only a 20% reduction in red meat consumption, which was to be replaced primarily with pork, bacon and poultry rather than plant-based meals.

The Committee on Climate Change was meant to be looking at how deliverable net zero was, primarily from an economic point of view; for example, it was looking at whether we could afford to make the transition to electric vehicles. It also looked at behavioural change and how palatable that would be to the general public. I gather that the behavioural scientist on the committee specialises in shifts in transport, rather than diet, but it took his word on what people would tolerate.

I refer again to the people outside the building today, to people I know and to the people who have contacted me, particularly younger people. I think people are willing to play their part and want to know about the damage their consumption habits cause. It is not just a question of them being able to exercise a choice; the market needs to respond. We need more transparency, so people are educated to make choices, and we need the Government to step in to ensure people are in a position to make those choices.

5.15 pm

Steve Brine (Winchester) (Ind): It is pleasure to follow the hon. Member for Bristol East (Kerry McCarthy). I hope it will not be another 10 years before she makes a
speech on this subject. I enjoyed her contribution and found it educational, and I thank her for it. I thank the Petitions Committee for holding this debate—as a former Member who responded to many Petitions Committee debates, it is nice to be on the other side—and the just over 300 of my constituents who signed the petition; I think I know them all. I thank the schoolchildren, from every school I visit and all those that visit me here, who raise this subject with me, and my own two children, who also raise it with me. I also thank the hon. Member for Cambridge (Daniel Zeichner) for setting out the issue so clearly. I do not want to speak for long, and will make three brief points.

First, and personally, as I have droned on to anyone who will listen or who has asked me about environmental policy since I was elected, this is the issue that got me here and opened my eyes as a schoolboy, when I was no older than my eight-year-old son is now. I remember seeing it on television and protesting at the television about it, and my parents saying it was no good telling them—that I should tell someone else and do something about it. That opened my eyes to becoming an activist, and led me to a lifetime of activism. It got me to join Friends of the Earth when I was a young man and ultimately to pursue a career in politics.

Ever since I was adopted as the candidate for Winchester in 2007, I have campaigned relentlessly under the Green Winchester umbrella on many issues, but I have always returned to this subject. As a schoolboy, I wrote articles and held debates on it. I even wrote a poem on it for the school poetry competition, which the swine did not let me win. While the rates of deforestation in the ‘80s, when I was at school, and continuing into the ‘90s were deeply troubling and led to the television coverage that caught my attention and raised my ire, it seems that more recent years have given cause for hope in the Amazon.

Deforestation has been a concern in the region for some years, but I note in the excellent House of Commons Library briefing for the debate that the New York declaration on deforestation published this year said:

“Brazil lost almost 55 million hectares of tree cover at a rate of 5.7 soccer fields per minute. More than 84 percent of this loss occurred in the...Amazon...an area bigger than Norway.”

However, previous Brazilian Governments have adopted a series of legal and administrative approaches aimed at reducing deforestation, which led to a decline in loss rates. As the declaration reports, the

“Amazon has long been hailed as a success story in global forest conservation efforts. In 2012, Brazil recorded its lowest deforestation rate in the last 20 years.”

It is worth repeating that point, which was made in the opening speech.

Soy was mentioned in a previous contribution. The world’s first two large-scale voluntary commitments to reduce deforestation were based in the Amazon: the 2006 sector-wide soy moratorium and the 2009 company-specific Cattle Brazil: forging public-private co-operation agreements. Nearly 50 companies have endorsed the soy moratorium covering 90% of the soy trade in the Brazilian Amazon, while 18 of the country’s 22 largest meat processors have committed to at least one of the cattle agreements. These approaches were successful, yet trends in the slowing of forest loss have been reversed in recent years. In the period after 2012, deforestation has again increased, no doubt generating more young boys and girls shouting at the television or outside in Westminster today. The reversal of the trend for the slowing of forest loss has been particularly acute this year, and that is what worries us all so much. The progress report of the New York declaration on forests, published in September, states that

“tree cover loss in the Amazon began to rise again in 2016 when it reached 3.7 million hectares. While the rate of loss has fallen in the past two years, it is still higher than it had been since 2005. For the Amazon, deforestation rates continued to rise in the first part of 2019 with an alarming 88 percent increase in June compared to the same month the previous year.”

It is worth repeating the point made by my hon. Friend the Member for South West Bedfordshire (Andrew Selous) that deforestation is increasing in Bolivia and Peru, so it is not just a matter of Brazil—but of course it is mainly Brazil.

Secondly, lots of points have been made about indigenous peoples and ecosystems, and I am not going to repeat them. However, I am a former Health Minister and was the cancer care Minister, and it is often said that the Amazon is the world’s largest medicine cabinet. That is a good point. About 25% of all the drugs that are used today derive from rainforest plants. One point that caused one of my shouty TV moments was this: logically, on the balance of probability, if such a high percentage of the things we know about how we come from the rainforest, what else is out there? For those who have been involved with fighting cancer, and the loss of the fight, as many times as I and many other people in the Chamber have, it would be wonderful if deforestation could slow down, and we could see more cancers earlier, as is the Government’s ambition. However, as we will not do that for everyone, we will need medicines and drug treatments. For me, the great question is what else is out there.

My third point is about the response, which is obviously what the petitioners are interested in. I understand President Bolsonaro’s view about sovereignty. Of course, international law would be on his side with respect to the sovereignty of his land, but I argue that sovereignty of the planet belongs to us all. Some 40 years after I was raised into political activism of some sort we are still having the same conversation—and, what is worse, the situation is getting more acute and worrying, because deforestation rates seem to be going in the wrong direction again.

I understand the argument that we need to help Brazil to trade its way out of the situation. My hon. Friend the Member for Fylde (Mark Menzies) made his point well, and I listened to him carefully. He has visited the area many times. It is often said that the Amazon basin has a population living in poverty, and that is undoubtedly true, but a lot of deforestation does not stem from poverty. According to the federal Government 32.5% of deforestation in 2016 happened on big farms, and 24.5% on invaded public land, while 30% happened on smallholder agricultural land possessions and 11% inside protected areas that allow for economic activities. So much deforestation, especially on squatted land, is commissioned by people who do not live in the Amazon, including gangs of land speculators and other forms of organised crime. Most of the big farmers and land-grabbers come from São Paulo, Minas Gerais, Paraná and other southern states, attracted by the cheap land and the low level of law enforcement in Brazil. I understand the argument, but it worries me.
As to the response to the petition, at the time of the G20 summit France and Ireland raised the prospect of not ratifying the huge trade deal with South American nations unless Brazil did more to fight fires in the Amazon. President Macron of France said that President Bolsonaro had lied to him about his stance on climate change. Our Prime Minister said:

“The fires ravaging the Amazon rainforest are not only heartbreaking, they are an international crisis. We stand ready to provide whatever help we can to bring them under control and help protect one of Earth’s greatest wonders.”

German Chancellor Merkel called the fire an “acute emergency” that was “shocking and threatening not only for Brazil and the other affected countries, but also for the whole world”.

I agree with all those statements but, far from arguing that we should withdraw from trade negotiations, I suggest that the deal should explicitly say that countries must commit to tackling climate change. I suggest therefore that all we are asking is that the EU, of which we are still currently a member, should hold Brazil to the commitments in the emerging agreement. That seems perfectly reasonable to me.

Forty years on from the time I described earlier, we are still having the conversation. If we are still having it after another 40 years it will not be a problem but a bit of history—gone for ever. The medicines that we might have found, which might have produced cures for terrible diseases—the diseases that I have spent many hours answering debates on in Westminster Hall, and that affect our constituents—will not be found. If we were to let that happen it seems to me it would be a stain on humanity. The point about sovereignty needs to be balanced alongside that argument. I ask the Minister—he is an excellent Minister and a good friend—to set out the latest position of Her Majesty’s Government on the EU-Mercosur trade deal, from the point of view of a member state and, presumably, from 1 November, a former member state. Where do we stand? What leverage member state and, presumably, from 1 November, an EU-Mercosur trade deal, from the point of view of a member state, will the EU have to persuade Brazil to the commitments in the emerging agreement. That seems perfectly reasonable to me.

Mark Menzies: What a great and powerful contribution from the hon. Gentleman. I encourage him to renew his interest in not only the IPU, but the all-party parliamentary group on Latin America, because we engage on many of the issues that he has talked about, and with that knowledge and expertise he would make a very valuable new member.

Mr Sheerman: I thank the hon. Gentleman very much; I will revisit my level of activity in the group.

5.26 pm

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): I am sorry if I repeat anything that another Member has said. It has been a good debate, with excellent contributions, and I will not push too many statistics. I have always been involved in environmental issues. Early in my career, before I got into Parliament, I started the Socialist Environment and Resources Association, and the first branch of Friends of the Earth in England and Wales, in Swansea. I also started a number of organisation such as Urban Minds. So I “do” the environment, in a sense, but I have obviously not done it very effectively. I have been in this place for 40 years and we have not woken up to the fact that we are destroying our fragile planet. We seem to be hell bent on destroying it.

I support most of the petition, but I think that the question is multifaceted. I have worked with Brazilians and other South Americans. I used to co-chair the British-Brazilian all-party parliamentary group, and I started a charity in Peru working on rural and urban development, giving jobs to young people in Lima and the countryside. I know that those are not primitive, backward people. They are highly intelligent and clever. Often they are absolutely let down by bad governance, but they are talented. They have talented scientists. Some of the best technological and scientific innovation takes place in Brazil. It was one of the best competitors in the aircraft industry—a pretty sophisticated industry. Brazil has enormous talent and I sometimes wonder why we do not reach out to that talent more effectively.

I get fed up, and I think the time is coming when the Inter-Parliamentary Union and the Commonwealth Parliamentary Association must wake up to the fact that getting on planes and going to visit and talk to other parliamentarians is something of the past. Some colleagues will not like that, but we must develop new techniques for parliamentarians across the globe to work together. We can do it by clever video conferences and the social media potential is enormous. We should reflect on that as parliamentarians. We often say “It’s the Government.” In an intervention on the very good speech of my hon. Friend the Member for Cambridge (Daniel Zeichner), I mentioned the appearance of the Brazilian Environment Minister on the BBC World Service this morning, which I thought was very poor. However, other major influences are also poor. I work with a number of Brazilian legislators on reducing road deaths in Brazil—a very big killer—so I know about international working.

Mark Menzies: I thank the hon. Gentleman very much; I will revisit my level of activity in the group.

When I speak to clever Brazilians, they say to me, “But look what you’ve done to the world. You’ve deforested Europe. At present you are probably despoiling the quality of soil right across Europe and in the UK. You are doing dreadful things that are awful for the environment as well.” When we look at the facts of the matter, we are exporting some of the worst chemicals for people all over the world to put on their land. Indeed, in my own constituency, Syngenta makes weed-killers that it cannot sell in Europe, but it exports them beyond Europe. We should have a conscience about what we are exporting, the soil degradation that we are causing and the fact that we must prove to the Brazilians that we are concerned about climate change worldwide.

I have been inspired by the young people. I have 12 grandchildren. Four of them live in Cambridge and a couple of them have been leaders in the climate change campaign. Indeed, my hon. Friend the Member for Cambridge brought one of my granddaughters, Lola, up to meet the right hon. Member for Surrey Heath (Michael Gove). That shows how active we are on a cross-party basis.

I am inspired because young people have got it. Greta Thunberg, who we invited to this place, has galvanised the level of activity and interest. On the other side, I am
inspired by the young people coming out. In Huddersfield the other day, we had a wonderful event in St George’s Square with great speakers. They were young people. It is young people who excite me, because they have got it, and things are changing.

Young people are changing what they eat, so there are more vegans. Two or three years ago my hon. Friend the Member for Bristol East (Kerry McCarthy) got me to join the all-party parliamentary group on vegetarianism and veganism. I do not know that I am as good at pursuing that as she is, but I helped the group to be quorate on a particular day. The fact of the matter is that young people’s habits — what they eat, what they do, their impact on the environment — are changing fast.

My other inspiration is Professor Steve Jones of University College London, who has produced a book that I have just finished reviewing, “Here Comes the Sun”. If people want to know the real science, he is a Reith lecturer and one of the leading experts in the world. I say to hon. Members, “Read it. It is a hard read, but it tells the unvarnished truth about how we are destroying the climate.” This is not just about the species and the wonderful flora and fauna of the Amazon, but about the fact that the Amazon rainforest helps to regulate the weather globally. When are people going to wake up to the fact that these changes — these fires, these droughts, these floods — are related to climate change?

Of course, if we want to pick on anyone big and say, “It’s your fault, mate,” we should not pick just on the Brazilian leadership. We should look at north America and President Trump. If we want to know what has changed a lot of the attitudes in South America, it is the attitude of the President of the United States, which has changed dramatically from Obama to the present President.

Let us, first, recognise that our delicate, fragile planet is desperately in trouble, and that we will not hand on to our children and grandchildren if we do not act now, and act positively. That means sharing technology, science and innovation — including giving it to the Chinese. We do not do anything about the Chinese. The Chinese no longer have any bees. Their agriculture has been so intensive that they have to hand-pollinate, because they have killed all the bees in China. In north America they have killed most of the songbirds.

We must wake up to the urgency of what we face, but not then despair and say, “Oh, it’s all too difficult for us, we can’t tackle this.” We need good science, good technology, sharing of information, sharing of new methods of agriculture and, as my hon. Friend the Member for Bristol East said powerfully, new ways of consuming.

Matt Western (Warwick and Leamington) (Lab): Will my hon. Friend give way?

Mr Sheerman: I was just going to finish, but I will give way.

Matt Western: My hon. Friend makes a powerful speech. Had I appreciated that he was coming to the end of it, I would have backed off. He made the point about how informed young people are about consumption. He was talking about his grandchildren, and I am sure he is struck by how knowledgeable they are and how that knowledge and information is informing the decisions and choices that they make. That should be inspirational to all of us, as he suggests. Visiting various primary schools, I was amazed that so many children said, “We don’t eat those biscuits, because they have so much palm oil.” We are talking about Brazil and the impact on the rainforests there, but if we look at the rainforest fires in Indonesia, where there is widespread devastation and clearance for palm oil, which goes into so many of our foodstuffs, does he agree that this is a massive, global issue? Obviously we are talking about Brazil, but it is a wider thing across our globe.

Mr Sheerman: I am grateful for that helpful intervention. I will reiterate that my Bible has become Professor Steve Jones. Interestingly enough, he has been almost banned by the BBC. He told me that the trouble is that we cannot get a decent debate on climate change on radio or television, because the BBC has this daft idea of balance. Steve cannot get on, as a leading professor and scientist, because apparently they cannot find anyone better qualified than Nigel Lawson to provide balance. He is almost banned from the BBC because he knows too much. What a crazy world! The fact of the matter is that we know what is happening, we know about the science and we know that we have the keys if we share information.

We as parliamentarians are too often lazy. We should not be getting on planes. There is a group of us who are working together on how, deep into the 21st century, we can communicate with other legislators around the world in a positive and supportive way. If anyone would like to join that group with me, I will be holding a meeting this coming Wednesday.

5.37 pm

Vera Hobhouse (Bath) (LD): It is a pleasure to see you in the Chair, Mrs Moon. I congratulate the more than 100,000 signatories to this petition, because it seems that more and more it is the people outside who bring the most pertinent discussions to this House.

We are having a good discussion. I am happy to acknowledge what a pleasure it is to follow the hon. Member for Huddersfield (Mr Sheerman), and his enthusiasm, which I share, that if we put our mind to it, there are solutions to the climate crisis and we must not be gloomy. We hear increasingly about people who get really depressed about the future, especially young people. That, on top of the challenge that we have, will be devastating if we allow it to continue. The hon. Member for Winchester (Steve Brine) is leaving the Chamber, but it was a particular pleasure to listen to what he was saying.

One of my favourite films is “Monty Python’s Life of Brian”. Hon. Members may remember how, at the end of the film, the committee is still debating and Brian is already on the cross. That is what we often do: we debate and debate, and we do not acknowledge the emergency that is actually before us. I share the impatience of everybody who has been demonstrating today and who will continue to demonstrate outside with Extinction Rebellion.

Like the hon. Member for Cambridge (Daniel Zeichner), I became a member of Greenpeace — more than 30 years ago, in Germany. This is not a new thing. We knew about it, yet what have we done about it? If anything,
we will have to justify to future generations the fact that we knew about this. The chair of the Committee on Climate Change said that we have a “moral duty”, because we know what to do about it, so let us do it.

That is the impetus, and that is the response that I would like to see from the Government. There is an emergency. We know what to do about it. Let us not just say, “Well, we have already done quite a lot.” We have definitely not done enough. That is what these debates are all about. I hope that we can find a cross-party consensus on the fact that it an emergency and that we need to do a lot more. It is a massive challenge; young people are reminding us how big the challenge is. We do not want to be depressed about it, but we need to do a lot more.

I must say that I take a slightly grim view of the Brazilian Government. As the hon. Member for Winchester said, deforestation actually slowed down between 2004 and 2014, or 2013—I cannot quite remember the figures—but it is increasing again, which is disappointing. If we could do that between 2004 and 2012, we need to look at why it has gone backwards. These are the questions that we have to ask ourselves.

Deforestation in the Amazon is a global crisis. The Amazon is the largest carbon dioxide sink in the world; it captures and stores a huge amount of CO₂, doing the heavy lifting for all of us in the fight to stop the looming climate crisis. During the summer, reports emerged about the huge expansion of Amazon rainforest fires. Although wildfires are seasonal and play a role in regenerating wildlife, the fires raging in the Amazon rainforest were much larger than usual. If the Brazilian Government continues to ignore the extent of the damage, those fires will pose a serious threat to the Amazon biome.

I understand the argument that it is a bit rich for us to pontificate if we have, in the past, also deforested and if our economies ultimately profit from what is happening elsewhere in the world. However, responsible Governments see that there has to be something like a carrot and a stick, and I think we need to apply a bit of a stick, not just a carrot. We need global co-operation if we are to have any chance of keeping the rise in global temperatures below 1.5°C. If we continue on this trajectory, global temperatures are currently predicted to rise by about 3°C. That is just not acceptable, and we cannot be complacent. If we fail, we will face an irreversible climate crisis, which evidence suggests will destroy ecosystems, cause the extinction of thousands of species and displace much of the world’s population.

This is one of the wider political problems. The climate crisis and catastrophe will affect the world disproportionately. Some countries, particularly in the northern hemisphere, will be okay—Britain will probably be one of them—but what about Africa and the southern hemisphere? If we think globally, and if we believe that we cannot just let other countries sink into the ocean or have intolerable temperatures so that they cannot sustain human life, our response has to be urgent. It is our global moral responsibility to act, and so far I do not think that the Government have really woken up to this emergency.

The only way we can stop this is by everyone, on every level, doing their bit, from individuals to international bodies that represent groups of nations. Brazilian President Bolsonaro, it seems, has so far shown no interest in averting the climate catastrophe or in putting forward some climate action. I will be very political here: he is a populist leader who uses environmental chaos, social instability and economic disruption for his own political gain. He has no regard for the long-term implications of rainforest destruction. It would be naïve to think that Bolsonaro turns a blind eye only for short-term financial success. Burning down the rainforests and literally fuelling the climate crisis is consistent with his disruptive political agenda. It matters that we stand up to these populist leaders who seek to divide people, not only for the people of this world but for the planet.

I fully agree with the petition, signed by 122,578 people across the UK. We cannot afford to sit on the fence and let other countries do the work. If the Government are serious about reaching net zero and about preserving our environment for future generations, we must do more now. Liberal Democrat MEPs have been playing a central role within the EU in challenging Mr Bolsonaro’s policy and in working with other EU partners to figure out how to challenge his destructive agenda. I take the point of the hon. Member for Fylde (Mark Menzies) that it is no good only to impose sanctions. However, the European Union, which is usually very good on international co-operation, has proposed this path, and I believe that the British Government should fall in line and do the same and really put some stick into their actions towards the Brazilian Government.

International pressure is the way to build incentives for Brazil to protect its rainforest and step up in the fight against the climate crisis. This is where our membership of the EU is central, allowing us to lead the fight against populism and climate destruction. By promising to leave the EU on 31 October, the Government are recklessly putting the UK out into the cold, where our power and influence will be much diminished. The fight to reach net zero and save our planet for future generations will be the biggest challenge we have ever faced. We owe it to future generations to act and do something now.

Matt Western: The hon. Lady makes some powerful points. Does she agree—the point was made by the hon. Member for Winchester (Steve Brine)—that this is almost like a double whammy? It is not just the fact that we depend on these international organisations to oversee and to show responsibility for these challenges, which are multinational, not national, and that leaving the EU will make things so much tougher for us. To underline the point, as the hon. Member for Winchester was saying, it is also about where we see ourselves, and the opportunities and challenges, and perhaps the threats, of doing global trade deals and free trade agreements with countries such as Brazil when we are in a weaker position. There will be a hint of desperation about our trying to strike an early deal with them. We may seek to get exports to them, but are we prepared to take more beef from them, which of course comes at the expense of the rainforest? Does she agree that it is not simply about international organisations but also our future trade arrangements and the power we have or do not have in them?

Vera Hobhouse: The hon. Gentleman makes a powerful point. Again, who do we see ourselves to be in the world? Will we support nationalist Governments who,
ultimately, when it really becomes difficult, will put up fences, pull up the drawbridge and not let people in anymore, saying, "Well, we are okay; sod everybody else." Sorry, Mrs Moon.

International solidarity and our humanity demand of us to act globally and not just to do things in our national interest. I have always believed that being a member of the European Union is part of that attitude of being global and thinking co-operatively, not only in our own national interest. Of course, national interest matters, and everybody can discover their national interest at some point, but it is very dangerous to think in that way. We have to solve global challenges globally and be a good global player, and wow, hasn’t Britain been leading the way internationally for so many decades? I have become a proud British citizen because I believe in that sort of Britain, not in a small-minded, narrow Britain.

We cannot get there without global action, and we must respond with one voice when a leader like Bolsonaro fails to take the climate crisis seriously. I hope that the Minister will take on board what has been said so far this afternoon.

5.47 pm

Rachael Maskell (York Central) (Lab/Co-op): It is a real pleasure to serve under your chairmanship, Mrs Moon. As we have heard from my hon. Friend the Members for Cambridge (Daniel Zeichner), for Huddersfield (Mr Sheerman) and for Bristol East (Kerry McCarthy) and the hon. Members for Bath (Wera Hobhouse) and for Winchester (Steve Brine), we have a real crisis on our hands.

Although Parliament did declare a climate emergency, “emergency” seems to have slipped from the lexicon, so it is really important that we in the debate ensure that the Government hear very clearly their responsibility not just for our generation but for future generations, and not just for our nation but as a global partner, to ensure that we get this right. After all, it is only a fleeting time that we are on this planet, and we therefore carry such a huge responsibility, not least in being elected to this place, to ensure that we do absolutely everything within our power to make sure that we address the climate injustice that we see at this time.

As has already been described, the Amazon basin sits there as home and habitat to unique biospheres, and the accelerating pace at which it is being degraded, under the leadership of Mr Bolsonaro, is of real concern. I therefore believe that we in Parliament have a responsibility to put pressure on leaderships where they fail. We speak so much about how we have such global influence—I have heard it in debate after debate since being in the House—but unless we use it, it is futile.

We recognise the progress that Brazil has made in setting stringent targets for itself and moving towards those. However, if it is now regressing, as it seems to be the case, all of that is tokenistic and we therefore have a serious responsibility not only to get to grips with the issues before us, but to ensure that other countries do likewise, in solidarity with us, and to apply the appropriate pressure—leverage—and put our power in the right place to ensure that Brazil falls into line. The same applies to many other countries where we are also seeing deforestation.

We must remind ourselves that of the 7 million sq km of the Amazon basin, 5.5 million sq km are covered by rainforest, of which 60% is in Brazil, so Brazil is significant in this debate. Five in ten species lives in the Amazon and a quarter of terrestrial species. It accounts for half the world’s tropical forest area. Thirty-four million people also live there, and 385 indigenous groups depend on its resources. We have not heard about the people in this debate, but it is vital that we protect their environment, the environment in which they live, as opposed to seeing them moved out of places where for generations they have respected and treated with such kindness and diligence their local environment.

Of course, South America is such an incredible carbon store but, as my hon. Friend the Member for Cambridge said, we are seeing the loss of the equivalent of 5.7 football pitches every minute. That must wake us up. It is worth repeating until they are etched on our minds the statistics for the scale of devastation that we are seeing.

That is why Brazil’s commitment at COP 24 was so significant. It stated that carbon emissions were to decrease by 37% by 2025 and 43% by 2030. It is extremely alarming that we have heard that President Bolsonaro wants to withdraw from the Paris agreement. At COP 24, it was stated that 94 million more hectares in the key biomes would be protected; that was on top of the 335 already protected areas.

We are seeing regression. We are seeing Bolsonaro looking the other way. The first part of 2019 has seen an 88% rise in the rate of deforestation. The New Scientist reported that in July alone—just one month; 31 days—3,700 sq km were lost. And there has been an 84% increase in fires compared with the same period just one year previously—77,000 fires have been recorded in satellite data.

We have not taken our eye off the ball, but we cannot do nothing at this time and just comment, as we are doing today in this Chamber; we have to act. The facts can no longer be hidden. We see the propaganda machines come out to challenge the figures, but technology itself is telling the story for us.

We have seen the rise in agricultural activity, which my hon. Friend the Member for Bristol East highlighted. I am referring to the beef industry, soy, logging, mining, land speculation—the buying up of this vital habitat—and urban development on core sites. Of course, this is driven not just by internal politics, but by international trade, financing and political determinations. And it is all happening at a time when enforcement agencies in Brazil are being stripped of their funding and their ability to act.

Matt Western: May I intervene on the point about international agencies and enforcement? My hon. Friend mentioned logging. Does she share my concern and my belief that at this time there is an opportunity through the United Nations and CITES—the convention on international trade in endangered species—to ensure that there are greater controls over not just the logging, but the markets and the opportunities to sell the timber products around the world? We are seeing rosewood, teak and so on being lost, for all sorts of things—garden furniture and other products—which is really unnecessary in this era. Does my hon. Friend share my concern and my belief that through the UN and CITES we should be putting an absolute stop to that, so that there is no market?
Rachael Maskell: I thank my hon. Friend for raising the role of CITES and the UN. I shall highlight some other ways in which I believe we could bring pressure to bear in order to protect this habitat. The fact that goods can be traded, and across the agricultural sector as well, means that we have a serious problem. When we start seeing the label “Brazil”, we have to be able to make inquiries as to where things have been sourced. The same applies to places elsewhere in the world. When I was a shadow Department for Environment, Food and Rural Affairs Minister, I was looking at the labelling that we have on all our products, because the right labelling is essential. Our inquiring minds should not have to go and research everything that we purchase; we should be able easily to access data to understand the source. We might make different consumption choices if that were the case.

This is not just another problem in another country on a far-off continent; this is where 15% of global terrestrial photosynthesis takes place. We think of the rainforest as the lungs of our planet, sequestering carbon and driving climate, precipitation and weather systems. Our battle with climate deterioration is caught up in the Amazon story. Events that happen in the UK are the result of what is happening across the Amazon, so our actions at this time really matter. Whether in the Amazon, Borneo and Indonesia, west Africa or the US, the pace of deforestation is alarming, and actions to respond to that will provide real resistance to climate degradation.

COP 24 was a hopeful moment. However, we are all realistic enough to know that unless we see global action taken, the Paris accord will be futile. I do not belittle the agreements, such as the tropical forest alliance, to which the UK is a signatory, and I urge the Government to use greater influence within these alliances for global action. Nor do I belittle the drops of money that we have placed in the ocean needed to tackle the global climate catastrophe. But it is clear that the political and financial relationships of the UK and global partners also have a significant role to play.

As the UK this summer launched a new trade facilitation programme with Brazil to support exports to the UK, I ask the Minister how that has specifically brought pressure to bear on Mr Bolsonaro to change his approach. What efforts are being made in the City and, no doubt, UK pension funds and investments to withdraw from companies exploiting the Amazon region? Where is the market transparency? Where are we seriously lessening the demand for products, ranging from minerals to meat, to take away the case for destroying our rainforests?

Mark Menzies: Does the hon. Lady agree that it is really important that we encourage the City of London, for example, to invest in ethical funds, particularly those seeking to unleash the huge potential that I alluded to in my speech with regard to renewable energy, particularly offshore wind, for which Brazil’s coastline is unmatched in terms of ability to produce?

Rachael Maskell: I thank the hon. Gentleman for his intervention and I listened carefully to his speech. Across the globe, there is so much untapped resource with which we could transform our energy market. It is really important that we look at that seriously. My hon. Friend the Member for Huddersfield referred to the talent within Brazil to bring about such a transformation.

It does not necessarily have to come from the UK; it could come from Brazil as well. It could bring transformation to the whole region. I agree that there are real opportunities. As we look to green new deals, we do not want to see them just in the UK; we want to see them spring up across the world.

However, we do have a role in applying leverage over the protection of natural resources, otherwise, our battle with the climate will be lost. Real climate justice must be rooted in making the connection between politics, finance and climate change. Where harm is occurring in one corner of the world, the consequences will be felt by us all, and of course the least resilient will feel them the most. Therefore, we cannot deal with this issue just as nation states, or see it as our responsibility just to have jurisdiction over our country. These are global issues, and as internationalists it is vital that we address them globally.

We cannot afford not to apply that leverage. The cost of climate degradation to the UK and to developing countries—through global inequality, population migration, flood and famine—is too great. The UK boasts of its place in the global economic market, but unless we use our power to force change, we will be complicit with the actions of Bolsonaro.

This petition, signed by 303 of my constituents, calls for trade sanctions, one measure among many to pressurise the Brazilian Government. The Government’s response to the petition was woeful. It stated:

“The United Kingdom will continue to monitor the situation in the Amazon closely”.

How will that help? They talk about “dialogue with Brazil”—really? We are currently part of the UN and the EU. How are we using our leverage to ensure that those responsible for not only Amazon deforestation but the wider global climate crisis are held to account?

[SIR ROGER GALE IN THE CHAIR]

Paris was a landmark agreement, but with Bolsonaro wanting to withdraw, and the UK Government well off target for meeting their fourth and fifth carbon budgets, it is clear that declarations are not enough; global leverage is now needed. When atrocities are committed, we have an international process of justice in The Hague to deal with those responsible through the International Court of Justice. However, the millions who are affected by climate degradation have no such seat of justice.

If we leave the EU, we will see the powers of the EU courts removed and, short of the environment Bill filling the deficit, accountability over pollution and environmental destruction will be severely weakened. The UN may pass resolutions, which are valued, but the leverage it applies is all too weak. The likes of Bolsonaro will be able to laugh at the UN, the EU and the UK, unless we first apply a comprehensive approach of political, trade and financial sanctions.

Further, in the light of the climate crisis, we must seriously explore the leverage we can apply through a system of global justice to those who breach global agreements, whether a signatory to them or not. The level of devastation to our climate is so significant that it demands an international judicial approach, with powers to strip assets from companies that breach international agreements and political Administrations
that enable them to do so. We have a role in shaping the
future and leading the world in these matters, and
I want to hear what the Minister will do to that end. I
know that we cannot sit back and wait. We need innovative
and harsh solutions to tackle the crisis that we are
facing.

I want to end by reflecting on the climate strikes, and
the words of one boy who spoke in York. His speech
was very short. As he got up and left his class to join the
climate strikers, his teacher called out, “What difference
are you going to make as one person?” He said, “Let’s
see” and walked out of the room. He spoke at that
climate strike and I spoke to him. I am now speaking to
the Minister. Let’s see what difference that boy can
make, as well as the thousands of young people who
have come out on to the streets, the people protesting
from Extinction Rebellion and the global movement
that is building today. Let’s see how the Minister responds.
Let us hope that we can really address this climate
emergency and put real measures in place that will
transform this very serious situation today.

6.3 pm

Matt Rodda (Reading East) (Lab): It is a pleasure to
serve under your chairmanship, Sir Roger. I thank the
hon. Members who have spoken in favour of this motion.
I was particularly taken by the speeches made by my
hon. Friends the Members for York Central (Rachael
Maskell), for Cambridge (Daniel Zeichner) and for
Huddersfield (Mr Sheerman), as well as the hon. Member
for Bath (Wera Hobhouse). They all spoke eloquently
about the need for urgent action, and I agree wholeheartedly
with their support for the petition.

I would like to address two key points, which have
been mentioned but perhaps need some further emphasis:
first, the scale of the challenge; and, secondly, the need
for an urgent response. It is vital to consider where we
are with climate change, to look at the term “climate
emergency” and consider what it really means, and then
to look at the range of potential responses available to
Governments around the world.

Regarding the science of climate change, it is fair to
say—without being an expert, but as a relatively well-
informed observer—that we are approaching a serious
tipping point. I do not say that lightly. It is really clear
from the evidence from the UN reports, and other
independent science from a range of universities and
other scientific bodies around the world, that the climate
faces a tipping point.

That is not a small tweak or a little change, but a
fundamental change. It means that we are on a path to
the destruction of humanity on this planet, because of
the rising proportion of carbon dioxide and other gases
in the atmosphere which cause or facilitate climate
change. As humans, we are ultimately responsible for
that process. The data is clear on the number of warm
years recently, and the amount of carbon dioxide and
other gases in the atmosphere, which has been measured
since the 1950s. The link with climate change is clear.

We now sit on the edge of the abyss, and we have to
do something about that. I think that it is perfectly
reasonable and responsible to do so, given the situation
that we now face, which is demonstrated by the melting
and the threat of melting of great ice sheets—not just of
relatively modest areas of ice, but of the West Antarctic
ice sheet and the Greenland ice sheet—which would
dramatically increase the sea level around the world,
and which would lead to large parts of the planet being
uninhabitable, including in parts of Great Britain. Many
coastal cities in England, Scotland, Wales and Northern
Ireland, and towns next to rivers, such as Reading and
Woodley in my constituency, could be very seriously
affected by this level of change. Admittedly, that would
be over many decades, but it would mean saying to our
children in our old age, “We failed, and we failed very
seriously.”

In that context, I think it is perfectly reasonable for
protestors outside, and for us in this House, to use the
term “climate emergency”. We should not shy away
from it. I am sure the Minister will address that with the
level of gravity that this serious situation demands.
That is my first point. I am grateful to colleagues who
made points clearly in support of that and highlighted
the particular issues in Brazil, where the Amazon is
greatly important. It is a huge carbon sink, but it is
under threat from the dreadfully irresponsible fires,
which the Government of Brazil have so wrongly allowed
to take place.

My second point is on a different note, but it addresses
the first one. There is a need for urgent and sustained
action. It is the duty of all Governments around the
world, of whatever political colour, to join together and
take that action now. The same goes for private individuals,
companies, charities and schools. In whatever human
organisation, we need to change our behaviour, whether
that is by eating less meat, driving less or cycling rather
than driving. There is a series of measures that we can
all take in our daily lives.

As people in the developed world, we should not shy
away from taking a clear stance with people in the
developing world, however awkward that might seem.
I take the point made by the hon. Member for Fylde
(Mark Menzies) about the need to engage with civil
society in Brazil, but we can do that by reinforcing the
voices of those in Brazil who are calling for change and
addressing the deep mistakes of that Government. In
that context, this petition is absolutely right and we
should take it seriously. I hope the Minister will address
it and take it on. I urge him to take the matter very
seriously, to leave no stone unturned and to consider
this form of action. We should not take this potential
policy lightly; it is necessary, given the situation, and I
urge him to address the matter clearly.

6.8 pm

Chris Law (Dundee West) (SNP): It is a pleasure to
serve under your chairmanship, Sir Roger. I thank all
who have spoken. Everyone pointed in the same direction:
urgent action is needed now. I thank those who initiated
and added their signature to this petition. I believe there
are more than 122,000 signatories, many hundreds of
whom are from my city of Dundee. They have enabled
us to have this important debate. I thank the hon.
Member for Cambridge (Daniel Zeichner) for his insightful
and informative speech, which opened the good debate
we have had so far.

As many other hon. Members have noticed, it is
particularly fitting that we are having this debate as
Extinction Rebellion begins its two-week protest in and
around Westminster. Last Friday, a couple of its members
came to see me to discuss what they should do while they are outside this week. I said, “The most important thing is to pressure each and every one of your MPs to speak,” but I am afraid to say that although there are great speakers here, this Chamber is frankly not as ram-packed as it should be.

Extinction Rebellion has been clear that human activity is causing irreparable harm to life on this planet, and that we face a global climate emergency and mass extinction as a result. That is happening both here in the UK and across the planet, and the current situation in the Amazon is a sad illustration. The continued deforestation of the Amazon rainforest will only exacerbate the climate emergency that we face and accelerate the loss of species that we should be protecting.

The protection of the Amazon rainforest is of global importance. In simple terms, the Amazon rainforest serves as the lungs of our planet. It accounts for 15% of global terrestrial photosynthesis, absorbing huge amounts of carbon dioxide every year. At a time when we are acutely aware of the need to remove CO₂ from our atmosphere, it is dangerously counterproductive to risk the future of our planet by recklessly damaging a vital global resource.

More than 30 million people live in the Amazon, including between 300 and 400 indigenous groups. After my university studies in social anthropology, I had the opportunity to spend some time in the Amazon and listen to some of the many secrets and lessons that people have learned from living there. For many of them, the rainforest is not just their home; it is the home of their ancestors, it defines their daily lives and it is integral to their culture. Those people, who have lived and breathed the Amazon for generations, are the most likely to suffer as their needs are overlooked and their environment is destroyed in favour of the interests of those pursuing profit and economic growth regardless of the consequences.

Furthermore, the Amazon has an incredibly rich ecosystem, which we have a duty to protect. The rainforest contains one in 10 known species on Earth, including 40,000 plant species, 3,000 varieties of fish, and 1,300 types of bird. As the hon. Member for Winchester (Steve Brine) mentioned, there are medicines there waiting to be discovered, many of which may be life-saving. All of that is under threat from deforestation. The simple but sad fact is that once we destroy these species, we will never get them back. We must not let that happen. It should be unthinkable that future generations will grow up without such biodiversity in one of the world’s natural wonders, but without serious action we risk losing this vital asset, with devastating consequences.

We will have all seen the shocking images of fires in the Amazon rainforest over the summer; more than 30,000 were recorded in August alone. That has prompted much of the recent discussion on deforestation—a huge problem in the Amazon over the past 50 years, during which 17% of the forest cover has been devastated. We are all familiar with the reasons for deforestation: the expansion of extensive cattle farming and timber plantations, the increase of oil, gas and mining operations, and the construction of large-scale infrastructure projects such as big dams and roads.

Between 2004 and 2012, large-scale voluntary commitments, regulatory reforms and the creation of protected areas helped to result in a dramatic drop in deforestation in the Amazon; in 2012 Brazil recorded its lowest deforestation rate in the past 20 years. That would have been something to be proud of if the trend had not reversed since then, troublingly: deforestation began to rise again in 2016, and the rate of damage and loss over the past two years is higher than it was 20 years ago.

It is clear that we have not been vigilant enough in protecting our rainforests, and it appears that 2019 has been a particularly bad year. Deforestation rates in June were 88% higher than in June 2018, and according to preliminary satellite data, the losses in the first seven months of 2019 were 16% above the recent high of 3,183 sq km lost in 2016. We are witnessing disaster unfold before our eyes.

What is most troubling is the attitude of the Brazilian President, Jair Bolsonaro. We know that he is sceptical about actions to curb climate change and that he wanted to pull Brazil out of the Paris climate change accord. He has spoken of the Amazon as a “virgin” that should be “exploited” for agriculture, mining and infrastructure projects. When Brazil’s institute for space research revealed the extent of deforestation this summer, he said that the numbers were fake, dismissed international concerns as sensationalist and sacked the head of the institute.

Bolsonaro’s striking back of protections and anti-environmental rhetoric have clearly encouraged those who wish the deforestation of the Amazon for their own gain. Worryingly, they appear to be becoming something of a global pattern, with Bolsonaro following in the climate change-denying, anti-environmental footsteps of President Trump. Each President scorns the need to protect the environment, undermines the Paris agreement and is willing to sacrifice precious resources, which will only embolden the next populist leader elsewhere intent on dismissing the scientific evidence in front of us, turning their back on collective responsibility and refusing to take on the environmental challenge that we all face in favour of furthering their own short-term, narrow interests regardless of the consequences.

We must have a means to fight back against those attitudes and actions. Trade wars are in no-one’s best interest, but we must keep every option open to combat deforestation and the climate emergency. My SNP colleague in the European Parliament, Alyn Smith, has joined other MEPs across the member states in writing to the European Commission to urge it to make implementation of the Paris agreement on climate change a precondition for any country that wants to conclude a trade agreement with the European Union. Additionally, Ireland’s Taoiseach and France’s President have said that they will attempt to block the Mercosur trade agreement if Brazil continues to ignore its environmental commitments.

The UK Government should listen seriously to those words. They cannot continue with business as usual while Bolsonaro presides over the destruction of the Amazon. The deforestation of the Amazon is a global issue that requires a global response. It is evident that economic development will always trump environmental protection in the eyes of Brazil’s current President, and the UK cannot indulge and seek to benefit from Bolsonaro’s desire for growth and trade while the Amazon rainforest is sacrificed. In any future trade talks with Brazil, what...
provisions will be made to disincentivise deforestation and ensure that goods that originate from illegally cleared land in the Amazon do not form part of any trade deal or find a way into the UK? We need a crystal-clear answer from the Minister today about the UK Government’s plans.

Furthermore, it is imperative that we act not only as defenders of the environment, but as defenders of human rights. Bolsonaro has stated that “not a centimetre” more of land will be demarcated for indigenous reserves, and has transferred responsibility for delineating indigenous territories from the Justice Ministry to the Agriculture Ministry, which means putting people among cattle as if they were one and the same. That was seen by many people as a concession to the agriculture industry and an expression of his desire to pursue the expansion of agriculture at the expense of the rights of indigenous people—one lawmaker described it as “letting the fox take over the chicken coop.”

Ensuring the territorial rights of indigenous peoples is an urgent imperative. What efforts are the UK Government making to ensure that those rights are protected? The protection of the Amazon cuts across foreign policy, trade policy and international development policy, so there must be coherence among the relevant Departments in how the UK tackles the ongoing problem of Amazon deforestation and of global climate change and environmental degradation more generally. As we know, policy coherence across the UK Government has been left wanting, so what steps are being taken to ensure policy coherence to tackle this hugely important problem in the short and medium term?

Throughout this debate, I have been reminded of the passionate words of Greta Thunberg at the UN last month:

“People are suffering. People are dying. Entire ecosystems are collapsing. We are in the beginning of a mass extinction. And all you can talk about is money and fairytales of eternal economic growth.”

Nothing exemplifies that more than the deforestation of the Amazon. It is one of the great tragedies of our time, and we must do everything we possibly can to stop it spiralling out of control.

6.18 pm

**Helen Goodman** (Bishop Auckland) (Lab): It is very nice to see you in the Chair, Sir Roger. I congratulate my hon. Friend the Member for Cambridge (Daniel Zeichner) on his excellent and comprehensive introduction to the debate.

I am grateful to everyone who initiated and signed the petition, because it relates to a crucial problem for us all. As colleagues have said, it is appropriate that we are debating it while Extinction Rebellion is demonstrating outside. I find it incredible that some people seem to think that the big problem is that Westminster bridge is blocked. The big problem is that the Amazon has been on fire! We need to get these things in proportion.

The Amazon fires over the summer were not accidental or natural. They were lit deliberately, and they destroyed 7,000 square miles of forest. The situation is particularly worrying because once a large amount of forest is destroyed, we will get feedback mechanisms and we will not be able to control what goes on. Avoiding such a feedback mechanism here is one of the most important things that we must do, because every year the Amazon rainforest absorbs a quarter of the carbon dioxide emitted across the whole world. That tells us that fires in the Amazon are not a Brazilian problem or a Latin American problem; they are our problem and everybody’s problem, and we need to own the problem and tackle it in that spirit.

I am disappointed with the Government’s tip-toeing approach, which suggests to me that they do not really understand the seriousness of the problem. I do not know why Government Ministers do not understand it; my constituents do. Di Murphy, who has set up Bishop Auckland Climate Action, understands it. Even 10-year-old Meredith Lambert Sams, who invited me to her primary school last week, understands it.

I went to Cotherstone Primary School on Friday and I was asked a lot of questions by the extremely well-informed children. The most worrying question came from a boy who said to me, “What I don’t understand is why proper action hasn’t been taken already.” I have to say that I was quite stumped by that, because it is not as if we have not known about this situation for 10 years, 20 years or 50 years. How bad does it have to get before we take proper action? There is absolutely no longer any room for complacency whatsoever. We only have 12 years now, and we have to sort this out.

We are really concerned about the Amazon because of the impact it has on the climate, and that is the priority. However, I will just remind people of the Amazon’s biodiversity, because we do not inhabit this globe alone; we do so alongside other species. The Amazon is one of the Earth’s last refuges for jaguars, harpy eagles, pink dolphins, two-toed sloths, pygmy marmosets, saddleback and emperor tamarins, and Goeldi’s monkeys. There are also thousands of birds, butterflies and other insects there. When we think about looking after the planet, we have to do so not only for ourselves, but for all the marvellous range of biodiversity that currently exists.

I am disappointed that the hon. Member for Fylde (Mark Menzies) has left the Chamber. He said that he was very concerned and that we should not implement trade sanctions, because we should have a more collaborative approach with the indigenous people. I think he has not read the petition, which says:

“Indigenous people have called for the EU to impose trade sanctions on Brazil to halt the deforestation because they fear genocide.”

The indigenous people of the Amazon have been living there in a sustainable way for generations. The hon. Member for Winchester (Steve Brine) is right that with modern science we can use the resources of the Amazon in new and creative ways, particularly in medicine. However, we need to be very careful about behaving as if we are the experts and the indigenous people do not know what they are doing, because it is clear that their way of life does not destroy the Amazon in the way that ours does.

My hon. Friend the Member for Bristol East (Kerry McCarthy) made an excellent speech about the exploitation of forests and the urgent need for us to cut our meat consumption. When she and I first discussed the issue three years ago, I thought she was being a bit zany, but I have been totally persuaded that she has a strong case and that we need to think about this issue and act on it,
both as individuals and as a nation. We need to move from talking about the situation to taking action, and some actions are particularly pertinent in this context.

The petition calls for trade sanctions, and we have had quite a lot of debate about whether we need to collaborate or have trade sanctions. I am not sure that that is necessarily a choice. Let us look at a connected area of public policy. Of course we put money into universities to finance research and development, but we also have laws to protect people’s intellectual property. We can have a “both/and” approach. We can collaborate, but we need to have sanctions for when things go wrong.

As my hon. Friend did, I will refer to a debate that I initiated a few years ago and a speech that I made at that time. We had a debate before the Paris summit; it was a Backbench Business Committee debate in the main Chamber. Everybody was saying, “Oh, it’s all going to be absolutely marvellous, because everybody’s going to turn up and they will volunteer their contributions, and that’s the way to get everybody on board, and it will all be absolutely marvellous.” I stood up and said—I am afraid that people thought I was zany then—“This is no good, because these commitments are not legally binding, and if they’re not legally binding how can we be confident that we are going to meet the targets that we have to meet? The science is not going to change, and we know how much carbon we must not burn. Therefore, we need to make commitments that will achieve the scientific objective, and they need to be legally binding.” Legally binding commitments mean that there is a penalty for countries that do not abide by them.

We should think about other areas of international law where there are penalties for countries that do not fulfil their obligations, and we should borrow our experience from other areas of international law and—“adapt” is not the right word—use them in the area of the environment. I will give an example. When Russia invaded Ukraine, we imposed sanctions. We were appalled by that invasion, and we thought it was absolutely dreadful. However, when Canada left Kyoto, we took no action whatsoever. Now Bolsonaro is behaving in an utterly irresponsible way, as hon. Members have set out, but we are proposing to take no action. That is not serious, and we need to get serious about this issue. We need to have legally binding international agreements.

One of my asks of the Minister today is this: before Ministers go to Chile for the next round of international negotiations, and while they are considering what the format and structure should be, we need to have a proper and clear legal base. We need to move away from voluntarism and towards legally binding treaties.

As colleagues have already said, the danger in the Mercosur deal is that if we cut tariffs on beef, we incentivise the destruction of the rainforest by Brazil and the other Latin American countries, so that we become complicit in that destruction. I raised this issue with the Minister in the main Chamber at Foreign Office questions. He said that he did not think I was right about this, but he has thought that cutting tariffs was good for the poorest people, including farmers on the lowest incomes, in Brazil. I am afraid I do not believe that argument, because we see in this petition that the indigenous people—they are the poorest people in Brazil—want tougher action. We have also seen that with large-scale ranching, large agribusinesses and multinational companies make the profits. The Minister really needs to rethink that argument. We need to line up with France, Ireland and other countries, and say no. A trade deal must be done on the basis that it is consistent with Brazil’s—

Kerry McCarthy: My hon. Friend is making a great and passionate speech. According to figures I have seen from the International Labour Organisation, some 62% of slave labour in Brazil is employed in livestock farming-related businesses. As she says, it is not the indigenous people who are benefiting from the trade, and people are being grossly exploited at its heart.

Helen Goodman: My hon. Friend makes an excellent point, and she brings me on to my next action. The fact of the matter is—we see this all over the world—that environmental destruction and human rights abuses are often going on in the same places at the same time, all jumbled up. We are seeing that here, too. That is one reason why I hope the Government will take a more sympathetic view than they do currently to the ongoing negotiations in Geneva on the UN binding treaty on transnational corporations and human rights. That treaty would put obligations on transnational corporations to respect human rights, and we could extend that to respecting environmental rights, too.

The No. 1 priority is not to sign a trade deal that will incentivise further destruction of the rainforest, but there are a range of things that the Minister could do. We are discussing the issue here, and the Pope is holding an Amazon synod in Rome. I was struck by what he said in opening the meeting on Saturday; it was appropriate and it set the problem in its context. In Rome, he has groups representing 400 indigenous communities alongside him. He said that we have to stop “the greed of new forms of colonialism.”

6.31 pm

The Minister for Europe and the Americas (Christopher Pincher): It is a great pleasure to serve under your chairmanship, Sir Roger, and to attend this debate. I congratulate the hon. Member for Cambridge (Daniel Zeichner) on introducing it, and I congratulate all Members who have contributed on what they have said. It may be that we disagree on some of the solutions, but I do not think anyone will disagree with the passion and expertise that has been brought to the Chamber today. I will try to address as many as I can of the points that Members have raised, but to begin I will draw out two points.

The first relates to something that the hon. Member for Bristol East (Kerry McCarthy) said. She mentioned some interesting diversification initiatives, and I am happy to talk to her about some of those. I was on the Energy and Climate Change Committee between 2010 and 2015, and I remember looking at the question of how best to increase awareness and change the choices that drive carbon emissions. We looked at whether it was possible to measure carbon emissions by production or whether it was better to do it by consumption, which Members have mentioned today.

The Committee’s finding was that to go down the route of measuring carbon emissions by consumption and imposing penalties or sanctions or modelling policy around that approach might risk trade conflict, which
would hurt not only those who are consuming the goods, possibly in the west, but those who are producing them in low-wage developing economies. That was the worry of the former Prime Minister.

I was also struck by the speech of my hon. Friend—I call him a friend—the Member for Winchester (Steve Brine), who gave a sad story of his poetic limitations. In fact, I thought he had gone away a moment ago to write yet another poem. He made reference to what our policy will be in the future, and he made a veiled reference to Mercosur and our attitude to it, which the hon. Members for Dundee West (Chris Law) and for Bishop Auckland (Helen Goodman) also referenced. Mercosur will not be signed any time soon, and by the time it is, we will be out of the European Union and it will not be a trade agreement for us to sign. We will be free to develop and model our own trading agreements and arrangements, and how they look, what they feel like and what they smell like will be a matter for the British Government.

Whether there are environmental elements in those trade deals is still to be determined, but I believe—here, again, I take issue with the hon. Member for Bishop Auckland—that when tariffs are imposed or are not removed, we hurt poor people. Tariffs on food tend to hurt the poorest, so I would support a wide-ranging free trading policy. I discourage her from channelling her inner protectionist and pursuing a policy that would hurt everybody, including her constituents and indigenous communities in the rainforest.

Steve Brine: Will the Minister give way?

Christopher Pincher: Yes. I have only just begun; I have not even got on to my speech proper, rather like the hon. Member for Cambridge.

Steve Brine: I thank the Minister for addressing my point. I will not say this in prose, but obviously we will be outside of being a member state and that trade deal will be signed by the remaining members of the European Union. Were the Government to consider a trade deal with Brazil in the future, does the Minister agree that Brazil’s approach to tackling climate change should be a consideration that would be discussed by his colleagues in the Department for International Trade?

Christopher Pincher: I am grateful to my hon. Friend for his intervention. He said he will not speak in prose, but I will speak in plain verse: it is for Britain to decide what its trade policy and the models it applies in free trade agreements will be. That is a future decision for the Government to take. I am sure there will be debate on the matter across the House and through Government.

Matt Western: Will the Minister give way on that point?

Christopher Pincher: I will give way on that point, and then I really have to get into my speech, otherwise we will be here until 7.30 pm.

Matt Western: I thank the Minister for giving way specifically on that point. He will know, as will others in the Chamber, that a Trade Bill has been sat on the shelf awaiting for more than a year. I sat on the Trade Bill Committee and included certain protections, certain measures and certain bodies that would have had some say in how we should be constructing our trade deals, whether that was on an ethical basis or through such bodies as the trade remedies authority. Those sorts of things would have come into play. The concern that most people in this Chamber, in Parliament and across the country will have is that those sorts of protections will not be available because the Trade Bill will no longer exist.

Christopher Pincher: Assuming that Prorogation takes place tomorrow, the hon. Gentleman is right, but there will be a trade Bill or trade Bills in the future, where I am sure those issues can be re-addressed.

The fires that ravaged the Amazon rainforest over the summer were not only heartbreaking for the people of the region—we have heard some of the stories this afternoon—but were and are a concern for all of us who care about biodiversity and climate. In some places, the devastating surge in fires has followed a sharp rise in deforestation rates this year. As has been pointed out already, deforestation has been on the increase not since 2015, which is what I said in the Chamber—I must correct the record—but since 2012, which of course predates the Bolsonaro Government. It is clear that although the recent fires may have been exacerbated by low rainfall and in some cases by strong winds, a key cause remains the use of fire to clear the rainforest for agriculture.

In Brazil, as we have heard, record numbers of fires have occurred during this year’s dry season, prompting international concern and prompting President Bolsonaro to send more than 40,000 military personnel to the Amazon to bring the fires under control, but the effect remains unclear. It is worth pointing out something that my hon. Friend the Member for South West Bedfordshire (Andrew Selous) alluded to: Bolivia has suffered a similar fate this summer.

Fires since August have destroyed nearly two million hectares of Bolivian forest, including in the Chiquitania, the largest dry forest on Earth. In response, President Morales and opposition parties suspended campaigning activities for their October presidential elections and the Government set up an emergency environmental cabinet in the affected area. Europe, the United States, Russia and Bolivia’s neighbours have provided the most help to bring the fires under control. British experts were among the first to offer assistance and to be deployed. Rains in the past week have begun to extinguish the fires. I mention Bolivia simply to remind all hon. Members that the problem is not simply a Brazilian one, so we cannot lay the blame at the door of the Brazilian Government and President. There are other reasons for the problems that the rainforest faces.

We respect absolutely the sovereignty of the countries of the region over the rainforest, but that sovereignty comes with a responsibility to protect and preserve that precious resource. Although it is regrettable that some Governments initially sought to play down the extent of the problem, we welcome the current and historic leadership shown by the region to address the fires: for example, the creation of the forest codes in Brazil, which legally require landowners in the Brazilian Amazon to maintain 80% of the land as forest. It is also worth pointing out that on 27 August, my right hon. Friend the Foreign Secretary spoke to the Brazilian Foreign Minister, who made it clear that anyone setting fires in the rainforest will be prosecuted. In fact, prosecutions are under way and the penalties for such fires include imprisonment.
Last month at the regional summit hosted by President Duque of Colombia, seven regional leaders signed the Leticia pact for the Amazon. Leaders pledged to improve co-ordination to prevent and manage forest fires, share best practice, and develop initiatives to accelerate reforestation and build sustainable forest economies. We fully support that regionally-led initiative and stand ready to help. The United Kingdom Government are committed to working with Amazon countries to support efforts to protect and restore the Amazon rainforest. Over many years we have partnered with communities, businesses and state and national Governments in Brazil and the wider Amazon region to preserve and restore rainforests for the benefit of people and nature, and for our collective effort to tackle the threat of climate change. Since 2012—this is another point I made in the Chamber during Foreign Office questions—the United Kingdom Government have committed £120 million in international climate finance programmes operating to reduce deforestation in Brazil and a further £70 million in Colombia. That suggests we are doing a lot more than nothing. That investment generates benefits for the local environment, for local communities and for the global climate.

At the G7, my right hon. Friend the Prime Minister—helpfully trailed by the hon. Member for Cambridge—pledged a further £10 million for our international climate finance work to support the longer-term efforts to tackle deforestation in Brazil. That will expand an existing programme that supports the protection and restoration of Brazil’s rainforests, including areas affected by the recent fires.

Matt Rodda: I thank the Minister for giving way on that point. It is interesting to hear him tiptoe around some of the issues in this important debate. Given the scale of the challenge that we face across the world, does he feel that £10 million is enough money to deploy on this important issue?

Christopher Pincher: We are spending £120 million, not £10 million. The hon. Gentleman is a little ahead of me, but I will mention some rather larger figures as my speech develops.

It is important to build an international coalition around our ambition, so we have worked with Germany and Norway to mobilise $5 billion—there is the big number—between 2015 and 2020 to help reduce tropical deforestation in developing countries. Our support helps to improve the capacity of national and regional Governments to reduce deforestation. It incentivises the protection of forests, conserves a way of life for many unique indigenous groups, and enables businesses and communities to build sustainable economies without destroying tropical rainforests, as my hon. Friend the Member for Fylde (Mark Menzies) eloquently described. He has now gone off to a Delegated Legislation Committee, which is why he is not here for the wind-ups.

One of our programmes supports indigenous Brazil nut collectors to cut out the middleman and sell directly to mainstream buyers. Perhaps that is not such a difficult nut to crack. Furthermore, as a result of our Cerrado programme in Brazil, 38,017 farmers were enrolled onto the rural land registry, representing some 861,000 hectares of land where sustainable practices have now been adopted.

Wera Hobhouse: Does the Minister really believe that the young impatient people out there, and the older impatient people, will find what he has said to be a satisfactory answer to all that we have just heard about this year being the most devastating for deforestation in the Amazon? The Government really need to do better. Does the Minister really think that the people out there who have been campaigning, and who will campaign for the next two weeks, will be satisfied with what he has just said?

Christopher Pincher: I do not doubt for a moment the sincerity of the people out on the streets of London campaigning about the impact of climate change, but it is better for us to work with economies such as Brazil’s, the ninth largest economy in the world, than to work against them in order to achieve the objectives that we all want, which is to see carbon emissions reduced, the rainforest restored and the poorest people get richer.

The United Kingdom is leading the world in the fight against rising temperatures, reducing our emissions by over 40% since 1990 and legislating for net zero emissions by 2050. We were one of the first major economies to do so. Since 1990, our economy has grown by 66%, so I disagree with those who suggest that there is a conflict between better trade, growth in economies and environmental concerns and calls for action.

Kerry McCarthy: Can I ask the Minister how this works in terms of co-operation between Government Departments? The other day in the Chamber, I asked the Secretary of State for Business, Energy and Industrial Strategy about the things I highlighted in my speech today and she basically said it was an issue for the Department for Environment, Food and Rural Affairs and not anything to do with her. I said, “It is because it is about climate change and that is your brief.” We also hear reports of Ministers in the Department for International Trade lobbying on behalf of BP at meetings in Brazil. On the other hand, we talk about reducing our fossil fuel use in this country, so there does not seem to be much joined-up working.

Christopher Pincher: That charge can be levelled at Governments of all stripes down the ages. Government Departments work together to try to achieve the right result in this arena. For example, BEIS officials are embedded in the COP 25 plan, and in that meeting, to ensure that it is handed over to us smoothly at COP 26, with objectives that can be taken up in the Italian-British conference of the parties.

As we have all alluded to, we cannot tackle this threat to our very existence on our own. Only through international co-operation can we protect our precious planet, and protecting forests is essential if we are to meet our global climate change goals. The Inter-governmental Panel on Climate Change special report on global warming makes it clear that the preservation, restoration and sustainable management of forests is critical for limiting global temperature rises to 1.5 °C above pre-industrial levels.
Our global leadership on climate change helped us to win our bid to host COP 26 next year. We will make telling progress towards carbon-neutral global growth only if we act together as a global community. That means that we need to have all the countries in the Amazon onside. Brazil is particularly important on climate change and deforestation, and has a crucial role to play as a partner. We must work together to find solutions, which is why we have an ongoing dialogue with Brazil on these issues at ministerial and official level.

The Secretary of State for Environment, Food and Rural Affairs met last week with Brazil’s Environment Minister, Ricardo Salles, and she stressed the importance of efforts to halt deforestation. The Foreign Secretary has spoken to the Brazilian Foreign Minister, and I have met the Brazilian ambassador, Mr Arruda. We are committed to working with Brazil and other Amazon countries to tackle climate change and deforestation.

Rachael Maskell: I am listening carefully to the Minister’s speech, and to the diplomatic channels that the Government want to pursue to influence Brazil’s response to deforestation. However, could the Minister set out exactly what sanction or leverage they will apply? If talk is not enough and Brazil is determined to do something different, it seems that the exercise is quite futile.

Christopher Pincher: I am grateful to the hon. Lady for her intervention, but I do not think that talk of sanctions will help the cause. Threatening Brazil will not encourage President Bolsonaro or his Government to talk with us about how we can collaboratively tackle the problem. It is better that we engage sensitively and sensibly than engage in megaphone diplomacy from afar.

We all care deeply about the future of our planet, and we are determined that COP 26 will deliver a greater ambition. It will promote tangible action to deliver the transformational change required by the Paris agreement. We are working closely with Chile to ensure a smooth handover from COP 25, as I described, and we firmly support Chile’s desire for an ambitious, blue COP 25 with a strong focus on oceans.

We remain committed to supporting the countries of the Amazon to tackle deforestation. Those countries will be vital allies in the fight against climate change. Brazil particularly, as home to 60% of the Amazon and 12% of the world’s forests, has a crucial role to play if we are to achieve our climate ambitions at COP 26 and beyond. If future climate negotiations are to succeed, we need to engage with Brazil and her neighbours positively and maintain a constructive dialogue, not shout at them from afar.

At the same time, the United Kingdom Government will continue to raise our concerns about deforestation and to support initiatives that protect the Amazon rainforest. Only through partnership and dialogue will we be able to preserve those precious tropical forests and avert the gravest forecasts of climate change. That is the responsible approach, the approach that will address the passions of the people outside the Chamber as well as within it, and the approach that the Government are determined to take.

6.55 pm

Daniel Zeichner: Thank you, Sir Roger, for chairing the debate. We have had a full debate, during the course of which we have heard from, I think, five political parties. For much of the debate, I was greatly enthused and encouraged, because there was seemingly a lot of common ground. Some thorny issues, such as sovereignty, were raised by a number of people, including the hon. Members for Bath (Wera Hobhouse) and for Winchester (Steve Brine). I think the emerging conclusion was that this is a global crisis and a global responsibility, in which we all have a role to play. Both Front-Bench spokespeople made powerful speeches with which I strongly agreed.

I was hoping that I would hear a positive, civilised and courteous response from the Minister, but I have to say that in policy terms, for me and I suspect for others, it was profoundly disappointing, not least because when invited to suggest that in future trade deals environmental considerations would be a key part, there was a stunning silence. The Minister said only that there would be trade deals. Well, they will not be very quick—we know that for sure—and we also know that there is an urgency about everything.

I did not hear even a suggestion of criticism of the Brazilian Government, which would not be very hard to do given their record. Of course, they will watch the debate and hear what we say, so it is important that our contributions are measured and constructive. However, we must also say very clearly to people on the global stage who are damaging our climate and planet that that will not go unchallenged. Frankly, I am deeply disappointed, as the petitioners and the people outside surely are, to hear that our Government are so weak in their response. The conclusion I have come to is that the Government are not part of the solution; frankly, they are part of the problem.

Question put and agreed to.

Resolved.

That this House has considered e-petition 266638 relating to deforestation in the Amazon.

6.57 pm

Sitting adjourned.
Westminster Hall

Tuesday 8 October 2019

[James Gray in the Chair]

Government Plan for Net Zero Emissions

9.30 am

Sarah Newton (Truro and Falmouth) (Con): I beg to move,

That this House has considered the Government plan to reach net zero by 2050.

It is a pleasure to serve under your chairmanship, Mr Gray. I am grateful to the huge number of Members from all parts of the House who have come along to Westminster Hall this morning. It really underlines the absolute priority that this House and the Government give to tackling the huge challenge facing us all.

There is no doubt that the UK leads the world on tackling climate change. We have decarbonised faster than any other major economy, reducing our emissions by 38% since 1990, but we all know that we need to go further and faster, which is why Parliament supported the world-leading net zero target, making the UK the first major economy to do so. The Government must now outline a strategy, with concrete policies and a road map showing how we will get there.

Climate change and the decline of nature is the most serious threat we face. Unchecked, it will lead to more extreme weather events such as floods and droughts, damage precious natural habitats, and cause sea levels to rise. The impacts could be irreversible. The response must be similarly comprehensive, and action must be taken across the whole of our economy. I am confident that we can do that, because there is concern and support for action not just in the streets outside, but in every home, every business and every community across our country. We are an imaginative, creative and innovative nation, and I think we have what it takes to rise to this challenge. It is an opportunity to grow our economy more sustainably. What is good for nature is good for human health and wellbeing.

Every week, like all hon. Members, I meet people from a wide range of organisations—local councils, students, schools, local businesses, and environmental activists—all of whom are fully invested in ensuring that we achieve our net zero target. In every meeting, there is agreement on what the challenge is and why we need to act, and the conversation moves on to how and when they can play their part. If we are to harness that enthusiasm and expertise, we need first and foremost to provide more information about the Government’s plans.

In this debate, we will hear lots of ideas for new policies to help reach net zero, and I hope that the Minister will take them on board. I will highlight just one: my recent ten-minute rule Bill, which makes the compelling case for the Government to set out a plan to retrofit energy efficiency measures in homes across the country. That Bill asks the Government to publish a plan for meeting the domestic energy efficiency targets in the clean growth strategy, to make provision for monitoring performance against milestones in the plan, and to establish an advisory body for the implementation of the plan. As we prorogue tonight, the Bill will fall, so I ask the Minister to take its provisions forward into the next Session. The Committee on Climate Change says that that action should be a priority, and the National Infrastructure Commission has also made it a priority.

The technologies required to enable decarbonisation of the building stock and energy systems are largely available today. Industry body representatives have set out clear plans, as have leading charities such as National Energy Action. Taking action on energy efficiency has the dual benefit of reducing carbon emissions and saving people money.

Matt Western (Warwick and Leamington) (Lab): I congratulate the hon. Lady on securing this debate, and commend her for her Bill. On housing and the Government’s performance, does she agree that it is regrettable that the ambition to achieve zero carbon homes by 2016 was torn up in the 2011 Budget? We would have made much greater progress had that not been done and we had pursued that ambition for 2016.

Sarah Newton: I would rather use today’s debate to show the collective will and determination of hon. Members to support the Government in reaching the new target, rather than engaging in a tit-for-tat about which Government could have or should have done what in the past. Let us focus on the future and on what we can all do as Members of Parliament to support the Government in reaching the target that the whole of Parliament supports.

Tackling fuel poverty will end a lot of preventable human misery, as well as save the taxpayer a great deal of money in the NHS, in social care and in the Department for Work and Pensions. Evidence clearly shows that when people live in a warm home, their health improves, children do better at school, and people are more likely to be in work. I know that Cornwall would very much love to be the area of the country to pilot the whole house retrofit.

Having pitched my Bill, I will focus my remarks on the main theme of this debate, which is the importance of making readily available to everybody in our society digestible information on what we are doing to reach net zero. That is really important, because not everyone will be able to read the 277-page net zero report by the Committee on Climate Change, or the 630-page report by the Intergovernmental Panel on Climate Change, which are difficult for many people to understand. Day in, day out, there is a barrage of announcements from Government Departments about what they are doing to tackle this challenge.

Luke Graham (Ochil and South Perthshire) (Con): My hon. Friend is making a powerful point about setting targets. As the United Kingdom, we have a target of 2050, while devolved Administrations across the UK are setting different targets. In Scotland, the target has been set at 2045, which is dependent on the entire United Kingdom hitting the 2050 target. How can we share information through different tiers of Government right across the UK so that all our citizens benefit and all our targets are met?
Sarah Newton: My hon. Friend makes a really important point about how different nations in the United Kingdom will need to set different targets. Scotland has an abundance of natural resources for hydroelectricity among other things, so it will be easier for it to reach net zero than for England.

Some industries, such as the water industry, have already committed to decarbonise by 2030, while the National Farmers Union has recently produced a plan. It is vital to make it easy for citizens, businesses and public sector organisations to see a road map showing exactly how we will reach our targets and the contribution that everyone in society is making to enable us to reach that goal.

Caroline Nokes (Romsey and Southampton North) (Ind): I congratulate my hon. Friend on securing this debate. Does she agree that in providing better information to citizens and businesses, we must also seek to bring them with us? If people understand the issue and are made to feel part of the solution, they are much more likely to engage and take the individual actions that we need them to take.

Sarah Newton: My right hon. Friend makes a very important point: the changes needed are substantial and it is really important that people understand why we need to do what we need to do and that we take people with us. We can do that largely by providing information not only about the why, but about the how. In my experience, most people are waiting for that information, because they understand the challenge and want to play their part.

Caroline Lucas (Brighton, Pavilion) (Green): I congratulate the hon. Lady on securing this important debate and on her Bill. Many of us believe that 2050 is not soon enough and would like to go further and faster, but irrespective of the target and the speed, does she agree that, precisely to bring people along with us, there is a role to be played by citizens’ assemblies? This is an opportunity for people to come together and work together to identify how best to make the transition.

Sarah Newton: I am glad that the hon. Lady has mentioned the target. The groundbreaking Climate Change Act 2008, which is unique to our country in having all-party support, set up the independent Committee on Climate Change. All Governments depend on evidence and the best science to show what we can do. The independent Committee on Climate Change says that the 2050 target is the right target: it is ambitious but feasible, whereas the 2030 target is not necessary and not deliverable. We risk undermining the very independence of the Committee on Climate Change and the evidence-based policy-making approach that we must take if we start to pluck numbers out of thin air for political gain.

Louise Haigh (Sheffield, Heeley) (Lab): The hon. Lady makes some powerful points. Listening to experts is crucial, so I hope she shares my concern—I hope the Minister is listening—about the Government’s decision to overturn the advice of their own Planning Inspectorate, given on climate change grounds, regarding the new Drax gas-powered turbines at Selby. They would undermine the target that she is pushing.

Sarah Newton: I think the hon. Lady’s intervention is directed more at the Minister than at me.

To return to the theme of my debate, I believe the Government can provide a lot more information. They can share data and expertise on the smartest way to get to work and school and to travel, on what local British food is in season and sustainably grown, and on the suppliers of the cleanest forms of electricity and heating. That information could be provided in one place, where any individual, councillor, business or student can find out all they need to know to reduce their carbon footprint. Information for business and public sector organisations about how to support innovation could also be made more widely available.

Dr Sarah Wollaston (Totnes) (LD): We have some of that information already, such as that last year we spent £26 billion on transport, but only £400 million of that was spent on active walking and cycling. Does the hon. Lady think that we need a shift of priorities so we are investing in green forms of transport that will also improve health?

Sarah Newton: The hon. Lady is absolutely right about the need to invest in cycling and walking infrastructure. Both of us, with many colleagues, participated in a debate in this Chamber on that very subject. The Government asked the Committee on Climate Change to consider what plans they need to put in place to enable us to reach that target; they are actively considering those plans and the Treasury is looking at the cost.

I have every confidence that the Government will produce detailed plans on how we are to reach the 2050 target, but I want them to set out clear milestones for the intervening period. Judging by conversations this morning with protestors, people think we will wait until 2050 to take any action, but we have already taken significant action, and the ambition is there to go further and faster. To give people hope and clarity, we need to set out the plans and milestones in detail so that people can see what is going on.

Mr Philip Dunne (Ludlow) (Con): This country has the opportunity, through the COP 26 conference next year, to take the lead internationally on setting out actions that people and communities can take. Does my hon. Friend agree that there is a role for people across this country, in the run-up to COP 26, to identify practical steps that communities and industry sectors can take, to bring those to COP 26 and to highlight them around the world?

James Gray (in the Chair): Order. This is a busy debate, so interventions must be brief—one sentence at the most.

Sarah Newton: We will bear that in mind, Mr Gray. My right hon. Friend makes a good point: COP 26 is a great opportunity, as he so well articulated. Some sort of roadshow would be a good idea, as it would harness the great work going on and give the Government an opportunity to communicate to communities the sort of innovation funding and support plans available, so people can engage.
Richard Benyon (Newbury) (Ind): I will be very quick. There is an opportunity for Members of this House to take a lead in our constituencies. Does my hon. Friend agree that a good way would be to have local assemblies, where we inform people of what is going on, they can inform us and we can feed that through?

Sarah Newton: My right hon. Friend makes an incredibly important point. We are leaders in our communities and we have agency, as he describes, to make a positive difference.

This country also has world-leading universities and tech companies. I would like the Government to set up an ecotech innovation fund, so we can harness expertise to create user-friendly, accessible apps and websites that seamlessly compile impartial and accurate data and explain what people can do and how they can access support.

Several hon. Members rose—

Sarah Newton: I am going to make a bit of progress because so many Members want to speak and I want them to be able to do so.

Businesses have an important role to play, and it has been great to see businesses come forward with their own net zero targets. The water industry, for example, has committed to carbon neutrality by 2030. To give hope to the citizens who are so worried about climate change, that information should be captured so that people can see what all sectors of our society are doing. To level up the expectation on all businesses to take action, the Government should require goods for sale to include climate impact on their labelling. That requirement could cover food, electronic goods, and so on. It would help consumers to make smarter choices when shopping and ensure that companies measure the carbon footprint of individual products. It will add a cost to business, but that is why we must create a level playing field by insisting on the provision of that information. We do not want businesses who do the right thing to be undercut by those who do not. Information is power and it will enable every workplace and home to make smarter choices.

To co-ordinate that activity I want the Chancellor of the Duchy of Lancaster to be given overall responsibility for net zero in the Cabinet Office. We should raise the status of the Environment and Clean Growth Inter-ministerial Group to a Cabinet Sub-Committee. The Treasury could introduce a new net zero test for every Budget and spending review, to ensure that all new Government spending and investment is aligned with the target, or at least is not harming decarbonisation efforts. The Government could ask the Office for Budget Responsibility to scrutinise whether the targets are being met.

Bill Esterson (Sefton Central) (Lab): In the Liverpool city region, the combined authority and the Mayor, Steve Rotherham, are doing exactly what is needed to take people with us to hit that net zero carbon target. That includes plans for an ambitious tidal barrage on the Mersey, hydrogen trains—hopefully built by Alstom in Widnes—and an offshore wind array. They also oppose fracking. Is that not the way to hit the net zero carbon targets?

Sarah Newton: There are regional industrial strategies in the modern industrial strategy. The Government are clear about going for clean and inclusive growth in our economy, and I absolutely support that. I welcome the fact that local enterprise partnerships all over the country, including in Cornwall, are coming together to produce plans for us to meet our net zero targets while growing our economy sustainably. I commend any region of the country working with the Government to enable us to do that.

All the businesses I speak with want clarity and certainty about what the Government want them to do, so that they can start pricing in the changes they will need to make. Many see this as an opportunity not just to do the right thing but to innovate and reach new markets. Government Departments and their arms-length bodies should lead by example by making their buildings more energy efficient and switching to low-emission transport. That will save money as well as carbon.

Stephanie Peacock (Barnsley East) (Lab): The hon. Lady is being very generous with her time. Does she agree that we should call on local authorities, which have huge purchasing power and local influence, to take action? Last month, Barnsley Council declared a climate change emergency.

Sarah Newton: I welcome the fact that Barnsley has declared a climate emergency. Cornwall Council has done the same, as have most of the parish councils in my constituency. People want to play their part. The Government have recently brought in some very helpful new regulations that will help councils. For example, most councils sit on huge pension funds; the new regulations, which came into force last week, make councils think about the impact of their decisions on reaching that net zero target. There are many contributors to enabling people, councils and businesses to make changes so that we can meet the target.

As was mentioned, the climate change movement will fail if we fail to take people with us. As we saw in France, we must be clear about why action to tackle climate change matters, and ensure people are not left behind as we transition to new, cleaner industries. It cannot just be about distant international summits with acronyms that few people understand. When the UK hosts the UN climate change summit in Glasgow next year, we must ensure that every sector of society is involved in the conversation. With an issue as big as climate change, we need everyone’s collective brainpower to find the right solutions, and we must have everyone on board if we hope to implement those solutions.

Mr Mark Harper (Forest of Dean) (Con): In the light of my hon. Friend’s comments about Britain’s world-leading efforts on climate change, and all the interventions talking about the action already being taken, would not efforts to take people with us be more effective if campaigners stopped insisting that nothing has happened in the past 30 years, which is simply not true?

Sarah Newton: I absolutely agree. There is a lot of scaremongering and misinformation. Most of the people that I meet are genuine and sincere, but there is no doubt that there are people who have seen the popular support and concern about what is happening to our climate and nature and are deliberately infiltrating and organising in a way intended to create chaos, and
fundamentally to bring down our whole way of life. We must guard against that. In any democracy that enjoys as much freedom as we do—it is fantastic that we have those freedoms—we must guard against extreme elements in our society, which will always want to undermine and bring down our whole way of life. My right hon. Friend makes a very good point.

Wera Hobhouse (Bath) (LD): I believe that the biggest danger we face is not climate change deniers, but climate change delayers—those people who think we are doing okay. It is an emergency. The guys are out there because we have not done enough. Does the hon. Lady agree that we should all take note of that?

Sarah Newton: I gently ask the hon. Lady: how can she claim to speak for everyone outside? A little bit of humility in all of us does not go amiss. Everyone in this room is 100% committed to getting to net zero. It is clear from Parliament’s actions that we want to do that. That is why I wanted to focus this debate on ensuring that we have clear plans and communications and measures are reported in an open and transparent way, so that people cannot make cheap party political points, which damage people’s wellbeing and how they feel about this issue.

Let us be honest: in post-Brexit Britain, we will need a unifying cause. We will need something to bring the whole country together, and this is it. People from all walks of life, all backgrounds and all ages want us to work together, to tackle this huge challenge, which I believe is also a huge opportunity. In this debate we should show our unity of purpose in supporting the Government to take those actions, and that we are truly a United Kingdom that everyone can be proud of.

James Gray (in the Chair): It will not have escaped colleagues’ notice that many people wish to speak. While I do not intend to impose a formal time limit, which I believe to be bad for debate, I leave it to the conscience of individuals to recognise that they should speak for two or perhaps three minutes, because if they go on longer than that, they will be squeezing out their colleagues. To save a bit of time, let me say that I am delighted to be your Chairman; you do not need to say so.

9.53 am

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): This debate, secured by the hon. Member for Truro and Falmouth (Sarah Newton), is timely. We need to reiterate that climate change is real and that the climate emergency, which Parliament has declared, means we must do things differently.

The climate emergency declaration that this House passed is not just a statement of intent, but a challenge to business, Government, society and individuals, and it comes with a basic question: “Now that Parliament has declared a climate emergency, what are you doing differently?” If the answer is nothing, that is not good enough. If the answer is that which I have heard from many corporates, that is, the same insufficient amount as they were doing before but with more topspin, that is not good enough. If the answer is that we will park the action many decades away so that we do not have to take action now, that is not good enough.

More spin will not do it. More of the same will not do. We need bold and determined action, which means being more ambitious and swifter in our action, and more honest with the people about the massive changes to the way we live, work, travel and consume that will be required to hit net zero, by 2050 or any other date. It also means that we need the Government to put as much effort into the climate emergency as they put into Brexit. Will the Minister pass on to his Treasury colleagues that the autumn Budget must be a climate emergency Budget as much as it is a pre-election Budget or a Brexit Budget? It must cut through on every single aspect of addressing the climate emergency; nothing less will do.

That also means that as MPs we need to readjust our own campaigns. My campaign to see the M5 extended from Exeter to Plymouth means that we must bring forward the date of getting rid of diesel and petrol engines, to ensure that only electric cars cause that extended road. The campaign to reopen Plymouth airport means that rather than having planes using aviation fuel landing there, we must have electric aviation.

Those are big challenges that require big and bold investment by Government. We need that investment now, because pushing it down the line will only make achieving net zero by 2050—or by 2030, as I would like, and as the Labour party has proposed, with the brilliant green new deal motion passed at our conference—harder to achieve. Let us have swifter action now and more honesty from Ministers about how much change is required to get there.

9.56 am

Damian Hinds (East Hampshire) (Con): I congratulate my hon. Friend the Member for Truro and Falmouth (Sarah Newton) on securing this important debate. We all know the scale of the challenge and the imperative it entails. Declaring an emergency comes easy and “net zero” trips off the tongue, but in reality, these things are difficult. To achieve that requires a per annum reduction in our emissions 30% greater than we have achieved on average since 1990. That is why the Committee on Climate Change said that a 2050 target was the latest that our country could credibly maintain our status as a climate leader at the same time as being the earliest at which it would be credibly deliverable alongside other Government objectives.

I have asks of the Government, which I will come to in a moment, but, first, I have asks of the wider sector—everyone who has an interest in this vital subject. First, we must acknowledge progress. My right hon. Friend the Member for Forest of Dean (Mr Harper) touched on this. There is a difference between saying that more must be done and saying that nothing has been done. It can become debilitating to think that no progress has been made and nothing has been achieved.

I first came across that when I was a junior Minister at the Treasury and I would meet Finance Ministers from other countries, and we would talk about climate change. They would say, “Of course, you in the UK are leaders,” and I would say, “We are? That’s not what I keep reading.” One person said to us, “Do you agree with our framework of the independent Committee on Climate Change, the periodic carbon budgets and the rest of it.
In international studies we are ranked among the top 10 nations for our performance on tackling climate change. We have made huge progress on renewables, specifically offshore wind, where we are a world leader, if not the world leader. We have also set an end date for unabated coal. Our role at COP 21 was pivotal, as was our role in showing leadership in setting the net zero target. Our international work on climate finance through the Department for International Development is pivotal, too.

The second ask is that we prioritise and triage, because we cannot just tell people that everything must change at the same time. Some things must be prioritised. My hon. Friend the Member for Truro and Falmouth mentioned retrofitting homes. The two biggest things alongside that are energy generation and transport, particularly domestic transport. Those two massive areas are dependent on the development of batteries.

The third ask is that we go with the grain of people's lives. It is a hard sell to tell people that they cannot go on holiday, they will be cold when they are sitting at home and they must become vegan. It is a much easier sell to say that the electric car is now as high-performance a vehicle as a petrol car, and that we can be warmer at home and it can be cheaper to heat our homes than it was in the past.

That becomes even more important when talking about developing nations. We have had our industrial revolution and we have all reaped the benefits. It is natural that other countries want that development too, and we must help them to have clean growth.

We need a bipartisan approach. That has been a great strength of the approach to tackling climate change in this country. It is tempting to say we must always do more and we must do it sooner. As with international aid, there are two aspects to this: first, what we do ourselves; and secondly, how we can leverage our position internationally. However, leveraging our leadership is helpful only if what we say is credible—if we say not only that we are going to do something but that we absolutely will do it. If we are going to say we must do this bigger, better and faster, we must be honest with people about the implications of that. I sometimes hear people talking about change for them versus system change, as if system change has no effect on individual families and companies, but it does: it affects the rate of economic growth, which in turn affects jobs and wages, and of course it affects the taxes people pay.

We must focus in particular on what can be done, especially in transport with electric vehicles. I join others in paying tribute to those who are doing great work locally. In my area, that includes the climate action network and the work the council is doing to plant a large number of trees. This is a global problem, and every nation must play its part, but we, in our individual communities, can make a difference.

10.1 am

Tim Farron (Westmorland and Lonsdale) (LD): I pay tribute to the hon. Member for Truro and Falmouth (Sarah Newton) for securing this important debate. Undoubtedly, climate change is a bigger challenge and a bigger crisis than even Brexit. It is important that we put it in that context, but given that I do not have all that much time, let me focus on Cumbria.

Cumbria receives 42 million visitors each year, and we are delighted to see them. We just wish that fewer would come by car, which is how 83% of our visitors currently arrive. That is a serious problem in our fight to achieve net zero carbon emissions, and I am sure what is true in my patch applies in many other places across the country. Therefore, in the moment or two I have, I want to address public transport, which is an enormous part of achieving net zero. Not only does the use of diesel and petrol-powered cars have a devastating impact on the environment, but the Government’s failure to invest in public transport prevents people from choosing better options.

Bus provision is a colossal problem in our communities in the Lake district. In the past 10 years, we have lost 888 bus routes in the north-west of England. To their absolute credit, communities have not just stood by; in places such as Sedbergh and Dent, they have established community bus services, which are a lifeline for people who would otherwise be isolated from the communities around them. I am massively grateful to the volunteers who make those services possible. However, with the closure just this month of bus services 552 between Arnside and Kendal and 530 between Cartmel, Levens and Kendal, the decline appears to be accelerating.

I am of course fighting those cuts along with the community but, more broadly, I ask the Minister to make provision of a comprehensive, affordable and reliable rural bus service in Cumbria a key plank in the northern powerhouse. From a rural Cumbrian perspective, the northern powerhouse does not look much like a powerhouse, and it is not even very northern.

The main public transport route into the Lake district is the Lakes line. Back in 2017, the Government shelved their planned electrification of the Lakes line on the basis of completely inaccurate projected costs. Electrification of the Lakes line is the easiest electrification project in the country. The 12-mile route carries hundreds of thousands of passengers each year, but it could carry four times as many if we introduced a passing loop at Burneside so we could run half-hourly services. If the Government are serious about tackling climate change, they need to speed up their electrification project, especially for the railway line that is responsible for taking people into Britain’s second biggest visitor destination after London.

The impacts of climate change are real, and they are being felt right now. My constituency in the lakes and the dales has been devastated by catastrophic floods. In the past nine years, we have experienced three flood events classified as one-in-200-year events, with one-in-100-year and one-in-50-year events filling the gaps. At this rate, we absolutely will need to revise the classifications. In 2015 alone, Storm Desmond caused 7,500 properties to be flooded, but I am also determined that the Government must make the big strategic decisions to fight climate change. That requires a revolution in renewables and a push for energy self-sufficiency, especially in hydro, tidal and marine, for which 95% of the supply chain, including Gilkes in my constituency, is British. That would protect our environment, boost our economy and give us vital energy security. Just a few weeks ago, I
was with students in Kendal protesting against inaction on climate change. That was a reminder that the coming generation will not let us get away with it, and they are absolutely right not to.

The reality is that we are too late to stop climate change and have perhaps a dozen years left to avoid a major climate catastrophe. Tackling this global disaster will take change in every community and lots of steps that add up to a bigger picture. Clearly, public transport is an element of that. Will the Minister therefore agree to meet me and others so we can put together a comprehensive rural bus service under the umbrella of the northern powerhouse, and a plan for the electrification and expansion of the Lakes line? In order to succeed globally, we in the lakes are determined to act locally.

10.5 am

Stephen Kerr (Stirling) (Con): Let me begin by paying tribute to my constituents, who are highly engaged on this topic. The young people in the high schools in Stirling are especially on the ball, and they are taking a lead that I am glad to be able to follow.

We owe it to the British people to talk plainly about the implications of Parliament’s commitment to get to net zero by 2050. My right hon. Friend the Member for Forest of Dean (Mr Harper) is right that that will not be easy to achieve. We need to spell out the options clearly, in a grown-up way—a way that I think our young grasp. If I have learned anything about the House since arriving here, it is that if we unite and work across parties on this issue, we can get the job done.

We have an obligation to the present, but we have a bigger obligation to the generations that follow. We have both a special responsibility and an opportunity. As has already been laid out, we have a responsibility because our country led the world into the first industrial revolution, but we have an opportunity to lead the world again in the development of new clean growth technologies and industries. There is a first-mover advantage to be had, and I urge the Government to be bold and take a lead.

In the interests of time, I will talk about one area in which the Government can take a lead and send a signal to private investors, who will then calibrate their calculation of risk and move into the sector. That area is carbon capture, usage and storage. I have the privilege of serving on the Business, Energy and Industrial Strategy Committee. We published a report on CCUS, the first recommendation of which was that the Government should “view CCUS primarily as a tool for decarbonisation, rather than as an extra cost on power generation. Deployment should be prioritised because CCUS presents an opportunity to reduce the overall cost of meeting the UK’s emissions reduction targets.”

The report went on:

“Our view is that the Government should be both ambitious and clear. We recommend the Government sets a specific target to store 10 million tonnes of carbon by 2030, and 20 million by 2035, to keep the UK on track to meet its 2050 climate change targets, as recommended by the CCC.”

However, once the Committee had received the Government’s response to its report, the Chair felt the need to write, with our support, to the Minister, stating that we were “disappointed by the response’s content: it barely engages with the arguments made in our report, but instead appears largely to repeat previous policy statements.”

The Chair continued:

“Please could you explain why you have not committed to supporting CCUS where and whilst it remains the cheapest route to decarbonisation.”

May I use this opportunity to ask the Minister for his response to the Select Committee’s positive encouragement to make a positive decision on that very important element of our work towards 2050 and the decarbonisation of our economy?

10.8 am

Melanie Onn (Great Grimsby) (Lab): A net zero target is right, but we must be aware in our battle to tackle the climate emergency that time is fleeting. The greenhouse element of carbon dioxide is not a tap we can turn off. Approximately a fifth of the carbon dioxide emitted in the past year will remain in the atmosphere for thousands of years. The damage we cause now will not go away if we decide to start acting responsibly in, say, 31 years’ time; it will become a feature of human life for millennia. The cumulative nature of climate change means that the more radical we are now, the less radical future generations will have to be to stop even more catastrophic change and fix the damage we have already caused.

The climate emergency has climbed up the agenda over the past months, but it is far from a new issue. The previous synthesis report by the Intergovernmental Panel on Climate Change came out more than five years ago, and the Government have had plenty of time to digest its findings and implement the drastic policies that we need to tackle climate change. Sadly, however, that is not what we have seen.

We have seen the end of the White Rose carbon capture and storage project, and the end of solar subsidies and support for biomass. The Green Investment Bank has been sold, and we have given up on zero carbon homes. The Swansea tidal lagoon has been stopped, and the green tax target cancelled. Fracking continues despite local opinion in different areas of the country and an increase in ground tremors, and still the Government stubbornly refuse to lift their ban on cheap and green onshore wind. Indeed, we heard by a Prime Minister who said that wind farms could not “pull the skin off a rice pudding”.

Action on climate change is not just necessary to protect our future; it can also provide future-proofed and sustainable jobs for many of our communities. We have seen glimpses of that prosperity already through the wonderful work of companies such as Ørsted in Great Grimsby. I was pleased to open its new £14 million east coast hub, and it also works with local schools and colleges to train the next generation of workers to be ready for a green economy. However, we seem to have a Prime Minister and Government who are genetically opposed to taking sensible decisions to protect the planet, and if we are to avoid even more catastrophic damage to our planet, we need a drastic change in governance.

10.11 am

Alex Chalk (Cheltenham) (Con): I pay tribute to my hon. Friend the Member for Truro and Falmouth (Sarah Newton) for her brilliant speech. I take pride in the fact that the United Kingdom is the first developed nation
to commit to net zero emissions, and wherever we in this House sit on the political spectrum, we can take a measure of quiet pride in that achievement. It is critical to show leadership, because although in this place we rightly focus on what we do as a nation, it is what happens in other parts of the world—particularly China—that will make or break global efforts on this issue.

Consider the Paris climate accord. Emissions in the UK peaked in 1990 and are now 42% lower, but China’s emissions are forecast to peak in 2030. That matters because China produces something like 25 times more emissions than the United Kingdom. We must show leadership so that we can try to impress on nations such as China—it produces more emissions than the United States and Europe combined—that it is in its interests to take those critical steps as responsible global citizens.

What should we do? First, there is new technology, and secondly there is old technology. On the former, if the Minister has not read it already, I commend to him the “Mission Possible” report, which considers how technology can help with those hard-to-abate sectors. That includes specific technological solutions, such as electric drivetrains for heavy transport, or reducing the cost of electrolysis so that we can produce hydrogen at an industrial level. There are already solutions on the shelf that we should consider.

The Government are getting behind other technologies. They have invested around £400 million in charging infrastructure, and there is onshore wind, carbon capture and storage and so on, but let us not neglect old technology. The best piece of technology, which absorbs carbon in a way that is inoffensive and off the shelf is, of course, the tree. Let us therefore take the opportunity to plant trees and lean into our targets.

The hon. Member for Totnes (Dr Wollaston) made a point about cycling and walking. After the second world war, there was a similar situation in the Netherlands with roads that crowded out cycles. In the 1970s a decision was taken to reverse that—there is no unwritten rule that people in the Netherlands should all cycle; that decision was made by the Government. We could do similar things in this country, certainly in places such as Cheltenham, which is flat and easy to cycle around. We must lean into such suggestions and ensure that we have sustainable transport. With old technologies, new must lean into such suggestions and ensure that we have

10.14 am

Gavin Newlands (Paisley and Renfrewshire North) (SNP): I am delighted that we are having this debate, because the Scottish Government have been leading the way on our transition to a net zero emissions society. While UK energy policy seems fixated on nuclear power, with its massive costs and technical challenges, Scotland has charted a course for a 100% renewable society, and sustainable legacy for our zero carbon future. All actions include cutting subsidies to onshore wind, removing support for solar energy, cancelling carbon capture and storage at Peterhead, and imposing unfair electricity transmission costs that disincentivise renewable development in remote areas—hardly a record to be proud of.

I will conclude with some thoughts from a 1981 National Geographic energy special that I picked up in a charity shop in the constituency of my hon. Friend the Member for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry). It is entitled, “Facing up to the problems, getting down to solutions”, and 40 years later, although we have come a long way, in many ways that title still resonates.

The biggest takeaway is that the environment is given nary a mention. For example, environmental concerns are mentioned as one of the last drawbacks of coal energy production. One quote that resonated with me came from an agriculturalist called Steven C Wilson:

“With our bigger-is-better disposable non-renewable energy past, I wonder if, in squandering fuel, we have not also subverted self-reliance, neighbourly concern, the active appreciation of balance and harmony. I think confronting this legacy of too much, too soon would be the proper response to the energy crisis.”

Forty years on, that still means something. It shows that we must all play a part in this, because it is not just an issue for Governments.

10.17 am

Derek Thomas (St Ives) (Con): I thank my hon. Friend the Member for Truro and Falmouth (Sarah Newton) for her excellent opening remarks, and for putting this subject back on the agenda. I also commend my constituents, hundreds of whom have spoken to me this year about their concerns in a way that has been constructive and productive, and that has helped me to understand my role as a local MP in bringing about change. We must do all we can to accelerate our charge to reach net zero emissions, as that is the right thing to do. The opportunity to improve people’s lives is significant, and much can be done straightforward. What is not to like?

We can improve and deliver cheaper-to-run homes and transport. Getting that right will lead to improved and sustainable farming and food production, improved and healthier natural environments, and improved skills and pay, particularly in vocational jobs. In places such
as St Ives, Cornwall and the Isles of Scilly, vocational jobs in construction and renewable energy are a way of creating and spreading wealth.

This is a great opportunity for a progressive Government, and we need leadership. If we want to bring forward plans to ban the production of cars powered by dirty fuel—and I think we should—we must find a way to step up the production of electric vehicles and support low-income families to purchase them. We must properly roll out smart meters so that we use energy when it is available, and we must help households to generate and store energy. To achieve a significant reduction in carbon emissions, the Government can introduce helpful, exciting and ambitious legislation to bring those things together and help families to use better and cheaper transport.

My hon. Friend the Member for Truro and Falmouth talked about the opportunity to reduce emissions from our homes. As has been said, homes and transport contribute an enormous chunk of our carbon emissions. We can quickly accelerate the reduction of carbon emissions by addressing those things. With my background in the building trade, I know that it can be done. It is right to accelerate policy to make all new homes carbon neutral, and to look at providing interest-free loans to improve the efficiency of businesses and homes. However, as the draft environment Bill comes forward, we should quickly seize on the idea of having the most ambitious nature recovery network to benefit every corner of the country.

10.20 am

Geraint Davies (Swansea West) (Lab/Co-op): Climate change is not an inconvenient truth, as Al Gore put it. It is a global emergency. That is why thousands of people outside this place and millions across the world are saying, “Act now.” They know we are essentially smoking ourselves to death with fossil fuels. We are guzzling gasoline as if there is no tomorrow. They know, as we should, that that will force migration, war, famine, water shortages and loss of insects—the list goes on. We sit around here saying, “We played a great game in Britain,” but the reason carbon emissions have gone down in Britain is that we closed our coal mines and exported our industry to China. Now we are bringing it back, as the hon. Member for Swansea West (Geraint Davies) suggests. It is worth reiterating it for two reasons.

In her address to the United Nations in 1989, as on so many things, Margaret Thatcher was right and was demonstrating far-sighted global leadership. That is what Governments of both parties in this country have done. The Climate Change Act 2008 was passed with all-party support in this House; it set the original target to reduce our emissions by 80%—at the time, an ambitious target. It was with cross-party support in this House that we set a more ambitious target to hit net zero by 2050. That cross-party effort is helpful because it gives business and consumers the confidence to invest and plan ahead, knowing that the policies will continue regardless of who is in government.

It is worth reiterating that we have made considerable progress—but not because we want to pat ourselves on the back, as the hon. Member for Swansea West (Geraint Davies) suggests. It is worth reiterating it for two reasons. The first is to demonstrate to people that the issue is one that legislators take seriously and have acted on. Britain has one of the most impressive records globally, and we have demonstrated the global leadership that my hon. Friends the Members for Truro and Falmouth (Sarah Newton) and for Cheltenham (Alex Chalk) spoke of. That enables us to keep up global pressure on countries that emit far more carbon than we do, which will be critical in hitting the target. The other reason is to demonstrate to the younger generation that people in this place take the matter seriously. We can debate—I am happy to—how much we are doing and how fast we are going, but anyone who says nothing has happened in the past 30 years is being dishonest and disingenuous. It is simply not true. [Interruption.] I am sorry, but that
is exactly what I heard a number of Extinction Rebellion demonstrators say when they were interviewed on “Sophy Ridge on Sunday” on Sky. They said over and over that nothing had happened in the last 30 years, which is simply not true. I do not think that it helps the debate if people perpetuate untruths.

It is worth mentioning some of the considerable achievements that the Committee on Climate Change set out in its report, including massive reductions in emissions from power, waste and buildings. We have made considerable progress. However, I am the first to acknowledge that there are considerable challenges, and the Committee on Climate Change sets out areas where we need to make ambitious changes, such as in transport and housing—issues that Opposition Members raised.

There is a challenge for the Government, now that we have legislated for the target. My hon. Friend the Member for Cheltenham brought in a ten-minute rule Bill, the Climate Change (Net Zero UK Carbon Account) Bill, before the Government moved in that direction, and he should be commended for that. The challenge is to respond now with detailed policy work, because it is through such work that we will get the achievements. If we are to deliver the changes while improving the population’s living standards, the challenge is to deliver the technology and innovation to reduce carbon emissions while raising living standards for all our people.

10.27 am

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): I have always thought that one of the most empowering sentences ever to be uttered was “Be the change you wish to see in the world,” and in Hull we are living it. At present, forests store up to 45% of land carbon. In Hull we want to increase that. We are launching our ambition to become a butterfly city through the mass planting of more than 3,000 alder buckthorns at the end of the year. The aim is that it will be a continuing project to create the UK’s and, as far as I know, the world’s first true butterfly city. We are beginning with the adoption of the beautiful sulphur-yellow brimstone butterfly.

The project has brought together people throughout the city. The Deep, Hull City Council, Yorkshire Wildlife Trust and Butterfly Conservation, the Plant a Tree Foundation, community allotment groups, community orchards and Hull and East Yorkshire woods group, which is responsible for delivering the northern forest in our area, have pledged to include 2,000 buckthorns in their planting over the winter. Even Highways England has got involved, having agreed to include the tree in its work on the A63 at Castle Street.

For the public planting—the launch is on Saturday 23 November—Mires Beck Nursery, a registered charity that employs and trains people with learning disabilities, is providing more than 1,000 plants, which will be available free to members of the public, schools and other interest groups, from local community growing organisations such as Pickering Road community orchard and Down2Earth. Recent research shows that a mixture of tree species can store up to twice as much carbon as single-species planting. By adding buckthorn to the mix of trees in Hull and the surrounding area, we can greatly increase the amount of carbon captured.

Those 3,000 plantings will, however, still leave us a long way short of the target of a carbon-neutral way of life, or indeed the reversal of the dramatic decline in insect numbers across Europe. As immensely proud as I am of the response that the project has received from all areas of the community in Hull, the biggest challenge lies at the feet of Government. The market alone cannot and will not solve the challenges of CO₂-driven climate change. The international community is crying out for leadership on climate change, and the implementation of Labour’s green industrial revolution would provide just that. To quote Greta Thunberg,

“...We cannot solve a crisis without treating it as a crisis.”

10.30 am

Wera Hobhouse (Bath) (LD): I love the way the hon. Member for Kingston upon Hull West and Hessle (Emma Hardy) promotes what her community does. I am just as proud of my council in Bath and what it is doing.

It is true that we need to harness the energy of everybody. It worries me that we have all been guilty of complacency; we have not done enough. It is not that we are saying that we have done nothing, but we have not done enough. This Government need to step up and to understand that we need to do more than we have done in the past. That is all I am pleading for.

As Liberal Democrats, we believe that at the heart of the transition needs to be a massive transformation of how we do things in the next 10 years. There needs to be a fair transition. We need to set up a fair transition commission—the Government could do that tomorrow—to look at which communities are the most affected by the change, where we will face the most job losses and where industries will collapse, and to provide new jobs and new opportunities. We need to take those communities and the people who are most affected with us, so that the people who can least afford it do not have to pay the highest price. That is very important. The Government could set up a just and fair transition commission tomorrow if they were serious in their thinking about the subject.

Bringing people with us has been talked about a lot, as well as how we are organising citizens’ assemblies. Again, the Government could start that process now. It is not just a matter of informing people about what we want to do; we have to involve people in decision making. Citizens’ assemblies do not take decisions out of Government or Parliament; they allow people to be part of decision making by letting them develop options. Anybody who is serious about taking people with us should look at the way citizens’ assemblies work. They do not just inform people at the bottom from the top; they allow people from the bottom to help us come to good decisions. I trust in people and I believe that we can involve them. Let us set up citizens’ assemblies; we can do that tomorrow.

10.32 am

Jim Shannon (Strangford) (DUP): I thank the hon. Member for Truro and Falmouth (Sarah Newton) for securing the debate and I congratulate the Government on the policies they have. I will suggest some ideas that they may want to take forward.

We need funding models such as the regulated asset base model for large-scale investments, including all new nuclear plants, plus a clear commitment to the funding and delivery of carbon capture, usage and storage at scale. We need to ensure that all new properties
are zero carbon and have a smart meter, and to build in connection points and ultra-fast charging for electric vehicles. We need to boost energy efficiency through a national energy efficiency programme, and restrict the sale and new tenancy of properties below energy performance certificate band C from 2030. Better targeting of social support and winter fuel payments is needed.

I commend to the Minister the stance that the National Farmers Union has taken and the commitment that farmers have given to achieving carbon zero by 2050. We must farm smarter, focus on improving productivity, encourage carbon capture and boost our production of renewable energy. The climate impact of UK grazing is among the lowest in the world; that should be recognised by the Minister and this Government. At the same time, UK farmland conserves important carbon stocks in England’s uplands. The NFU has a strategy to achieve carbon zero by 2050. It is committed to doing that and has said:

“British farmers have an important role to play in tackling climate change and our members are committed to this challenge, alongside fulfilling their responsibility to the public in providing high quality, sustainable and affordable food.”

10.33 am

Liam Byrne (Birmingham, Hodge Hill) (Lab): I will be extremely brief, Mr Gray. Labour Members are proud of the Climate Change Act 2008, but we are even prouder of the green new deal that we passed at the Labour party conference, which takes forward the principles of decarbonisation, jobs and justice. That is why we held a citizens’ assembly in Birmingham within 24 hours of Parliament declaring a climate emergency. Several ideas emerged from that, which I will touch on.

First, we need green power. We spend £10 billion a year on green power in our region. Some 99% of that spend leaves the region, which is why we need a municipal solar company to turn our rooftops into power plants across the region.

Secondly, we need to decarbonise our transport system. We cannot do that unless we connect transport together. That is why we need powers over bus and rail franchising. Crucially, we need to transform the number of electric vehicle charging points. There are more EV charging points in Westminster than in the whole of the west midlands; that is not acceptable. We need to decarbonise our housing stock, which means we need devolved control of the £175 million of co-funding that is our entitlement. We need to start building homes to A plus standards.

Finally, we need to make sure that we have a regional investment bank to back the green firms that are creating green jobs.

None of this will change the imagination without a significant investment in nature. At the moment, we need a forest the size of Tunisia to absorb all the carbon that is produced by the west midlands. That will not happen, but we could insist that our airports become carbon neutral and use that investment to replant Shakespeare’s great forest of Arden. The citizens in Parliament Square remind us that it is not acceptable for politics to remain frozen while the planet is warming. That is why we need to crack on.
The cost of the Hinkley Point C nuclear power plant, already the most expensive single development on the planet, is set to rise by nearly £3 billion. The Government should not be pouring money down the bottomless pit of new nuclear when offshore wind, for example, is much less than half the price for consumers and does not blight the planet with further nuclear legacies. It is important that this Government strip out their nuclear obsession.

The hon. Member for Kingston upon Hull West and Hessle (Emma Hardy) talked about the fantastic opportunity for butterflies and, more important, for trees. Forestry is a critical area where this Government need to up their game dramatically. In 2019, the new Scottish Government forestry strategy and tree planting scheme across Scotland took enormous strides. The industry employs 25,000 people and the trees planted in Scotland make up 84% of all trees planted across the UK. Some 22 million trees were planted in Scotland, while England fell 7 million short of its target. The Scottish Government need to get that fixed.

Stephen Kerr: Will the hon. Gentleman give way?

Drew Hendry: I will not take any interventions, because I want the Minister to have time to respond.

The Scottish National party Scottish Government are leading by example, redoubling efforts to end Scotland’s contribution to climate change by 2045. The Secretary-General of the United Nations described Scotland’s holistic approach to tackling climate change as “a qualified success,” and called on the UK Government to follow. The UK Government should use their reserved powers to help Scotland to achieve its climate change ambitions, not hinder us with opposition to renewables and inaction on energy efficiency.

We welcome the UK’s joint bid with Italy to host the UN framework convention on climate change COP 26 in Glasgow. That should be a progressive and inclusive event, and the Minister here today should absolutely disagree with the Prime Minister, who said at the Tory conference that the First Minister of Scotland should be banned from attending. That comment was puerile, ignorant and has been roundly condemned across Scotland; I hope the Minister will do the same today.

10.41 am

Dr Alan Whitehead (Southampton, Test) (Lab): I congratulate the hon. Member for Truro and Falmouth (Sarah Newton) on obtaining today’s debate. It is truly important, but should not have been obtained by a Back-Bencher. It should have been scheduled in Government time, on one day, as I called for a few months ago when we passed the Climate Change Act 2008 (2050 Target Amendment) Order 2019, amending the Climate Change Act 2008 to move to net zero. That was a 90-minute debate on an amendment, and this is our next debate on the matter.

In the words of my hon. Friend the Member for Plymouth, Sutton and Devonport (Luke Pollard), it is not good enough. We need urgently to debate this matter properly. An indication of why that is so important is the tremendous turnout of hon. Members today, and the informed and thoughtful contributions from around the Chamber that hon. Members have had to gable through on a two-minute time limit because there is no opportunity to debate the topic properly, on the Floor of the House, in Government time. The first thing I ask the Minister is whether he is willing to ensure that a debate is obtained at the earliest possible opportunity, to discuss this important series of events properly and do it justice on the Floor of the House.

We might ask ourselves why it is that a debate has not been scheduled. Is it that:

- Overall, actions to date have fallen short of what is needed for the previous targets and well short of those required for the net-zero target? Maybe that is why this issue does not seem fit for a debate. Is it because:
  - The Government’s own projections demonstrate that its policies and plans are insufficient to meet the fourth or fifth carbon budgets...This policy gap has widened in the last year as an increase in the projection of future emissions outweighed the impact of new policies? Is it because the Government:
    - “has been too slow in developing plans for carbon capture and storage”? Is it because:
      - “The ‘Road to Zero’ ambition for a phase-out of petrol and diesel cars by 2040 is too late”? Is it because:
        - “Policies are not in place to deliver the Government’s ambitions on energy efficiency”? None of those words are mine; they are all the words of the Committee on Climate Change’s 2019 report to Parliament, which set out a coruscating catalogue of things that should have happened and have not as far as policy development is concerned. That underlines a theme that has been part of our debate this morning. It is not that nothing has been done since 2008, when the Climate Change Act was passed; it is just that nothing much has been done, and that ambitions for doing things next fall woefully short of what is needed, given the climate change emergency that we have declared and that we know is underlined by the people now demonstrating outside Parliament.

It is not that nothing has been done on climate change in particular areas, but, as the Committee on Climate Change itself indicates, the only area where any significant progress in reducing carbon emissions has happened since 2008 is in the power sector—not even the energy sector as a whole, because nothing much has happened on heat. The power sector has been responsible for 75% of emission reductions overall since 2008. Every single other sector has been level or increasing—in transport, housing and industrial sectors, emissions are level or going up. Those are areas where we can go further than saying that nothing much has happened: nothing has happened in those areas over the period.

It is the Government’s responsibility to ensure that those things happen, and they are woefully failing to set policies that can really shift those numbers on climate change, given the 12 years that were set out by the IPCC as the time available to achieve measures that move us toward the zero-carbon economy. We have set ourselves that target, but we have no policies in place to achieve it. We have 12 years to get those policies, not only on paper, but in place in reality on the ground.

Anna McMorrin (Cardiff North) (Lab): Does my hon. Friend agree that we need to look seriously at how we live in the homes we already have, and the energy
efficiency needed in our homes, not only in Wales, in Cardiff North where I am, but across the whole UK, as well as ensuring that the new homes we are building are built to a very high sustainable standard?

Dr Whitehead: My hon. Friend has read my mind, because I was just about to come on to that. She is absolutely right, and it is one element of the difference between the ambition we should have for the extent of the changes we need to make, and what we see before us in terms of the existing clean growth plan, which, as I have emphasised, is not meeting its own targets even on the old emissions levels, and is certainly not addressing what we need to do with our new targets. We need a comprehensive, country-wide, house-by-house energy retrofit, and it must be done urgently—in stark contrast with the pick-and-mix approach that has been taken so far on energy efficiency management, with the occasional person getting a retrofit.

There are a whole series of other areas where the numbers that we need to achieve bear no relation to the ambitions currently in Government policy. To achieve our energy ambitions, we urgently need to increase our offshore capacity sevenfold over the next few years. We need to increase solar provision threefold over the next 10 years. As the hon. Member for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry) mentioned, we need to really get going on carbon capture and storage, not just with a few projects but comprehensively across industry across the country.

We need trees, as has been mentioned, but we do not need to put a few trees in here and there, important though that is. In order to replace the forest cover lost in 2010, we need to plant 2.4 billion trees over the next 10 to 20 years—30,000 hectares per annum of new forest cover—to get us anywhere near the sort of levels we need to achieve our ambitions. That is solely lacking in the Government’s actions at the moment.

I will just draw attention to one little thing that came out recently.

James Gray (in the Chair): Very briefly.

Dr Whitehead: Very briefly. The 2019 spending review came out with the fabulous figure for decarbonisation of £30 million. To get some scale on that—

James Gray (in the Chair): Let’s not get some scale on that; let’s wind up.

Dr Whitehead: Indeed; I am about to wind up, Mr Gray. For scale, “Paddington 2”, the movie, had a budget of £32 million.

James Gray (in the Chair): I am grateful to the hon. Gentleman. It is time for the Minister.

10.51 am

The Minister for Business, Energy and Clean Growth (Kwasi Kwarteng): Thank you very much, Mr Gray. I have to say that this has been an excellent debate, and I sincerely commend my hon. Friend the Member for Truro and Falmouth (Sarah Newton) for securing it. I hope that we can have more time in the House of Commons to discuss these important issues.

One thing that struck me in the debate was the level of consensus. There were one or two examples of political point scoring here and there, and we can accept that, but I was delighted to see so many MPs sing the praises of their local councils and of the fact that local communities are making great strides. In one of the few agreements I have ever had with the hon. Member for Kingston upon Hull West and Hessle (Emma Hardy), I completely agree that the Government have to be involved in this. No one in this House has praised the free market as extensively as I have over the years, but even I, as an energy Minister, realise that, as she clearly said, private enterprise and the free market economy will not deliver this target on their own. That is very clear. As a Government Minister, I am absolutely committed to the target.

We can argue about how quickly we are reaching the target, and I happen to think that we have done a great deal as a country. The hon. Member for Southampton, Test (Dr Whitehead) said, “Oh well, you’ve done okay in the power sector”, but the power sector is huge. Looking at the history of this country, at what the industrial revolution meant and at industrialisation across the world, power is absolutely at the heart of it. For a country that for 300 years was powered by coal burning and fossil fuels, taking coal off the system entirely in 2025, in terms of power generation, is an achievement.

I do not want to rest on my laurels. I do not want to be accused of complacency—there is still a hell of a lot to do. However, to face the future, we have to recognise where we have come from. I pay tribute to the last Labour Government for passing the Climate Change Act 2008. I do not think we need to play childish, point-scoring games on that. It was a significant piece of legislation, and I am happy to say that. I think that what we did in amending that Act in 2019 was also significant and bold and showed leadership.

As the new Minister—I have been in post for two months—I have seen a number of my counterparts across the world, and all have said that the United Kingdom is a leader in this area. That does not mean that we have solved everything. I think it is impressive that we have reduced our carbon emissions by 42% since 1990 while growing our economy by two thirds, but I fully recognise that we need to do more on energy efficiency and insulating homes, which is why we are spending a large amount of money dealing with fuel poverty. We have put in bids for the Budget; it would be inappropriate for me to say exactly what those bids are, but we are looking at this. Our officials and Ministers are very focused on the idea that fuel poverty is a real problem.

We have also committed ourselves to offshore wind. Ten years ago, many people thought that offshore wind was a crackpot and slightly bizarre idea. An energy specialist was telling me that the reduction in the costs of offshore wind is the biggest story of the decade. We were looking at costs of £150 per megawatt-hour at the beginning of the decade. The first auction came in at £119. Only two weeks ago, the price was £39 per megawatt-hour. That is a significant achievement. Nobody was saying that these targets were in any way achievable, and while I fully appreciate that Opposition Members say that we should move further and faster, and I fully
understand that we are not exactly where we should be, we have to recognise that there have been big achievements in this.

On the forward view, we can dwell on the past and say that we got the right legislation, but my right hon. Friend the Member for East Hampshire (Damian Hinds) and my hon. Friend the Member for Truro and Falmouth are absolutely right that we can all say a date. It can trip off the tongue—net zero by 2050 or 2030—but how do we actually get there? That is exactly what the Government are trying to set out. My team is looking at pathways to net zero, and it is clear to me that the best way, in terms of energy security and also cost, is to have a balanced approach. The question of an entirely renewable economy was raised, but the problem with that is that we would need huge amounts of capacity because of the intermittent nature of that power.

Drew Hendry: On that balanced economy, the CBI, while acknowledging the offshore wind success story, said that investment in onshore wind and solar has stalled for political reasons, and urges this UK Tory Government to take politics off the table for onshore wind. Will they do that?

Kwasi Kwarteng: The hon. Gentleman will recognise that the target has changed. The Climate Change Act 2008 set an 80% reduction, but this year we have set a net zero carbon target. There is absolutely a wider debate about how we move on—[Interruption.] The hon. Gentleman is trying to put words into my mouth, but I am just saying that there is a broader debate.

Anna McMorrin: Will the Minister give way?

Kwasi Kwarteng: I am not going to give way any more; I have to sum up.

It is absolutely right that we should debate these subjects. There has been considerable progress with a bipartisan approach. I will not stand here and say that everything that Labour did was terrible and that everything we have done is brilliant. That is a childish approach—[Interruption.] For the avoidance of any doubt, I am not saying that Opposition Members are saying that. I am just saying that we have to have a bipartisan approach, because as an hon. Member suggested, that is the only way that businesses will be able to invest in this sector and work with the Government.

Lastly, I will talk about COP 26. Hosting it in Glasgow will be a great opportunity for the United Kingdom to show its strengths and to show the progress we have made in this area. People from around the world are looking forward to this event. They say that Britain seems to have cross-party consensus. They look at our politics in other areas, such as Brexit, and think it is very disunited, but on this particular issue, people say that, across the board, from the Conservative party to the Labour party, the Scottish National party and the Liberal Democrats, there is a degree of consensus, which we should build on and encourage. In that spirit, I will take a very quick intervention.

Anna McMorrin: I thank the Minister for giving way; he is very kind. What is the ambition for COP 26 next year? What is his ambition going forward? Will it be harder, faster targets than 2050, which is what we need?

Kwasi Kwarteng: First, we need to get other countries to sign up to the net zero carbon target. They have not done that. This is one thing that will absolutely be at the top of our agenda at COP 26. That is exactly how we are showing leadership. The Chinese Energy Minister says that they do not want to pollute their country and want a cleaner energy approach, and that they are looking to countries such as Britain to help them. That is where the leadership comes in, and that is what we will apply at COP 26.

10.59 am

Sarah Newton: In the very few seconds I have left, I thank everyone here. Can I take it that I can add their names to an application for a Backbench Business debate in the Chamber, so that we can carry on this really important debate? [HON. MEMBERS: “Hear, hear.”] I will do that.

Question put and agreed to.

Resolved.

That this House has considered the Government plan to reach net zero by 2050.
Transport: North East Bedfordshire

11 am

James Gray (in the Chair): Would those hon. Members who took part in the previous debate leave the Chamber swiftly and quietly, please? [Interruption.] Fewer conversations on the way out might be helpful. If Members who are leaving would please do so—[Interruption.] Order. Will Members please leave the Chamber quietly? You are delaying this debate. It is thoroughly bad manners.

11.1 am

Alistair Burt (North East Bedfordshire) (Ind): I beg to move,

That this House has considered transport infrastructure in North East Bedfordshire.

It is a pleasure to serve under your chairmanship, Mr Gray, and, as always, it is a great pleasure to see my hon. Friend the Minister in his place, with his Parliamentary Private Secretary, my hon. Friend the Member for Lewes (Maria Caulfield).

North East Bedfordshire is conveniently located north of London and squarely in the new Economic Heartland area, which has a population of 3.7 million and has a growth rate between 1997 and 2015 of 25%, which compares with a national average of 15%. Attention is focused on the broad Oxford-to-Cambridge corridor, with the new expressway, East West Rail and up to 1 million new houses expected by 2050. However, although addressing east-west connectivity has been a regular UK pastime for decades and people welcome what is proposed, the reality for many of my constituents is that north-south travel is still of more importance. The increased population in recent years has meant steadily increasing numbers on main road and rail routes in and out of London. Rail journeys in the east of England, for example, rose by some 139% between 1995 and 2018. We are struggling to ensure that passenger journeys remain bearable. I therefore want to focus on train services to and from London and on the A1.

My constituents use Thameslink services from Bedford, the Great Northern service from Sandy, Biggleswade and Arlesey into King’s Cross, and East Midlands Railway, which used to be run by Stagecoach but is newly franchised to Abellio. The trains there offer a faster service than Thameslink from the north, via Bedford, into St Pancras. I do not want to focus on those today, but I ask the Minister to note previous correspondence on the reduction in peak-time services, and many passengers’ desire for some reinstatement of lost services north and south.

My principal concerns today are focused on the two Gavia services: Thameslink and Great Northern. Context is vital. First, let me acknowledge the efforts made to improve rolling stock and services over the years. The cross-London network bears little relation to what there was in the past. Passengers played their part by accepting significant alterations in services and closures of stations while works were being carried out over a lengthy period. Secondly, as I have noted, more passengers makes ensuring quality of service genuinely difficult at times. However, passengers are entitled in return to some stability, not least for the increasing fares, which are as expensive as anything in Europe, but that has not been the case.

Let me focus on the period since May 2018. In my experience, the timetable chaos of that and the following months was unique. In 32 years as an MP, I never had the reaction from constituents that I had then, to what must have been the outstanding example of transport incompetence of our times. Whatever was responsible initially, the length of the disruption made matters worse. That scale of misery is over, but the maladies linger on.

The first is the skipping of stations: Sandy, Biggleswade and particularly Arlesey. The system is so full that if a delay to a train occurs, further disruption must be prevented; and to correct late running, stations on subsequent services are skipped to make up time. The overriding theory is seemingly that for the good of the many, the few stations must take a hit again and again. On one route that serves my constituency, figures show that those three stations are the most skipped north of London. For the year from August 2018 to September 2019, Arlesey faced 187 skips, Sandy 174 and Biggleswade 169—and to that must be added cancellations.

Some protected-status trains run regardless of wider disruption, but the impact of failure to stop at Arlesey is high, because of the lack of other options. There have been promises of making alternative transport available at Hitchin when Arlesey is skip-stopped, but we have regular reports of constituents arriving at night, with nothing available, and having to make their own way home and then fight to reclaim taxi fares, or just not being given advice on what to do and not being told until they get to Hitchin that Arlesey will be skipped.

We asked GTR—Govia Thameslink Railway—to place some limit on the process. A formal review was set up to monitor the impact on the entire network, but following the review, GTR advised that it was not possible to put a limit on the number of times that a station was skip-stopped without creating more disruption for the wider network—so bad luck, Arlesey.

What does this mean in practice? One constituent wrote to me—I have heard from plenty of others—and said:

“I don’t think they really understand the impact of skip-stopping Arlesey. Passengers arrive at a station in good time to catch a specific train—particularly when there is only one train every 30 minutes. You get to the station and that train has been cancelled. Then you wait half an hour to find the next one has decided not to stop at Arlesey. So you wait for another 30 minutes to hope that that one will stop. If, best case scenario, they have protected that train and it is running, you have ‘only’ waited for one hour at the station. Who has an hour to waste sitting at a station? How many people are on their way home from work with nothing else to do? We have appointments, delicate childcare arrangements etc. And it isn’t like this only happens once every now and then. It happens regularly.”

I cannot tell the House how heartbreaking some of the comments that we have received are. They are about mums not being able to pick up children and people missing hospital appointments. I met a London Transport worker whose professionalism has been questioned because she cannot guarantee arriving at work on time. I have seen constituents give up their jobs because they cannot be sure of getting a train on time. This simply is not good enough.
Then there is the issue of staffing levels. I am aware that the biggest expense of any business is human, and transport is no different, but I understand that staffing is so tight that there is no spare in the system. Train services have to rely on voluntary overtime, which is difficult during holidays or big events—the champions league final this summer was quite a big issue. Since the disaster of May 2018, staff training has been the regular reason given for shortages, but as that has now been completed, we should not be hearing it as an excuse again. Can the company manage its rosters sufficiently well that we do not hear “driver unavailability” as an excuse again? It is an excuse, with the innuendo not missed by staff that it is the drivers’ fault rather than the company’s.

Then there is the issue of train technical problems. On 9 August, a failure in the national grid caused a power outage, one consequence of which was major paralysis of the train system. A principal reason for that was that the new 700-series trains apparently cannot restart promptly if they have been stopped because of a reduction in voltage. The trains were at the time of the outage situated around the London area. That they could not restart meant that significant sections of the network were blocked, hence the paralysis.

I accept that that incident was very unusual and that cause of power failure may be a once-in-many-years event, but the vulnerability of the new trains to electrical failures is a matter of concern, because evacuations of passengers or delay to take place, and some of them in the dark. I am grateful to Steve White, chief operating officer of GTR, for a letter that deals with those matters and I will make it available to constituents, but the reliability of the whole service surrounding those trains must be improved. Whatever the varied causes of delays and cancellations, they are not the passenger’s fault.

We have trouble getting information during disruption. We constantly raise this issue with the company, and it keeps saying that it is doing more, but more could always be done.

Then there is the core routes issue. Thameslink changes over the years have been designed to offer many more routes through a crowded London rail space. My constituents applaud the vision of those changes, but they are very concerned that the ambition outstrips the ability to run them. Problems elsewhere on the route—south of London—are affecting those in Bedfordshire. Although GTR believes that the benefits of the routes outweigh the problems, rail user groups are adamant that the through-routes are the cause of the issues, in that GTR cannot adequately staff the routes or maintain service during any sort of disruption. Plenty of them agree that GTR should accept route failure and amend the plans. The Minister may wish to raise the matter with the company, but I would prefer the answer to be ensuring adequate staffing and service rather than losing the advantages of the new routes.

Mentioning my rail user groups allows me to pay genuine help with user groups, particularly in assisting those of us who campaigned for better disability access at Biggleswade station—a campaign that reached a successful conclusion. I will not be seeing him on the campaign trail next time, but I thank him as a constituent and community activist and wish him well for the future.

I need to move on to road issues, so time prevents me from saying much more about trains. Suffice it to mention that station improvements are needed at my constituency stations, which now qualify for grants from GTR because they were so disrupted by past events—a dubious honour, but perhaps the Minister can ensure that the company follows through on it. I should say that I have found the company always willing to engage with me and constituents; I do not fault it on that, but I have to say in some frustration that good contact is no substitute for remediating the problems, which seem as far away from being solved as ever. I know that they do not all lie at GTR’s door, but frankly my constituents do not care and nor do I.

Is it the breakdown of function? Is it the franchise? Are the components of privatisation working? The Minister will know that I have little interest in ideology. If the trains would be better off under another system, I am all for it. I am not convinced by unicorns, so I do not immediately fall for renationalisation, but if the Government cannot fix my constituents’ rail problems when their patience and good nature has been stretched beyond breaking point, they may well turn to someone who can. And do not put up the fares—they have had enough.

Let me turn to the A1. I hazard a guess that it is the best-known road in the UK. It is our longest numbered road—a road that I first represented 37 years ago as local councillor for Archway ward on Haringey Council—but its romanticism masks its current serious problems. While upgrades to motorway status have occurred throughout its length, the neglect in Bedfordshire is now impossible to justify. For example, there are few roundabouts anywhere on the A1—roundabouts slow traffic, add to pollution, and are increasingly inappropriate on major routes—but we have four out of the five on its total length from London to Edinburgh: Biggleswade South, Biggleswade North, Sandy and of course the famous Black Cat, which has its own website.

The Black Cat is shortly to be the focus of a £1.4 billion scheme, but that typifies our problem. The scheme will form part of work to improve east-west connectivity, with a new stretch of road through Cambridgeshire to link with the A14 to Harwich and Felixstowe; the Black Cat will be the key link between north and south and between east and west in southern England, which is great. However, there is motorway to our immediate north, there is motorway to the south, and there will be a major upgrade east-west, yet through Bedfordshire there is a dual carriageway, which is increasingly used and congested at peak times. Some communities live very close to it, and some are actually on it.

The town of Sandy is particularly affected. I am grateful to the town council and to local residents’ groups such as the SG19 Road Safety Group for their persistence in making a case to the Department for Transport and the Highways Agency—now Highways England—for changes that would make a difference. Over the years, I have written many letters and held meetings in London and the constituency with Ministers.
and officials, seeking some of the changes and investment that would make a difference, but effectively nothing has happened. It is time to change that.

I will come onto the larger strategic issue in a moment, but for the record and for the Minister’s attention, let me set out some of the improvements that are sought locally at a smaller scale.

First, the implementation of an average speed camera scheme throughout the Sandy to Biggleswade stretch was agreed by the Department and the Highways Agency back in 2016, but three years later it has still not happened. Most recently, it was turned down on grounds of cost—the costs seem to have accelerated significantly since the scheme was first suggested and agreed. Why is it not happening? Will the Minister tackle it, as an immediate priority, to demonstrate some concern for those who live close by and for all who use the road?

Secondly, there should be improved signage along the A1. Thirdly, there needs to be renewed consideration of the New Road junction and the Beeston crossover. The crossover’s design—or lack of it—poses a serious hazard, and sooner or later there will be a terrible accident. Personally, I would close it; the knock-on effect on traffic in the town makes it very hard for the town council and Central Bedfordshire Council to contemplate that, but there must be a better answer than what is there at present.

Fourthly, and above all, the road should be re-lined and rerouted to take it away from Sandy. In 2018, a study by the World Health Organisation showed that fine particle air pollution in Sandy is at 12 micrograms per cubic metre, making it one of 31 sites in the UK with levels above the recommended 10 micrograms per cubic metre. The sites in Sandy were those close to the kerbside of the A1, where people are living. As a petition from Sandy that I recently presented to the Secretary of State makes clear, a possible re-lining of the A1 was considered carefully back in 1994. It was turned down then, but in 2014 a new strategic study looked at the A1 in the east of England. In 2016, when of course all decisions were on hold, the study reported that options for a new line or local improvement were further to be considered, but hopes for that have now also been dashed.

A recent letter from my noble Friend Baroness Vere of Norbiton rather sums it up:

“The study focused on the non-motorway section between junctions 10-14”—my constituency—“where issues on the route are most acute. This work found there is a value for money challenge for improvements on this stretch.”

That is the first time that I have come across the phrase “value for money challenge”—it is a cracker. What I think it means is that the Government are not spending any money on the route where the problems are most acute. I am puzzled about why they are getting away with that.

The major strategic problem, however, appears to be that several major projects have been considered almost simultaneously, but there has been no transparency about the sequencing, despite many requests from me and local authorities to agree that to enable effective local planning. Progress on the A1 has been the most expendable casualty of the lack of strategic decision making. The route of a new section of the A428 from Caxton Gibbet to the Black Cat occupied the Government for some years. That has now been fixed and decided, as I mentioned, but decisions are still outstanding on the line of route of east-west rail from Bedford to Cambridge, which will cross the A1 near Sandy. Exactly where it will cross has an impact on local decisions about the housing expansion needed for central Beds to fulfil its housing targets. The decision is anticipated next year, but it has been in the pipeline since early 2016.

Decisions on housing are also pertinent to where a new line of the A1 might be. As far as I can tell, everyone in government seems to be waiting for everyone else: Transport is waiting for housing decisions, Housing is waiting for transport decisions, and the urgent need to face up to change on the A1 is just getting lost. No more!

First, Minister, do something immediate to show good will about the average speed cameras. Then attend to the smaller improvements sought by residents and the town council, reinstate the need for the A1 re-lining proposals to come before Government again as a matter of urgency, and demand that some of the money that the Chancellor recently found for investment heads to the A1 in Bedfordshire.

11.17 am

The Minister of State, Department for Transport (George Freeman): It is a great pleasure to serve under your chairmanship for the first time, Mr Gray. I congratulate my right hon. Friend the Member for North East Bedfordshire (Alistair Burt) on securing the debate. May I say how nice it is to have the chance to respond to him, knowing that he is one of the most assiduous representatives of his constituency and is highly respected across the parties? It is a shame that no Opposition Members are present.

I am pleased to respond to the debate as the new Minister for the future of transport, with a new mission from the Prime Minister to focus on the challenges of disconnection, decarbonisation and digitalisation, and bring a new urgency to the Department’s focus on place-based solutions that put the people and places we serve before the convenience of infrastructure providers. As my right hon. Friend said, we need to ensure that services are working for the people who rely on them and are ultimately paying the bills.

As we all know, well-planned transport infrastructure is critical to the health, wealth and wellbeing of our communities. Bedfordshire is an historic county and an important one in strategic transport terms, with key roads such as the A1, the A5 and the M1 running through it, along with a number of key rail routes; it is also home to Luton’s international airport. Across the transport modes, the Government are making several key investments to help to drive sustainable economic growth. Before I come to them, however, let me deal with my right hon. Friend’s specific points.

On rail, I absolutely understand the concerns that have been raised. I would like to offer some explanation for the performance issues that are affecting my right hon. Friend’s constituents. I know that the railway stations in the towns of Sandy, Biggleswade and Arlesley are vital pieces of public infrastructure. Whether people
use rail services to commute to work, to visit family or for any other reason, it is crucial that they can rely on receiving a service that is reliable and frequent. That is why the Department’s performance benchmark for the purposes of the performance benchmark is not, and absolutely should not be, the case. Any changes to the rail network or the performance of rail services that operators make should be to improve performance and not for the sake of improving their performance scores. This misconception that operators take the decision to miss out stops to manipulate their performance scores is sometimes a reality, but it is not the norm. Operators should be held to account if they fail to meet their performance obligations.

Let me be very blunt: recent performance on the Great Northern line has not been good enough. Over the past year, we have seen 8% of services on average being cancelled or delayed by 30 minutes or more. That figure is a lot worse than that for the vast majority of other train-operating companies, and the situation has been exacerbated in recent weeks by a series of significant infrastructure issues, including issues with overhead wires, track failures, falling trees and a broken-down train on the key Thameslink route near Blackfriars last week.

I absolutely understand the frustration that passengers must feel when these issues arise; as a rail user, I share it, as does the Secretary of State. That is why I recently met the chief executives of GTR and Network Rail to make it clear to them that improving the reliability of services in this area is vital. Although this does not excuse poor performance, I am pleased to note that GTR held an event at St Pancras last night, allowing passengers to speak directly with the company management, and I will put on the record here that I look forward to hearing the outcome of that meeting.

Notwithstanding those incidents and the urgent need for them to be tackled, I do think that we are seeing some positive signs more generally on the franchise. I know that many of my right hon. Friend’s constituents use the Thameslink service from Bedford, where we have seen significant improvements generally to performance over recent years. Over the past 12 months, about 85% of Thameslink services arrived within five minutes of the schedule. The year before, the percentage was 83% and the year before that it was 79%, so the service is getting better. However, I acknowledge that incidents such as the impact of the May 2018 fiasco and the August power cuts have impacted passenger trust, and we have to sort this situation to restore that trust.

My right hon. Friend mentioned stop-skipping, and it is without a doubt hugely frustrating for passengers to see the train that they were supposed to board go past without stopping, or for the train that they are on to go past the station at which they had planned to get off. For this reason, the decision to miss out a call is not one that operators should take lightly; it should not be routine.

Skipping stations is one method that operators can use to allow the rail network to recover from disruption. Operational staff take the decision to miss out a stop by balancing the impact on those passengers who are directly affected against the wider impact of allowing the service to continue. Skipping stops helps operators to avoid the knock-on impact that delayed services can have on other services, but if it is not managed proactively, delays can spread quickly across the network and affect hundreds more passengers. There is sometimes a misconception that operators take the decision to miss out stops to manipulate their performance scores. That is not, and absolutely should not be, the case. Any service that misses out a stop is counted as a part-cancellation for the purposes of the performance benchmark that the Department uses to hold operators to account. If train companies exceed that benchmark, they will be subject to financial penalties. Personally, I would like to see more of that money going to the passengers who are affected, but that debate is for another day.

What is absolutely crucial in these situations is the attention that is paid to the poor passengers whose journeys have been disrupted, and communication is vital. We should not have situations where, as my right hon. Friend highlighted, passengers are stuck for long periods with no information about the options to complete their journey. Part of my portfolio is dealing with disconnection, and that is an example of disconnection between the train-operating company and its passengers, who have paid for a service, and one that is completely unacceptable, particularly in a digital age, when communication should be so much easier. I completely understand the frustration of passengers about such situations and I continue to press the rail industry to improve their processes, to make sure that we get this right, and I will pick it up following this debate.

Going forward, and notwithstanding those concerns, we should also speak about some of the positive things that we are seeing on the railways in my right hon. Friend’s area. The Thameslink service from Sandy, Arlesley, and Biggleswade, which was introduced last year, now provides weekday passengers with two direct trains per hour to the heart of London. I am pleased that, from December onwards, the current Saturday service to King’s Cross will transfer to this route, providing passengers with a much wider range of direct destinations.

Those constituents of my right hon. Friend who use Bedford station will obviously see service improvements. From December 2020, two East Midlands Railway services per hour will call at all stations between Corby and London St Pancras, providing a big capacity uplift. This, combined with the increased capacity of trains serving the London commuter route, will result in a significant increase in the number of seats, particularly during peak periods, and should release capacity on inter-city services, which will also improve access to and from Luton airport.

Furthermore, I know that my right hon. Friend campaigned passionately for Biggleswade station to receive Access for All funding. Earlier this year, Biggleswade was confirmed as a successful applicant and I congratulate him personally on his leadership in that campaign. Improving accessibility to our railway network is something that both he and I care passionately about. I understand that the plans for Biggleswade are at an early stage, but when the scheme is delivered it will provide an accessible route into the station and between the platforms.

I am sure that my right hon. Friend warmly welcomed the recent housing infrastructure fund award of nearly £70 million for the transformational growth in Biggleswade project, something that he has championed. The funding will provide a new transport interchange at the train station and a replacement bridge over the east coast main line. This is an excellent example—dare I say it, decades late but none the less excellent—of Government funding for transport infrastructure in North East Bedfordshire, which has the potential to help to deliver up to 3,000 new homes. In addition, GTR is also delivering a £15 million passenger benefit fund, which
will deliver £80,000 of improvements at Arlesey, Sandy and Biggleswade stations respectively, as well as at Bedford station.

I am conscious of the time, so I will turn now to the strategic road network. We absolutely recognise the importance of the A1 and its impact on my right hon. Friend’s constituents. That is why, as part of the first road investment strategy, we committed to examining the case for improvements to the A1 between the M25 and Peterborough. Anyone who has driven on that road, as I have, knows the problems on it. Following an initial study, our focus has been on the sections between junctions 10 and 14, where we recognise that the challenges on the route are most acute. Initial work has shown that improvements—including some new alignment, or bypassing—would offer poor value for money on current metrics.

Substantial future local growth, which is coming, could and should change that assessment. Therefore, we expect there will be opportunities to re-examine the case for potential improvements to this section, particularly as proposals for the Oxford-to-Cambridge arc, which I am responsible for, are developed. In the meantime, however, we understand that local partners are taking forward some study work to look at the feasibility of improvements to the A1 in the short term. In addition, in February we also announced a preferred route for the A428 Black Cat to Caxton Gibbet scheme. As my right hon. Friend knows, this is a new dual carriageway link between the junction of the A1 and A421, and between the junction of the A428 and A1198.

My right hon. Friend raised the important issue of speed cameras on the A1, and I can reassure him that both the Department and Highways England take the issue of speeding very seriously. I share his disappointment that it was not possible to deliver the previous scheme. I have checked with and am chasing Highways England to ensure that it investigates the possibility of a camera system on this section of the A1, explains to me why the costs have spiralled as they have, and makes sure that it looks seriously to see whether such a camera system is possible. I think that it must be possible to find a way to do it and I will raise this issue with Highways England again following this debate.

I will also raise the issue of congestion on the local road network. My right hon. Friend and I both take congestion very seriously. We do not want to see strategic road work driving up congestion in neighbouring towns and villages, which is why we have made a number of investments for local transport infrastructure projects within wider Bedfordshire. These include providing £2.5 million towards a new Bedford western bypass and £11 million towards the regeneration of Bedford town centre. We are also providing funding towards the A421 dualling scheme that is being led by Central Bedfordshire Council. That is a £22 million investment, which will ease congestion from Fen Farm up to junction 13 of the M1. I understand that Central Bedfordshire Council is also taking forward proposals for a link between the M1 and the A6, with funding from the local growth fund.

Future funding for major transport infrastructure is absolutely key to the Government’s new emphasis on integrating housing and transport, as recent statements by my right hon. Friend the Secretary of State for Housing, Communities and Local Government have made clear. Crucial to that in the south of England is the east-west corridor, which, as I have said, I am now responsible for. It will provide better east-west connectivity across the arc, including in North East Bedfordshire. I will shortly be signing off on the rail routing decision, and I will also push to make sure that, as we build that line, we also consider strategic ways to capture land value and ensure that we are putting money into transport infrastructure, including the strategic roads, so that we have a genuinely integrated approach to road, rail and housing.

I hope that I can reassure my right hon. Friend the Member for North East Bedfordshire that considerable investment is being made in transport infrastructure in his area as part of this Government’s major infrastructure programme. I absolutely hear him on the issues with the railway line, which we are actively pursuing. He made a very good point about rail staffing, which I will pick up on following this debate, and he also made good points on stop-skipping and on speed cameras on the A1.

Alistair Burt: I think we have just 30 seconds left, so I am very grateful to the Minister for giving way. I thank him very much for his responses. However, because we have heard many of these responses before, particularly from Highways England—responses about things that will happen, only for everything to get held up because of decisions made elsewhere—can he make sure this time that some of these improvements are made? If they are not made and we have to keep waiting for others’ decisions, once again nothing will happen.

George Freeman: I am delighted to give my right hon. Friend that reassurance. This is my first appearance in Westminster Hall in this capacity and I look forward to picking up on the issues that he has raised. If we cannot show our constituents that we are putting people and place before the convenience of providers, we will not carry their trust with us. This strategic junction in the UK network—A1, east-west, rail and road—is vital and I will happily give him that undertaking.

Question put and agreed to.
Resolved,
That this House has considered transport infrastructure in North East Bedfordshire.

11.29 am

Sitting suspended.
2.30 pm

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): I beg to move,

That this House has considered the procedure for appointing judges.

It is a pleasure to serve under your chairmanship, Mr Sharma. I look forward to a positive and perhaps consensual debate on the procedure for appointing judges and the importance of those procedures being consistent with the independence of the judiciary, the separation of powers and the rule of law.

I sought this debate because I was concerned about certain headlines that appeared in the press in the days following the Supreme Court judgment in the Cherry and Miller cases. I pay tribute to my hon. and learned Friend the Member for Edinburgh South West (Joanna Cherry) for her work on the Cherry case, as well as the legal team, which did such great work. I was pleased to be one of the MPs party to that case. The headlines I was concerned about came in response to a decision that the Government did not particularly like. They were perfectly entitled not to like the decision, but they were not entitled to consider changing the system for appointing the Supreme Court judges.

For example, a headline in the Daily Mail read:

“Geoffrey Cox suggests UK could move to US-style political vetting of judge appointments in the wake of the Supreme Court’s prorogation ruling”.

The Daily Telegraph ran the headline:

“Supreme Court justices could be appointed by MPs in wake of Brexit ruling, Geoffrey Cox says”.

In a slightly more understated fashion, The Law Society Gazette headed its report with certain exchanges in the Commons Chamber with the headline:

“Supreme Court appointments may need MPs’ approval—attorney general”.

In fairness to the Attorney General, it took a degree of journalistic licence to get from what he said in the Chamber to what was reported. Those headlines arose from exchanges in the Chamber during an urgent question tabled by my hon. and learned Friend the Member for Edinburgh South West.

John Howell (Henley) (Con): Does the hon. Gentleman agree that the independence of our judiciary and the way in which we appoint them is admired right across the world, and that that fits in with our role in the Council of Europe, which is there to uphold the rule of law?

Stuart C. McDonald: I agree with the hon. Gentleman wholeheartedly. I will return to that point later. The exchanges that sparked those headlines came when the Attorney General was asked by one of his Back Benchers whether it was time for MPs to get involved in approving appointments at the Supreme Court level. The Attorney General responded:

“I do think that we are going to have to look again at our constitutional arrangements... there may very well need to be parliamentary scrutiny of judicial appointments in some manner.”—[Official Report, 25 September 2019; Vol. 664, c. 666.]

As I said, I think the subsequent headlines required considerable journalistic licence. It would be useful if the same headline writers would publish the subsequent remarks that the Attorney General made during Attorney General’s questions last week, when he said that “certainly US-style hearings—would be a regrettable step for us in our constitutional arrangements”—[Official Report, 3 October 2019; Vol. 664, c. 1360.]

Similarly, I welcome the Lord Chancellor’s words this morning at Justice questions in defence of judicial independence and against any notion of political appointments.

With impeccable timing, as soon as I received notification that I had secured this debate, I received a written answer from the Minister—I welcome him to his place—confirming that there were no plans to change the judicial appointments processes. The answer continued:

“Our judges are selected following a rigorous, independent, merit based process which is key to maintaining the quality, integrity and independence of our world class judiciary.”

That answer echoed the point made by the hon. Member for Henley (John Howell).

In the light of all those assurances, I wondered whether it was worth proceeding with this debate, but I think it is. I am grateful to hon. Members for staying to take part. It is still relevant to proceed because, despite the words of the Minister, the Attorney General and the Lord Chancellor, one fairly significant member of the Government does not seem to be singing from quite the same hymn sheet—perhaps not for the first time. Between the Attorney General’s original comments and his clarification, when the Prime Minister was asked about the consequences of the Supreme Court judgment by The Sunday Telegraph, he said:

“It will take a while to be worked through. But I think, if judges are to pronounce on political questions in this way, there is at least an argument that there should be some form of accountability.”

The lessons of America are relevant.”

Whether the Prime Minister was thinking about putting the UK on the path to a US-style system, under which Supreme Court judges are overtly political appointees, as The Sunday Telegraph interpreted it, only he knows—I very much hope not.

The pot was stirred even more firmly by a former Conservative leader who told The Times at the end of last week that “more and more people are beginning to ask, with some legitimacy, whether it might be time to hold hearings as they do in America to find out what their political views are and what we can expect. We need to know more about these people.”

I could not disagree more strongly with that statement. A better response to the Prime Minister’s comments came from a former Cabinet colleague of his in an article for The Sunday Times this weekend:

“If he means we should learn from the weaknesses of the US system, he is absolutely right. If he means we should copy that system, he is wrong. It involves far too much political interference in the appointment of judges and also too much judicial law-making.”

My ambition in this debate is, therefore, quite modest: to achieve as broad a consensus as possible, saying clearly and loudly that we believe in the rule of law; the separation of powers and the independence of the judiciary; that our appointments processes must always respect that; and, specifically, that we reject the politicisation of the judiciary, in particular through
US-style appointments processes. The Prime Minister and some of the less sensible members of the Conservative party should stop stirring that pot.

I am not saying that the appointments processes in the UK are absolutely perfect, whether through the Judicial Appointments Commission of England and Wales, through its Northern Ireland equivalent, through the Judicial Appointments Board for Scotland or through the appointments commissions that are convened for the purposes of selecting Supreme Court justices. No system is perfect, and they have all been criticised. It is absolutely right that we should keep those systems under review and scrutinise them to ensure that they deliver the appointment of the best judges.

Other hon. Members may want to make suggestions about how we can improve each of those systems, including to better protect judicial independence or to improve the scrutiny and accountability of judges through ombudsman and complaints processes. I have no doubt that more can be done to improve diversity on the bench, for example.

Keith Vaz (Leicester East) (Lab): I congratulate the hon. Gentleman on securing this important debate, and I join him in congratulating the hon. and learned Member for Edinburgh South West (Joanna Cherry) on the stunning cases that she brought over the past two weeks. Regarding diversity, the old system required the Lord Chancellor to make all the appointments of the judiciary on the advice of civil servants. Does the hon. Gentleman think that the new system, with the Judicial Appointments Commission, has gone far enough in reflecting the diversity of the community at large? Obviously, gender diversity has increased, because we have a woman President of the Supreme Court, but what about ethnic minority diversity?

Stuart C. McDonald: I do not have a ready answer to that. The numbers show that it may not have gone far enough. I agree that there is more to be done to ensure that we have a bench that reflects the society that it serves, but I am not sure what the means and mechanisms for that should be.

My key point is that we should never consider or undertake the politicisation of the appointments processes, because the arguments that have been put forward in support of political interference in the appointments process are flimsy and, I would say, misguided. There is an assertion that because judges have suddenly got involved in matters that are deemed to be political, their political judgment should be open to scrutiny by parliamentarians before they are allowed to sit, but to take that view is to misunderstand the role of judges completely. Although what they decide has important political consequences, the decisions they make are not political, but legal. Therefore, a candidate’s legal abilities alone need to be assessed and compared to those of their peers.

Dr Dan Poulter (Central Suffolk and North Ipswich) (Con): I congratulate the hon. Gentleman on securing the debate, and I agree with much of what he has said. I support the separation of powers and the independence of the judiciary. Many judges—particularly those with academic backgrounds—may, although they were appointed through an independent process, have expressed views in the past that could be considered political; in some cases, those may be historical political views. That may lead some people to be concerned about the politicising of the judiciary and the potential for judges’ views to influence their decisions. How would the hon. Gentleman address the perceived concerns of political bias on the part of some judges because of views they have expressed in the past as academic lecturers or in other forums?

Stuart C. McDonald: I welcome that intervention, and the hon. Gentleman raises an interesting question. There are a couple of things I would say. First, we will never have a judicial bench that does not have political opinions. Just because we do not necessarily know what those opinions are does not mean that members of the judiciary are not normal human beings who have political views. Secondly, all we can do is to ensure that candidates are assessed, like all others, by an independent judicial appointments board to ensure that appointments are made on the basis of their ability to do the job as independent judges. It may be that certain individuals have expressed views such that that is called into question, but we have independent panels in place that are designed to filter out any suggestion that candidates are making decisions for political reasons, rather than simply on the merits of a particular case.

As Sir David Edward, a former judge in both the European Court of Justice and the Court of Session, put it in a recent Scottish Legal News article:

“Many judicial decisions have political consequences but it is a quite different thing to say judges have made decisions for political reasons.”

He argued that if there is a lesson to be learned from America, it is the malign effect of a system dependent on political or doctrinaire allegiance.

There is nothing new about judges making decisions that have political implications or cause political controversy—although given some of the recent commentary, people might think otherwise.

It is worth noting that one of the key reasons why judges’ decisions frequently have significant political implications is precisely because this Parliament has required that of them. The Human Rights Act 1998, for example, requires judges to look at whether Acts of Parliament are compatible with the European convention on human rights. Acts of the Scottish Parliament can be literally struck down, not just under the Human Rights Act, but if the Scottish Parliament is found to have strayed beyond its competence under the Scotland Act 1998.

The acts of Ministers here and in devolved Administrations are subject to judicial scrutiny. European Union law has also been a ground for challenges. That links with the growth in the use of secondary legislation—legislation that in my view is often not scrutinised particularly well here—which at least has the fallback and safeguard of judicial review.

Increasingly, judges have been asked by this Parliament to take decisions that have political ramifications, but they make those decisions on legal grounds alone, and we should not forget that. Ultimately, the key point is that the different branches of government should provide checks and balances against each other. The judiciary provides a key check against Executive overreach. To my mind, the cases of Cherry and Miller are brilliant
examples of that, though perfectly reasonable people can disagree. The point is this: what sort of check does the judiciary provide if it is stuffed with Government or political appointees? It is either a check that is ineffectual in reality, or one that is perceived to be ineffectual, and both matter for the rule of law.

I will finish with a quote from the vice-president of the Law Society, Stephanie Boyce. In responding to the recent controversies, she told The Law Society Gazette:

“An independent judiciary is fundamental to our democracy. The notion of vetting judges for their political opinions is at odds with the whole construction of British justice.”

I very much hope that is something we can all agree on.

2.42 pm

Robert Neill (Bromley and Chislehurst) (Con): It is a pleasure to serve under your chairmanship, Mr Sharma.

I warmly congratulate the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald) on securing this debate. I agreed with virtually every word he said, and I hope we can establish a consensus in Westminster Hall. Like him, I was heartened to hear the very clear statement of the Government’s position from the Lord Chancellor in Justice questions today. The hon. Gentleman is right to say that we were to embark on an American-style system of political selection for our Supreme Court or any other court, we would indeed be the poorer for it. Anyone who has seen the farrago that passes for confirmation hearings before the Senate in the United States—a process that diminishes the quality of law and, frankly, if anything, undermines the integrity of its judiciary—would never wish to see that in the United Kingdom. I think the debate is useful, because it perhaps enables us to put a hare that has been set running by one or two people firmly to rest, where it belongs and where it should stay.

John Howell: Would my hon. Friend make a distinction between the sort of confirmation hearings that we hold as members of the Select Committee on Justice and those in the United States? The ones we hold are very much part of the establishment and are a way of looking at the process, rather than being a way of generating political attacks on the individual.

Robert Neill: My hon. Friend is right. There are two misnomers in this sense. Confirmation, in the strict sense of the word, is not really what we are doing. We are scrutinising the integrity of the appointments process, which is an altogether different matter and entirely consistent with our tradition. In the same way, I wonder were the legislation for the Supreme Court being drafted now, would we call it a Supreme Court, as opposed to a Court of Final Appeal? That has rather unfortunate implications, but that is really what it is. It is not quite like the Supreme Court in the United States, and the name sometimes gives people the wrong idea about its function.

The hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East is absolutely right to say that in the recent cases that have attracted press attention, the courts—both at first instance the High Court or the Court of Session and then the Supreme Court—were asked to answer legal questions, and they gave legal answers. It is as simple as that. The judges did their job as lawyers. The attacks on our senior judiciary by some of the press are an outright disgrace and a shame upon this country.

They should be called out for what they are: gutter journalism. Would to God that we had a press in this country that had anything like the quality and integrity of our judiciary. We would be the better place for it.

We are fortunate in the quality of our judiciary in all parts of the United Kingdom. We have a rigorous selection process. I am particularly aware of the work of the Judicial Appointments Commission in England and Wales, but I am cognisant of the like work that is done in Scotland and Northern Ireland by their appointments boards. I pay tribute to the work of Lord Kakkar and his colleagues on the Judicial Appointments Commission for England and Wales. The Justice Committee has had the opportunity to observe and scrutinise its work, and it is accountable to us and to Parliament for the process it engages in. Recently it published its report for the year just gone; it is a substantial document that clearly sets out the methodology by which it works and the consequences.

Keith Vaz: I am most grateful to the Chair of the Select Committee for giving way. May I declare my interest, which I forgot to do earlier, as a non-practising barrister? My wife is a part-time judge. I put this to the hon. Gentleman with the system we have now—as opposed to the old system, where the Lord Chancellor made the decision himself, and it was only men who were Lord Chancellor in those days—what does he think about laypersons being able to appoint judges to the highest judicial offices when they themselves are not legally qualified? I think the system is working well, apart from the diversity angle, but what does he think, not only as Chair of the Committee but as a lawyer, about people who are not legally qualified being able to opine on giving posts to those who are the most legally qualified?

Robert Neill: The right hon. Gentleman reminds me to refer Members to my entries in the Register of Members’ Financial Interests. I think I would approach the matter he raises in this way: for transparency and because the judiciary needs the confidence not only of the profession but of the wider population and the society it serves, there is a proper role for a lay element in the selection process. The set-up we have in England and Wales with the Judicial Appointments Commission, which has lay members together with experienced practitioners and members of the judiciary, is probably a pretty fair balance as far as that is concerned.

Keith Vaz: I am most grateful to the hon. Gentleman for giving way for a second time and enabling me to tempt him a little further. The cut-off age has deprived us of some pretty distinguished judges. Does he think we should go that step further and raise the limit from 70 to 75? Can I tempt him down that road?

Robert Neill: The right hon. Gentleman tempts me and I fall into the trap willingly: I entirely agree with him. It is a great shame that we have seen the retirement recently of very distinguished and able judges simply by effluxion of time. Lord Thomas of Cwmgiedd, Sir Brian Leveson, Lady Hallett—I was delighted to see her gain a peerage—and others still have much to offer the bench. When we have real difficulty with the recruitment and retention of the highest quality judges, it seems absurd to me to set 70, which most of us would regard as the new 50—certainly those of us who are getting
nearer to it—as the limit. We are cutting people off at the height of their professional powers. They have much more to offer and, interestingly, will very often be found, perfectly legitimately and properly, exercising their skills as arbitrators or mediators in commercial jurisdictions, when they would be very happy to continue exercising those skills in high public office as members of the judiciary.

I earnestly hope that one message the Minister takes back to the Lord Chancellor, who I know is apprised of the matter, is that if we have a legislative opportunity in the new Session, we should tack on a clause to increase the judicial retirement age to 75. That would be warmly welcomed. There is more that we need to do at the other end in terms of diversity. There have been improvements, but the right hon. Member for Leicester East (Keith Vaz) is right that we need in particular to improve black, Asian and minority ethnic representation in the judiciary. There are signs of improvement, but there is much more to do.

We have made improvements in relation to gender diversity, but ethnic diversity is something that we still need to work on. As well as perhaps social background more generally. As a member of the Bar, I recognise the potential value of recruiting solicitor judges in broadening the social background base of the profession. There are now some very good and able solicitor judges, and I hope that we can encourage that too.

In a short speech, I wanted to reinforce what the Lord Chancellor, who is admirably playing his role in defending the independence of the judiciary, has said, and to recognise the point fairly made by my hon. Friend the Member for Henley (John Howell) that the independence of the judiciary is not just important in terms of the checks and balances of our own constitution, which are critical, but wholly consistent with our international obligations. My hon. Friend serves as a distinguished member of the Parliamentary Assembly of the Council of Europe, which is something that I have had the pleasure of doing, as have you, Mr Sharma. We all know that Britain is looked up to by our colleagues in the Westminster model as a non-practising member of the Scottish Bar. I am also vice-chair of the all-party parliamentary group on the rule of law and, as has been kindly mentioned by others today, I was the lead petitioner in the case that came to be known as the Cherry case, because that is my surname, which went to the Supreme Court. I am also involved in litigation currently proceeding in Scotland under the name of Dale Vince. I declare my interest, having been supported by the Good Law Project and the generosity of Mr Vince, who is a green energy entrepreneur.

Today’s debate has come about because of comments prompted by ill-informed fallout from the decision of the Supreme Court on Prorogation. My hon. Friend the Member for Cumbernauld, Kilsyth and Kirkintilloch East laid out the circumstances in which that happened. It is a particular matter of regret that on 11 September Downing Street sources briefed The Sun that “legal activists choose the Scottish courts for a reason”. Well, I chose the Scottish courts because I live in Scotland. The implication that the Scottish courts are somehow politicised is offensive as well as ignorant. There is, however, a tradition in Scotland going back to the declaration of Arbroath and the claim of right that neither the monarch nor the Government are above the law. I was very proud to see that tradition followed by the Scottish courts.

It was also great to hear Lady Hale, the President of the Supreme Court, remind us that it is also part of the English tradition, when she said that “the courts have exercised a supervisory jurisdiction” over the lawfulness of acts of the Government “for centuries”. As long ago as 1611, the court held that the King, who was effectively the Government, had “no prerogative, but that which the law of the land allows him”. I join others in particularly deprecating not so much the press, of which we have come to expect very little, but Government sources—particularly unnamed Downing Street sources, who seem to be cropping up all over the place at the moment—for the anti-judicial and anti-Scottish sentiment that they tried to stir up.

It was also a matter of some regret that a Government Minister, the right hon. Member for Spelthorne (Kwasi Kwarteng), went on television and said: “The extent to which lawyers and judges are interfering in politics is something that concerns many people.” He went on to say that “many people...are saying that the judges are biased”. He specifically claimed that “many leave voters...are beginning to question the partiality of the judges”, while going on to state that he personally believed that the judges were impartial.

Dr Poulter: As I was sitting here, it occurred to me that a former colleague of ours, albeit from before our time in the House, Humfrey Malins, who was the hon. Member for Woking, was, while he was a sitting MP,
a practising barrister and, I believe, a recorder. I do not believe that anybody called into question his impartiality when he was overseeing cases in that role, or indeed subsequently when he stood down from the House, even though he is a committed Conservative. I wonder whether the hon. and learned Lady would like to reflect on that, in the context of what she was just saying.

Joanna Cherry: I was not aware of that. Certainly my party, the Scottish National party, believes that MPs should devote themselves full time to that job. That is why I have been a non-practising member of the Scottish Bar since 2007, when I was elected. I would find it rather curious if a Member of Parliament were, in the modern age, sitting in a judicial capacity. I think that would rather interfere with the separation of powers, whereby legislature, Executive and judiciary should be separate. However, I was not aware of those circumstances, so perhaps I should not say any more about them.

Returning to the comments made on television by the right hon. Member for Spelthorne, although it has been good to hear the Lord Chancellor repeatedly assert the independence of the judiciary, including today at Justice questions, it is reprehensible for Government Ministers to attempt to stir up anti-judicial sentiment as in this situation. I totally believe in freedom of speech, and am on the record as being somebody on the left who is very much in favour of it. Sometimes the champions of freedom of speech are to be found very much on the right, but there are some of us on the left, and I would never question anyone’s right to say that they disagree with a decision. However, if a Government Minister or unnamed sources call into question the independence or impartiality of the judiciary, such comments can serve to normalise a crude scepticism that ignores the legally complex and personally demanding work that judges have to perform. That is why we politicians have to be careful what we say. Many decisions in the past have not pleased me, and I have certainly criticised them, but I have not tried to suggest that they were made because the judges were of a different political persuasion to me.

We can do no better than look at one of England’s most respected jurists, Lord Bingham, who said in the Belmarsh case in 2004 that it was wrong to argue that judges are somehow undemocratic simply because they are unelected, or because they are asked to assess the legality of the Government’s decisions. He said that, on the contrary,

“the function of independent judges charged to interpret and apply the law is universally recognised as a cardinal feature of the modern democratic state, a cornerstone of the rule of law itself.”

I think what Lord Bingham was really saying is that the very concept of a modern democracy envisages an important role for the courts.

It is particularly important to remember that the decision that was made by the Supreme Court justices was not a political decision; as Lady Hale was at pains to underline, it was a decision on the law. In Scotland’s Court of Session, Lord Drummond Young said in relation to the case:

“The courts cannot subject the actions of the executive to political scrutiny, but they can and should ensure that the body charged with performing that task, Parliament, is able to do so.”

That is what the case was about: restoring to Parliament its function of politically scrutinising the Executive. Those on the right of British politics outside this room who do not like what happened in the Supreme Court should ask themselves how they would feel if a left-wing Prime Minister sitting at the apex of a minority Government prorogued Parliament because it was getting in his or her way. It cuts both ways, and that is why this is a principle of law and democracy rather than a political decision.

My hon. Friend the Member for Cumbernauld, Kilsyth and Kirkintilloch East has already quoted some pertinent comments made by Sir David Edward, former judge of the European Court of Justice. I will also quote Lord Hope of Craighead, former Deputy President of the Supreme Court and a former Lord President of the Court of Session, who said that the suggestion—initially made by the Attorney General—that there might need to be some parliamentary scrutiny of judicial appointments was “wholly misguided”. He said:

“The Supreme Court justices were careful to explain in their judgment in the Prorogation case “that they were not pronouncing on political questions. The issues with which they were dealing, as is the case with all the other issues that come before them, were issues of law.”

He went on to say that vetting judges “would risk politicising the office which they hold, in the minds of the public” and would be “contrary to the fact that political opinion plays no part in the work that they do.”

He finished by saying:

“The guiding principle is that they decide cases according to the laws and usages of this country, and not according to such political views, if any that they might happen to hold.”

Very trenchantly, he added:

“We have nothing to learn on this issue from what happens in the United States.”

Somebody pointed out earlier that there will be some judges in position who have, in a previous life, expressed political views. Of course, in Scotland we no longer have a tradition of political appointments for the Law Officers—they are apolitical appointments—but in the past, we did. Frequently, the Lord Advocate in Scotland would go on to sit on the bench, and he—it was always a “he”—in those days—would have been from either a Labour or a Conservative background. However, the crucial thing was that when he took his seat, he took the judicial oath of impartiality, and put aside the politics he had had before to enable him to make impartial decisions on the law. I do not think the ability to do that is confined to men. Thankfully, there are at last plenty of women coming through in the judiciary, both north and south of the border. We would all like to see more, but it has been very important to see a female English judge take the mantle of the United Kingdom’s Supreme Court. As others have said, there is still much work to be done to ensure that the diversity of all our communities across Scotland and England is represented on the bench.

I will finish with a quote from almost 15 years ago, when Professor Anthony Bradley was advising the House of Lords Constitution Committee. I am pleased to say that Professor Bradley was my tutor when I was an undergraduate at the University of Edinburgh, 30 years ago;
he was then, and is now, a very respected authority on constitutional law in the United Kingdom. Back in December 2005, he told that Committee:

“It is more important than ever that the courts should be able to do justice in an even-handed and impartial manner. Ministers and the Government in general should not seek to blame the judges when the courts make decisions that are adverse to the wishes or policies of the Government.”

All of us who are politicians should aspire to follow that advice. His message is just as important now as it was then, given the fallout we have had from the recent, landmark constitutional cases.

3.4 pm

Yasmin Qureshi (Bolton South East) (Lab): It is a pleasure to serve under your chairmanship, Mr Sharma. I congratulate the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald) on securing this debate.

It is fair to say that in the wake of the Supreme Court’s recent ruling, some Government Members and even Ministers began to call for the reformation of the judicial appointments system. That tells us that some of those people—often those with very hard Brexit points of view—are not interested in parliamentary sovereignty or judicial independence, and they do not respect our traditions or our democracy. As the Chair of the Select Committee on Justice, the hon. Member for Bromley and Chislehurst (Robert Neill) said earlier, the attack on the judiciary by the media was disgraceful, but, sadly, so were some of the words used and the comments made by Members of this House.

It should be said repeatedly and clearly that the selection hearings of the US system have no place in our democracy, and nor do the highly political workings of the US. That holds especially true when it comes to the selection of judges when the courts make decisions that are adverse to the wishes or policies of the Government. It should be said repeatedly and clearly that the selection hearings of the US system have no place in our democracy, and nor do the highly political workings of the US. That holds especially true when it comes to the selection of judges when the courts make decisions that are adverse to the wishes or policies of the Government.

I therefore call for a less political system, and I commend and thank them for all their efforts.

Despite attempts by some people to find political intent in the recent Supreme Court ruling, the decision was a powerful demonstration of the vital power of a genuinely independent, apolitical judiciary. It ruled without fear or favour, and in doing so it protected our democracy. The judiciary in this country has a long and noble tradition, and it is best that we respect that.

Balanced, learned and direct, Baroness Hale is in many ways the best of that British tradition, but the barriers that she has faced are illustrative of how uneven our justice system still is. For far too long, justices have been predominantly people of privilege with wealthy backgrounds, predominantly men and predominantly educated at private schools. Baroness Hale was only the second woman to be appointed to the Court of Appeal. She is the first female Lord of Appeal in Ordinary and the first female President of the Supreme Court. It should worry us all that women still have to break the glass ceiling. A century on from the Sex Disqualification (Removal) Act 1919, we are still yet to achieve real proportional equality in our public bodies and institutions. The Law Society also agrees that our current system for the appointment of judges should be maintained and not changed.

I hope we can all agree that the US system is clearly a bad one, but perhaps today is an opportunity to focus the debate on how we can alter our judicial appointments system not to make it political, but perhaps to make it more representative. As a young barrister, I saw many hugely talented people who did not fit the accepted demographic of a judge. Some struggled their way to the top; too many did not. There have been encouraging steps as the number of female judges has risen. However, it is important that we do not fall into the trap that many businesses do and focus exclusively on comparing numbers without looking at seniority. Although it is heartening to know that the percentage of female tribunal judges is nearing 50%, that falls to 32% for court judges, and for high court judges the figure is well under 30%.

The issue is even more glaring in the case of black and ethnic minority members of the judiciary. Reading through the judicial diversity statistics this year, I see...
that the Ministry of Justice reports that 11% of new judges in the court were BAME, compared with 6% of those leaving. That is a paltry rate of change that will leave our judiciary disproportionately unrepresentative.

The judicial mentoring scheme and the pre-application judicial education programme are good initiatives, but they are nowhere near enough. In a judiciary that continues to display systemic problems, well-intentioned mentoring schemes are unlikely to go far enough.

Worryingly, a metric seems to have crept in that rarely appears in official Government documents in any other Department. For several years in a row, the annual judicial diversity statistics have qualified their admission that the number of BAME judges remained low by comparing the ratio of BAME judges with the ratio of people within a certain age bracket. We are told that “BAME representation among tribunal judges was similar or higher than that of the general population at all age bands from 40 and over.”

That might seem reasonable at first reading, but it deserves further attention. Where else in Government documents are disparities justified by cherry-picking age groups for comparison? That is done to match proportions that are decades out of date. Our judiciary should not be representative of people over 50, or even 40; it should be representative of our nation as a whole at every stage. Everyone who passes through our justice system should feel that it genuinely represents them. Between 2014 and 2019, the proportion of BAME court judges increased by 2%, which takes us to 7% of court judges. The Government need to move faster.

In the Lammy review, my right hon. Friend the Member for Tottenham (Mr Lammy) stated:

“The government should set a clear, national target to achieve a representative judiciary and magistracy by 2025. It should then report to Parliament with progress against this target biennially.”

It was a bold aspiration with an ambitious deadline. It was an opportunity to facilitate a change, but the Government have missed the opportunity. Despite some positive noises, we have not seen any real changes, and that leads us to the inevitable conclusion that a wealth of talent in the BAME community is ignored.

The fact that more than half of those currently held within the youth estate are BAME shows that there is something fundamentally wrong with our criminal justice system. Although improving judicial diversity is not a panacea for the wide variety of self-inflicted ills that harm our justice system, it would certainly be a significant step. Our judges should be representative of our country and should be diverse in terms of gender, ethnicity and, crucially, socio-economic background. We should also provide more support for those who are not barristers moving into the judiciary. Solicitors continue to form a small minority of judges, closing the profession off from other highly talented practitioners.

The Law Society has suggested some practical steps to ensure representation of solicitor judges: for example, ensuring that solicitors’ experience is given the same due weight as barristers applying for the Bar; ensuring that solicitor judges are involved in the selection process; considering the development of judicial career paths; promoting cross-deployment of judges from tribunals to court; and providing access to shadowing and mentoring opportunities for existing judges. That could apply to women, to members of the BAME community and to those from poor financial backgrounds; children from working-class backgrounds are very under-represented in our system.

Far too often, the Government treat representation as a cosmetic issue that can be changed with minor tinkering. They fail to recognise that the disparities come from histories of inequality that require fundamental reform to remedy. Rather than simply analysing data retrospectively, the Ministry of Justice should set clear deadlines and put plans in place. The public have a right to a judiciary that represents them in all their diversity.

With that in mind, will the Government accept that their judicial appointments system is not sufficient and adopt the approach laid out by the Lammy review? Will the Minister clarify what moneys will be set aside to ensure that judicial diversity is a central objective, rather than just a buzzword? That is essential not only on a moral basis, but on a practical one. A judiciary that is not perceived as representative will have difficulty in maintaining its legitimacy in the long term, particularly for communities who do not see themselves reflected at the most senior level of our justice system. We can fix the problem. It will require funding, long-term commitment and clearer strategic planning, which the Government appear not to offer at the moment. The Government need to go beyond expressing sympathy and set proper deadlines. I hope that when the Minister responds, he will be able to give us some deadlines and suggestions for what they can achieve.

Finally, I want to emphasise that my observations about the representation of ethnic minorities, women and working-class people have no bearing on my belief that our judiciary is the best in the world. No one should ever attack its credibility. Our judges are the best in the world, and they decide things on law, not on politics. The press and Members in this House should appreciate that.
hearings, and even elections for some judicial positions, would be wholly inappropriate in this country. It would undermine the principle of judicial impartiality that has prevailed in all four corners of the United Kingdom for so long. I hope that straight away I can give Members reassurance on the critical question in the debate.

The Lord Chancellor has been extremely clear in his comments, both those he made by the modern means of communication, Twitter, in the immediate aftermath of the various judgments that we have discussed, and those he made on the opening of the English and Welsh legal year last Tuesday. I attended that event in Westminster Hall, a few feet from where we are, and in his opening remarks the Lord Chancellor made it clear to the entire assembled judiciary that he would stand in defence of their independence and impartiality. That message was heard loud and clear. As the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East has acknowledged, a couple of hours ago in the main Chamber, in response to a question from the Chair of the Justice Committee, the Lord Chancellor reiterated his and the Government’s unequivocal support for the principle of judicial independence and the independence of the judicial appointments process.

That process was established and put on a statutory footing in the Constitutional Reform Act 2005. As has been said, prior to that the Lord Chancellor exercised the power on advice from civil servants, but since the Act was passed the Judicial Appointments Commission has made recommendations, which the Lord Chancellor and the Lord Chief Justice and Senior President of Tribunals approve. However, the Judicial Appointments Commission is essentially the body that makes the recommendations and whose voice is decisive. I join the Chair of the Justice Committee in thanking Lord Kakkar, the commission chairman, for his work and that of his fellow commissioners—both lay and lawyers.

On at least two occasions in recent years the work of the Judicial Appointments Commission has been examined. A House of Lords Committee scrutinised the process in 2012, and during the passage of the Crime and Courts Act 2013 a great deal of work was done, looking at the process by which the judiciary are appointed. Recommendations were made and they were enacted in the 2013 Act, which amended the Constitutional Reform Act 2005. They included transferring responsibility for the selection of deputy High Court judges to the JAC. JAC lay commissioners were also allowed greater involvement in more senior judicial appointments above the High Court, including chairmanship of the panel to select the Lord Chief Justice and the President of the Supreme Court. The latter is done in rotation with their counterparts in Scotland and Northern Ireland, the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East and the hon. and learned Member for Edinburgh South West (Joanna Cherry) will be pleased to hear. The process under which the JAC currently operates is a good and effective one. It received significant scrutiny in 2012 and 2013 and I can confirm that the Government have no intention of altering the process.

The shadow Minister, the hon. Member for Bolton South East (Yasmin Qureshi), drew attention to the fact that England and Wales is an international jurisdiction of choice for many litigants whose cases do not directly relate to the United Kingdom. I know less about Scotland in that respect, and would be happy to hear about it. Such litigants choose to use our courts because of their reputation for impartiality, effectiveness and sound decision making. There could be no greater vote of confidence in our courts system than the fact that so many people from around the world choose it. I add my thanks to those that the hon. Lady expressed to all the judiciary, from the magistracy to the Supreme Court, for the work they do to uphold the rule of law and for being a beacon of impartiality and sound judgment around the world.

Some hon. Members raised the topic of the composition of the judiciary, including the retirement age. That is currently 70, but it was older in the past. The Chair of the Justice Committee drew attention to the fact that many capable members of the bench, at all levels, retire while still exercising their functions at a high level and with the benefit of many years’ experience. I saw that at my local Crown court in Croydon. The chairman of the bench there had retired at the age of 70 a year or so ago—in his prime, I would say. The Government and the Ministry of Justice have heard the message from several quarters this afternoon and have listened carefully. We are considering the comments carefully and I suspect that we will consult on the matter before too long.

Robert Neill: I welcome what the Minister says, which gives me the opportunity to pay a personal tribute to His Honour Judge Warwick McKinnon, an old professional and personal friend who retired as resident judge at Croydon. I am also glad that the Minister mentioned the magistracy. Constituents of mine who were fine, experienced bench chairs had to retire at 70 when they still had much to offer.

Chris Philp: I concur with both comments. I would also like to thank Judge McKinnon, who is a constituent of mine as well as a former chair of the bench. I agree that my comments on age apply as much to the magistracy as to the judiciary more generally—the court judges. As I said, I think my hon. Friend can look forward to a consultation on the topic before too long.

Several hon. Members raised the matter of the gender balance and ethnic composition of the bench, and I entirely understand why those points were raised. The proportion of newly appointed court judges from BME backgrounds is 11%, which compares to slightly over 15% of the population as a whole. Currently 7% of court judges and 11% of tribunal judges are, as the hon. Member for Bolton South East said, from BME backgrounds.

As for gender balance, as the hon. Lady said, 27% of High Court judges are female, and that figure rises to 32% across the courts more generally and 46% in tribunals. Also 56% of the magistracy are female and about 50% of court judges under 50 are female; that is an encouraging sign. Qualifying those remarks, I would say that we rightly expect more senior court judges to have decades of experience at the Bar, so appointments today reflect the Bar 30 or 40 years ago, when diversity was not what we would like, and there is a measure of unavoidable time lag. That does not mean that we should not take proactive and active steps—we should. We should encourage the JAC and work generally to improve diversity in the magistracy and the courts. The figures are moving in
the right direction and improving, but I am sure we can do more. As a newly appointed Minister I will certainly consider what active steps can be taken in that area.

I am grateful for the opportunity to respond to this debate, to the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East for securing it, and to other hon. Members for attending. Those include the now very famous hon. and learned Member for Edinburgh South West—

Joanna Cherry: Infamous.

Chris Philp: Let me be generous and say famous! It gives me, the Lord Chancellor, and the Government as a whole great pleasure to reconfirm our commitment to independent, non-political appointments to the bench at all levels. That is the foundation on which the rule of law is built, and that should not change.

3.30 pm

Stuart C. McDonald: This has been a worthwhile debate with cross-party strong and unequivocal support for the principle of judicial independence, and the idea that that must be at the centre of our judicial appointment processes. We have heard interesting points about diversity on the bench and retirement ages, and received a sympathetic response from the Minister. We will obviously scrutinise and debate these issues further in future. I therefore thank hon. Members for their excellent contributions, and the Minister for his response.

Question put and agreed to.

Resolved,

That this House has considered the procedure for appointing judges.

3.31 pm

Sitting suspended.
community and the difficulties it has had recently. I will talk about the Syndex report, because it is very important.

The attendance of my hon. Friends from Wales and fellow members of the all-party parliamentary group on steel and metal related industries represents the importance of the steel industry to us all. As my hon. Friend the Member for Torfaen (Nick Thomas-Symonds) said, we have a constituency interest but also a very personal interest. My parents met in the steel industry in Ebbw Vale, and my hon. Friends have close family who have worked in the industry, including my hon. Friend the Member for Cardiff West (Kevin Brennan).

Fewer work places are more ingrained into the life of Newport than Orb. Our iconic transporter bridge was originally to carry Orb workers over the River Usk. There are street names in Newport such as Dudley, Walsall, Bilston, and Handsworth, and even the Wolverhampton Wanderers-based colours chosen for Newport County AFC commemorate the west midlands migration to Gwent initiated by the Lysaghts family moving their sheet steel production to Newport at the end of the 19th century. Orb played an important role in Newport in both world wars and, from the late 1960s onwards, its activities moved towards cold rolled and electrical steels, a field that became the site's speciality, as it remains today.

Losing Orb would mean losing the electrical steels skills base that has been built up since the era of Harold Wilson's “white heat” of technology, and at a time when electrical steels will be more in demand that ever before. Tata's decision to close Orbit, citing losses and wider challenges in the sector, will hit many people in our communities extremely hard. They include recent recruits such as an electrician who joined the company two days before the announcement and is one of 70 new starters over the last two years, and a long-time worker who says, “Orb works has been a part of my family for nearly 60 years. Between my father and brothers we have over 100 years' combined service. The Orb paid for everything when I was a child and is now supporting my three children.”

Another man's family came from Tipton; his great-grandfather, grandfather and father all worked there, and their names are on the works' cenotaph. Mickey, who started work as a 16-year-old messenger boy and ended up as section manager, said, “To allow over 100 years of steelmaking skills simply to disappear is a crime against everyone who contributed to Orb's history, and the knock-on effect on the Newport community's economy will be devastating, as these jobs are of high value.”

Ruth Jones (Newport West) (Lab): I thank my hon. Friend and neighbour from Newport East for giving way, and for her powerful speech. This is an issue of importance to people in Newport West, Newport East and across south Wales, and it is a pleasure to hear her speaking about it. The potential closure of Orb in Newport will mean that hundreds of jobs are at risk, and our people and communities need certainty. I reassure my hon. Friend of my commitment to work with her to save jobs in Newport. Does she agree that we need a level playing field for UK steel producers by addressing the energy price disparity, preventing steel dumping and investing in research and development, so that the British steel sector can compete and thrive globally?

Jessica Morden: My hon. Friend is absolutely right. Although it is important to emphasise Orb's proud heritage, this debate is not about nostalgia, but about the future. It is about calling on Tata and the Government to ensure a future for a plant with enormous potential at a time when demand for the type of steel Orb could and should produce is set only to grow. Orb is important not just to our community, but to the whole of the UK, because the works is the only plant in the UK with the potential, with investment, to produce the electrical steel needed for electric vehicle motors. The Government, too, say it is important.

Chris Evans (Islwyn) (Lab/Co-op): Since they first got into power in 2010, the Government have been banging on about how they would be the greenest Government in history. Is it not true that the Government put their money where their mouth is and invest in Orb to bring about the electrical steel that we need and to start reinvigorating the electrical vehicle industry in this country?

Jessica Morden: My hon. Friend is absolutely right. The Government have said the electric vehicle industry is important to them, and they say it is a priority. In his first speech to the Commons after moving into No. 10, the Prime Minister spoke about his vision for the UK as the “home of electric vehicles,” something he also touched on regularly during his leadership campaign. In a recent response to a question I asked, the Prime Minister also stated his commitment to use UK steel in the supply chain for electric vehicles, but we need electrical steel to create an end-to-end supply chain for those vehicles. If the Prime Minister is serious about the UK being the home of electric vehicles, we must, as Community’s Roy Rickhuss has said, consider the Orb a national asset and step in to protect it.

Jo Stevens (Cardiff Central) (Lab): My hon. Friend is making a really powerful speech. What she said about looking at history and the future is so important, and the dedicated workforce and plant have been so successful because they have encouraged innovation over the years. They have been strategic and looked forward. That is what the Government now need to help the plant do with electrical steel.

Jessica Morden: My hon. Friend is exactly right, and we need that investment to do it.

Attention has been given to electric car battery production—the Prime Minister mentioned the gigafactories needed to produce high volumes of battery products in his conference speech—but electric motors are an equally important part of the supply chain. They are built from the high-quality, non-oriented electrical steels that could be produced at Orb, and the demand for this type of steel is expected to increase tenfold by 2030.
The number of electric cars on our roads will grow and grow over the next decade. The UK Government are providing millions of pounds to support the roll-out of charging infrastructure, and it is imperative that we use UK steel in all this. The Government have awarded Jaguar Land Rover, which is owned by Tata, a £500 million loan guarantee to help the company sell electric vehicles. In this context, with the Government’s stated support for the electric vehicle industry, I ask what the Government can do for all. Electric cars need electric motors. Why should we have to import them? We have a site here in the UK that, with support, could be part of the supply chain.

We need UK steel every step of the way, and electrical steel is part of that. As members of the all-party group and the unions have long said, the industry can be a key part of building the infrastructure we need to green our economy in the future.

At Labour’s conference, we pledged to accelerate the electric vehicle revolution with 2.5 million interest-free loans for the purchase of electric vehicles, a new requirement for the Government car fleet to be 100% electric by 2025, and action on a private fleet. Labour is determined to ensure that the right conditions are in place for this revolution, and the Government should be, too. If the Orb works is not kept open, the potential to build a supply chain will be squandered. It is not an overstatement to say that the UK could lose its capacity to be a global leader in electric car manufacturing.

Developing a supply chain for electric vehicles will be hugely important for the national balance of trade. Across the UK, 10,000 workers are making internal combustion engines, and Community has emphasised that a failure to develop the supply chain will result in a loss in the export value of those engines. It will be replaced by the import cost of electric motors, which equates to £1.2 billion for every 1 million electric cars. That is why Community has called Orb a “strategically important business underpinning this vital industry of the future.”

Tata has publicly confirmed that, with investment, the Orb works can produce the steels required for the future production of electric vehicles. Community’s steel consultant, Syndex, has researched and concluded that with a new strategy and some public support, there could be a sustainable future for the business. So what is the plan? The new strategy for Orb would mean an increasing dependence on renewable energy, which equates to £1.2 billion for every 1 million electric cars. That is why Community has called Orb a “strategically important business underpinning this vital industry of the future.”

Jessica Morden: My hon. Friend is exactly right. It is a very important and well-thought-out plan, and I hope Ministers are listening to it. The 2018 memorandum of understanding agreed with Tata in advance of the failed joint venture contained a commitment to reinvest the proceeds of the sale of any UK-owned assets back into the UK. Tata should honour the spirit of that agreement. That would leave a shortfall of just £30 million, and we could look to central and devolved Government to contribute to the new strategy. Given the role that Orb can play as a strategic business of the future, enabling the Government to deliver on their climate commitments, there is a compelling case for Government support.

The strategy advocated by Syndex includes three key aspects: a new annealing line at Orb, investment in automation to make Orb’s grain-oriented products more competitive, and relocation of the hot rolled coil supply chain from IJmuiden to Port Talbot.

I want to put forward a series of asks to the Government. First, will the Minister ask the Secretary of State to call a UK steel council urgently, with Orb at the top of the agenda? We have not had one since June 2018, and the need is urgent. Will Ministers commit to meet urgently with trade unions and local politicians to look at what can be done to support Orb and its workers at this time? Community has requested meetings with the Welsh and UK Governments to present the Syndex plan directly to them. Will the Minister and the Department for Business, Energy and Industrial Strategy agree to meet it?

The Prime Minister committed last month to ensure that UK steel forms part of the supply chain for electric vehicles. Will Ministers ensure that that actually happens? While I am on that subject, we now more than ever need a sector deal for steel—something we have been asking for for a long time.

This Saturday, hon. Members will be joining Community, Unite and other unions in a march through Newport to save Orb steel. We are fighting for it, and I hope everyone will join us. Orb is a site that could be underpinning a dynamic UK automotive industry, and could be at the cutting edge of new steel technologies. Newport, Wales and the UK would be worse off if the Government fail to work with Tata to grasp its enormous potential before it is too late. If the Government are serious about an industrial strategy, will they back up their words with proactive action?

I am calling on the Government to prioritise our industrial policy and to support our steel industry, including electrical steels, and building an electric vehicle industry. The Prime Minister says he wants to do that. I say yes, and so do the Welsh Government. Who else needs to say yes to save the Orb plant? I ask Tata to say yes too. Together, let us save Orb and build a new electrical steel economy in the UK.

4.15 pm

Stephen Kinnock (Aberavon) (Lab): My hon. Friend is making a very powerful speech. The Government often criticise us for critiquing their failure to support the steel industry without proposing a constructive plan, but she has just outlined an absolutely compelling and viable plan. One of the vital parts of it is that we would be relocating the supply chain for hot rolled coil from IJmuiden to Port Talbot. Surely if the Government are talking about backing British business, they should back the Syndex plan.

Jessica Morden: My hon. Friend is exactly right. It is a very important and well-thought-out plan, and I hope Ministers are listening to it. The 2018 memorandum of understanding agreed with Tata in advance of the failed joint venture contained a commitment to reinvest the proceeds of the sale of any UK-owned assets back into the UK. Tata should honour the spirit of that agreement. That would leave a shortfall of just £30 million, and we could look to central and devolved Government to contribute to the new strategy. Given the role that Orb can play as a strategic business of the future, enabling the Government to deliver on their climate commitments, there is a compelling case for Government support.

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Kevin Foster: It is clear that there is a shared understanding of the important role the steel sector plays in communities and its critical place as a foundation industry in the national economy, especially in Wales. That is evidenced by the number of Members attending this debate. I have heard their comments and the request to meet the unions. I understand that the Secretary of State for Wales has already been in contact with them, and I am more than happy to facilitate meetings. I will pass on the request for a meeting of the steel council. That is something we are always happy to do, and certainly if hon. Members request it. Those who have dealt with me previously know that I am only too happy to meet Members, particularly if it relates to matters in their constituencies that are this important. I would be happy to facilitate that.

Kevin Brennan (Cardiff West) (Lab): Is the Minister saying that he will go back to his colleagues and recommend that the UK steel council meets, as my hon. Friend the Member for Newport East (Jessica Morden) has requested?

Kevin Foster: I will pass on the strong demand that the hon. Member for Newport East has made for the council to meet. In terms of what I can offer, and the direct request for meetings with Ministers about the Orb plant, I am more than happy to arrange to do that. That was the second part of her request.

Although there are considerable challenges, we believe there remain great opportunities for the industry to secure a successful, sustainable future at the centre of British manufacturing. The announcement on 2 September 2019 that Tata is to close its Orb Electrical Steels plant in Newport has understandably been a huge blow for employees, their families, contractors, suppliers and customers. I am grateful to the hon. Lady for her contribution. In Newport has understandably been a huge blow for employees, their families, contractors, suppliers and customers.

Kevin Foster: We have heard today about the Syndex report, which places a way forward on the table. Will the Government meet the unions, Syndex and Tata to see how that could be turned into the sort of plan that would deliver not only for this workforce and industry, but for UK plc?

Kevin Foster: We are more than happy to meet. Obviously we cannot guarantee that a third party would wish to be involved in those meetings, but certainly from the perspective of the Government and the Wales Office, we would be more than happy to arrange a meeting with the unions and Syndex to see how their plan could be taken further. The key part has to be whether it can provide a long-term sustainable future, and we note that the plant has been for sale for two years with no purchaser having come forward. Certainly, UK Government Ministers are more than happy to meet interested parties to discuss what we could do.

In the context of the wider steel industry, the Government have made up to £800 million of funding available to support decarbonisation and innovation in the industry. We remain committed to supporting the Welsh steel sector in accessing this funding and ensuring that it is able to compete with the best in the world. Recent and ongoing work to support the steel sector includes establishing the £250 million clean steel fund, which was announced in August and will support the sector’s transition to lower-carbon iron and steel production through new technologies and processes. It will also maximise longevity and resilience in the UK steel sector by building on longstanding expertise and skills and harnessing clean growth opportunities.

Our industrial energy transformation fund is a £315 million fund supporting short-term projects in both energy efficiency and decarbonisation for businesses with high energy use. The fund will help businesses with high energy use, including steel companies, to cut their bills and transition UK industry to a low carbon future.

The industrial decarbonisation challenge is a £170 million fund aimed at the UK’s industrial carbon emissions clusters. South Wales has been identified as one of six clusters in the UK that will benefit from that fund, which supports our grand challenge mission to develop a net zero emissions cluster by 2040 through the development of innovative low-carbon solutions. It will provide long-term support to the industry, ensuring Britain’s long term sustainable future.

Kevin Foster: The Minister says that the Government have met Tata, but what has he been able to offer it to help keep Orb open and keep steel going in south Wales? Can he be clear about what the Government are willing to put on the table?

Kevin Foster: The Government are clear that if a sustainable, long-term business plan can be produced, we will consider support packages, but the key part is that it must be sustainable for the long term, and it must be based on a clear business plan.

Nic Dakin: We have heard today about the Syndex report, which places a way forward on the table. Will the Government meet the unions, Syndex and Tata to see how that could be turned into the sort of plan that would deliver not only for this workforce and industry, but for UK plc?

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Nic Dakin: We have heard today about the Syndex report, which places a way forward on the table. Will the Government meet the unions, Syndex and Tata to see how that could be turned into the sort of plan that would deliver not only for this workforce and industry, but for UK plc?
Kevin Foster: This is a commercial decision by the company and the plant has been for sale for two years, but as I have already said, we are more than happy to meet stakeholders to see if the Government can provide some support. That support would have to be based on a sustainable long-term business plan for the future.

We are also providing up to £66 million through the industrial strategy challenge fund to help steel and other foundation industries develop radical new technologies and establish innovation centres of excellence in those sectors. This challenge will create a pilot facility to demonstrate new technologies, and develop a cross-sectoral approach for research, innovation and skills. To date, the UK Government have provided more than £312 million in compensation to the steel sector since 2013 to make energy costs more competitive, including over £53 million during 2018.

Stephen Kinnock: The Minister talks about this being a commercial decision, but it is absolutely clear that the underlying conditions for the British steel industry are completely undermined by the energy price disparity. Is he aware of the fact that it costs £50 per MWh in the UK, compared with £31 per MWh in Germany, a disparity of 62%? The disparity with French energy costs is 80%. The Minister cannot claim that this is a purely commercial decision; it is a commercial decision based on the utter failure of the British Government to deal with this energy price disparity.

Kevin Foster: As has been mentioned, to make energy costs more competitive, we have made £312 million in compensation available to the steel sector since 2013, including £53 million in 2018 alone.

We have commissioned independent research to identify high-value market opportunities for UK steel producers that will be worth up to £3.8 billion a year by 2030. The UK is a supplier of steel for a range of high-value applications and is a strategic part of the supply chain for the automotive, aerospace, construction, defence and oil and gas sectors. We are successfully working with the steel industry to introduce steel procurement guidance that will ensure that Government and the wider public sector take into account social and environmental benefits when procuring and designing their major projects.

Jessica Morden: Will the Minister give way?

Kevin Foster: I have to conclude, as I am starting to get close to time.

We have also signed up to the UK steel charter, acknowledging and supporting that initiative from industry. We continue to press for the introduction of trade defence instruments to protect UK steel producers from unfair steel dumping. Tata has confirmed the closures are not linked to Brexit; instead competition from much larger players in China and Japan is understood to be the key reason.

Kevin Brennan: On a point of order, Mr Hanson, this kind of debate is supposed to be a conversation between the Minister and the Member who secured it. There are five minutes left in the debate; surely it would be appropriate for the Minister to give way to the person who secured the debate.

David Hanson (in the Chair): As you well know, Mr Brennan, it is for the Minister to decide whether he wishes to give way. Clearly at the moment he does not wish to do so.

Kevin Foster: Thank you, Mr Hanson. I will take another intervention as I come nearer to the end of my speech, but I have not been ungenerous in taking interventions from Opposition Members so far.

The UK Government are stepping up their efforts to ensure businesses are ready to leave the EU on 31 October via their national communication and engagement campaign. We are also urgently identifying and delivering actions to support businesses in improving readiness. The Government will take economic measures to mitigate any short-run disruption, to support the economy through the transition and to boost the long-term potential of the UK economy, taking advantage of the opportunities outside the EU. As I said, the Government are prepared to look at and discuss any plans that present a long-term, sustainable option for the plant.

Jessica Morden: I appreciate the Minister responding today, but members of the all-party parliamentary group on steel have not yet had a real opportunity in a debate to question the new steel Minister. I ask the Minister to convey to the new steel Minister the urgency of the situation, because if we lose Orb, we lose the opportunity of an end-to-end supply chain for electric vehicles before Christmas.

Kevin Foster: I will certainly convey the hon. Lady’s message to the steel Minister. I have to say, looking at the many Opposition Members here and given my knowledge of their determination to stand up for the communities they represent, that I have a feeling that the steel Minister will get a number of opportunities in the very near future to discuss steel on the Floor of the House, if not in a debate in this Chamber. Certainly as a Minister, I would be badly mistaken to think I can ignore some of the people on the Opposition Benches.

However, it is worth reflecting on the fact that there are currently 46 trade defence measures in place to protect UK steel products from unfair steel dumping. As we operate an independent trade policy, the UK will continue to champion free trade and take a proportionate approach to trade remedies, with a view to continuing the defence of our industry where necessary. The steel industry is an important industry in Wales, as reflected by today’s turnout among Members representing Welsh constituencies. The UK Government are committed to supporting companies, such as Tata, that have contributed to the local economy in Wales for decades, and we will continue to work with the sector, the unions and the devolved Administration to support the UK’s steel sector in developing a long-term, viable solution for that industry.

In closing, I thank all hon. Members who have contributed to today’s debate, and the hon. Member for Newport East for having secured it. I know that she will continue to be a strong advocate for those she represents and will ensure that the Government hear loud and clear their views and what she believes the options to be. I would certainly be more than happy to have a longer discussion with her about some of the proposals that are being put forward; I look forward to the opportunity...
Kevin Foster

to do so. However, as I say, those proposals must be based on providing a long-term, sustainable future for the plant, not just subsidy with a hope of something coming along.

Question put and agreed to.

Gordon Henderson (Sittingbourne and Sheppey) (Con): I beg to move,

That this House has considered the pension age of prison officers.

Police officers, firefighters and prison officers are all classified as emergency workers. They all do an extremely important job, and their work is physically demanding and often involves an element of risk and danger. Because of that, police officers and firefighters, quite rightly, are allowed to retire at 60 years of age. However, prison officers, who work in an equally stressful operational environment, have been told that they must wait until they are 68. That is not right. In fact, it is patently unfair and deeply resented by the hard-working prison officers in the three prisons in my constituency. I am not surprised by that, because the prospect of having to work until almost 70 years of age adds to the stress of what is already a stressful job.

From the point of view of health and safety at work, there is a clear argument for reducing the retirement age of prison officers, but I believe there is another equally good reason to bring their pensions into line with those of their colleagues in the police and fire and rescue services. Last week, at the Conservative party conference, the Home Secretary made an excellent speech in which she made it clear that Government would crack down on serious crime. That commitment resonates with the public, particularly those who have been victims of such crime, because they want tough action. However, inevitably, such a crackdown will lead to more criminals being sent to prison.

Also last week, the Justice Secretary made a speech in which he made clear his determination to ensure that those who have been convicted of serious crimes will have to serve two thirds of their sentence, rather than the half that they currently serve. Although both initiatives are highly commendable, they will put pressure on already-stretched prison places. That is likely to mean that more prisons will have to be built. If that happens, I have a couple of suggestions. First, finding a suitable location for a new prison is always difficult, because few communities like the idea of having a prison in their backyard. Those of us who live on the beautiful Isle of Sheppey understand the benefits of having a prison, and particularly the work involved. As I mentioned, we have three prisons and plenty of room for more, so we will have another prison if the Government want to build one on the island, subject to improvements to the road that leads to them.

My second suggestion is offered more in hope than with any great expectation that it will be taken up. The Government should abandon their support for private prisons and ensure that any new prisons be run by the public sector. Do not get me wrong—I am a free-market Tory who believes that there is a place for the private sector in the prison service, for instance in catering, education, training and rehabilitation.

I have a couple of examples of the positive involvement of the private sector in the latter of those fields. A private construction company has set up a workshop in HMP Elmley, in my constituency, to train inmates how to install drywalls in buildings. The company guarantees
that everyone who completes the course will be offered an interview when they leave prison. Obviously, that does not automatically mean a job, but an interview is the first step. I visited the workshop as part of the Prison Service parliamentary scheme, of which I am a member. I was impressed by the positive attitude of the inmates who were being trained. One of them told me that the training had turned his life around. Also in my constituency is HMP Standford Hill, an open prison where more than 250 inmates are allowed out every day, to do either voluntary work in the community with charities or paid work in one of the local companies that have agreed to employ them.

Those are just two ways in which the private and third sectors can help to rehabilitate prisoners. There are many other examples, but I do not have time to mention them all. Despite those excellent examples of involvement by the private sector, the supervision and care of prisoners should be the sole responsibility of the public sector, for two reasons.

Helen Goodman (Bishop Auckland) (Lab): I congratulate the hon. Gentleman on securing this important debate. I also have a prison in my constituency, since Deerbolt was upgraded from a young offenders institution to a prison. I agree that a lot of positive work goes on in prisons, but is he not concerned by the increase in violent attacks against prison officers in recent years? Does he not agree that that is another reason why 68 is too late?

Gordon Henderson: The hon. Lady must have been listening to Justice questions this morning, when I said exactly that. Since she has a prison in her constituency, I urge her to join the Prison Service parliamentary scheme. If she will bear with me, I will come to the issue of violence in prisons later.

My first reason is that the state has a duty to protect the public. That is why it is the state that prosecutes those suspected of committing a crime, and the state—only the state—that locks up those who are found guilty. That being the case, I do not believe that the state can subcontract the incarceration of those prisoners to the private sector. That leads me to my second reason—

Jo Stevens (Cardiff Central) (Lab): Will the hon. Gentleman give way?

Gordon Henderson: I will just give my second reason, which is that allowing private companies to make a profit out of the incarceration of human beings is simply immoral.

David Hanson (in the Chair): Before the hon. Lady’s intervention, I remind hon. Members that the debate is tightly focused on the pension age of prison officers, and I hope that interventions and contributions will focus just on that.

Jo Stevens: Thank you, Mr Hanson; I will do a quick swerve. On the point about private prisons and the influence of private companies, does the hon. Gentleman agree that privatising probation—the state’s care for people on probation—was the wrong thing to do?

Gordon Henderson: No, I do not. They are two entirely different issues. When people are on probation, they have either completed their sentence or they have not yet—[Interruption.] We will have to disagree on that.

If new prisons are built, the Government will have to recruit many more prison officers to staff them. In my area, it has often proven difficult to recruit enough prison officers. I am sure that that applies to many other areas, particularly in south-east England. There are a number of reasons for that difficulty, including the relatively poor salary offered to prison officers, their working conditions, their retirement age and the rising level of violence in our prisons.

The average salary of a prison officer is £23,530 per annum. The problem in my constituency is that people can earn more than that working in one or other of the two supermarket regional warehouses that operate there. There are also plenty of other well-paid jobs in the pipeline locally, and people can commute to London. Those available jobs are more attractive because they provide better working conditions than those of a prison officer.

What are those working conditions? For a start, prison staff are almost as much prisoners as the inmates they look after. Day and night, they work inside buildings surrounded by fences and high-security walls. In addition, prison officers spend their days dealing with inmates who do not want to be where they are. Unsurprisingly, that can make them unco-operative, aggressive and sometimes violent. To add to the problem, an increasing number of inmates have mental health problems.

All in all, that does not make for a happy work environment, and the situation in prisons is getting worse, with ever increasing violence. On average, 30 members of prison staff are assaulted every day. Last year, 1,000 of those assaults were classified by the Government as serious. I know what serious means, because I have seen at first hand the results of some of those assaults, including broken bones, dreadful facial injuries and fingers that have been bitten off.

To try to cut out those assaults, the Prison Officers Association has called repeatedly for frontline prison officers to be equipped with PAVA spray and rigid police-style handcuffs to protect themselves. Last year, the Prison Service ran a pilot in which PAVA spray was issued to staff in four prisons. That pilot was successful, and the Government promised to roll out PAVA across the prison estate. However, that promise has not yet been delivered; indeed, the roll-out has come to a juddering halt. I suspect the reason for that is complaints from the usual suspects, including the Prison Reform Trust, which claimed that prison officers would use PAVA indiscriminately and that its use would breach the human rights of prisoners.

The first of those claims is a shocking slur on the integrity of hard-working professional prison officers, and the second is simply utter rubbish. If the use of PAVA spray breaches a criminal’s human rights, why do police officers carry PAVA as part of their standard equipment? If it is okay for police to carry PAVA, why is it not for prison officers? Section 8 of the Prison Act 1952 states that prison officers “shall have…the powers, authority, protection and privileges” of police constables. PAVA offers protection for police and prison officers alike.

That leads me nicely to my last point. What reward do prison officers get for being treated like second-class emergency workers? What reward do they get for dedicating their working lives to the Prison Service in return for a
4.45 pm

Grahame Morris (Easington) (Lab): I declare an interest as a member of the Justice Unions Parliamentary Group, which includes the Prison Officers Association.

I congratulate the hon. Member for Sittingbourne and Sheppey (Gordon Henderson) on securing this important debate. Unusually, given the nature of the debate, I agreed with 95% of what he said, and I was very impressed by the way he delivered it. I did a bit of research and noticed some interesting comments by him on KentOnline about being willing to go to prison for Brexit so, come November, he could bring a unique perspective to debates on this subject. I hope it does not come to that.

I agree with the hon. Gentleman’s strapline: 68 is too late. We should not expect a prison officer approaching 70 to deal with violent and dangerous criminals in their 20s, 30s and 40s. He mentioned some of the challenges prison officers face. Of course, another challenge is the availability of drugs in prisons and their effect.

Mike Hill (Hartlepool) (Ind): As my hon. Friend knows, Holme House Prison near my constituency has recently seen a rise in the abuse of Spice. That has caused dangers in itself, but it has also led the local mental health trust to withdraw services from the prison. Does he agree that that shows how dangerous the situation is for prison officers these days?

Grahame Morris: I completely agree. The conditions in many of our prisons are explosive. Holme House Prison is quite close to my constituency too, and I have visited it on a number of occasions. It is not just prison officers who are subjected to assaults; support staff are, too, and they need to be protected.

The debate is really serious. It is about life and death. Assaults against prison officers have almost quadrupled since 2010. As we heard this morning at Justice questions, there are more than 10,000 assaults a year, 1,000 of which are very serious. That works out at more than 28 a day on average—the same as the number of assaults experienced by the whole of our police service, which is a much bigger force. I am not justifying assaults on any emergency workers, but that is the scale of the problem.

I read through some newspaper headlines, which are really quite disturbing. I will mention a selection of them. One paper reported that a court was told how an inmate used a “sock filled with pool balls to smash windows” and injure prison officers. Another reported that a prison officer was stabbed in the head by an inmate in a “savage UK jail attack”. One story read: “Teenage thugs injure 20 prison officers in riot at young offenders’ institute...One officer suffered a broken nose and another was concussion after being repeatedly punched.”

Other headlines included “Prison officer seriously hurt after being ambushed in cell” and “Prison officer has ‘throat cut’ by inmate at HMP Nottingham”. Conditions are difficult for new prison officers in our violent and dangerous prisons.

Mary Glindon (North Tyneside) (Lab): Prison officers need to be fit enough to protect not just themselves but prisoners from violence. Someone elderly, who does not have the same reflexes or strength as a younger person, cannot protect themselves or the people they are there to guard.

Grahame Morris: I completely agree with my hon. Friend’s analysis. We heard the Minister talking this morning about the recruitment of an additional 4,500 prison officers, but from the information provided by the POA it seems that substantial numbers of newly trained prison officers—at least 72 trainee prison officers—are...
leaving the service each month. That must be due, at least in part, to the terrible conditions they face. Again, that is placing great strain on older officers who are expected to take up the slack.

**Sir George Howarth (Knowsley) (Lab):** My hon. Friend is making a powerful case, as did the hon. Member for Sittingbourne and Sheppey (Gordon Henderson). Is it not the case that beyond a certain point some jobs are difficult to do? In the past, that could have included construction workers, working on cold, tough building sites in the dead of winter. This is another example of people reaching a point in life when it is no longer tenable for them to be expected to carry out these duties.

**Grahame Morris:** It is no longer tenable, Mr Hanson. We have reached tipping point, if I might quote a couple of quiz shows. The fact that prison officers are expected to work until the age of 68 disregards basic health and safety; in the opinion of many, it is a complete failure by the Ministry of Justice in its duty of care, under legislation, to prison officers.

I and many Members of the House believe that our uniformed emergency services deserve pension protection. Police officers and firefighters are able to retire at 60, “to reflect the unique nature of their work”, to quote Lord Hutton. A prison officer’s unique nature of work has been recognised as being the same as that of a police officer. Section 8 of the Prison Act 1952 gives prison officers “all the powers, authority, protection and privileges” of police officers. So the Hutton pension test—“to reflect the unique nature of their work”—applies equally to prison officers, police officers and firefighters. Sixty-eight is too late. How many Members of this House would be able to serve on prison landings at 68? There are few who would be able to serve for a week, or even a day, in such violent and dangerous prisons.

**Jo Stevens:** My hon. Friend is being generous with his time. He has talked about staff morale being at rock bottom, the soaring violence and the cuts to prison officer numbers. Does he agree that the prospect of having to work as a prison officer until the age of 68 is fuelling the record number of resignations from the Prison Service? We are in a cycle that we cannot get out of unless the pension age is changed and lowered.

**Grahame Morris:** I agree with my hon. Friend. There are many pressures and causes, but the pension age is a significant one. There are a number of remedies that need to be applied, as outlined by the hon. Member for Sittingbourne and Sheppey.

If it is not presumptuous, I wonder whether the Minister might consider inviting the right hon. Lord Hutton of Furness, who I understand is aged 64, to work in a prison and be part of a team being confronted by inmates with socks filled with pool balls, with razor blades and improvised knives, or surrounded by a group of youths, many of whom seem to have access to Spice and illegal substances, who are only too willing to attack prison officers. Setting prison officers’ pension age at 68 must have been an oversight. If the Government seriously and knowingly took that decision, it is a cruel and callous one, and risks the lives of prison officers working in physically demanding and often violent workplaces.

I urge the Minister to take two actions. First, to acknowledge that 68 is too late to expect a prison officer to work in an unsafe workplace. Secondly, to commit to bringing forward in the next Parliament—the legislation and regulations required to align the pension age of prison officers with their colleagues in other uniformed emergency services.

Prison officers have heard the excuses in parliamentary responses; we heard some of them this morning in Justice questions. The offer that the Government previously made, to reduce the retirement age to 65, is simply a bad deal. Prison officers want pension age parity with their uniformed colleagues. The previous offer was attached to a derisory three-year pay deal and excluded many uniformed staff, who would still have to continue to work until they were 68.

I ask the Minister and everyone listening to the debate to watch the latest videos published by the POA and look at the horrific injuries suffered by prison officers. We should feel ashamed that they are doing a public service, protecting the public, while Parliament stands idle, forcing them to work in terrible conditions that are neither healthy nor safe. We should feel ashamed that we outsource our prison service and system, and that the safety and security of prison officers is left in the hands of companies such as Serco and G4S, whose first and foremost interest is shareholders and profits. We should feel ashamed that we want to put prison officers approaching the age of 70 into such terrible and dangerous situations.

Our prisons are unsafe and understaffed. Prison officers are unappreciated and underpaid. The Minister should set out a comprehensive package to recruit and retain prison officers through improved pay, pensions and conditions. I ask the Minister to do more than give empty platitudes and hollow promises to prison officers. Please accept that 68 is too late and lower prison officers’ pension age to 60. No ifs, no buts; stand up today, make the promise and bring forward the necessary legislation next week—and I guarantee the Minister will get my vote for that legislation.

4.57 pm

**Marion Fellows (Motherwell and Wishaw) (SNP):** It is a pleasure to serve under your chairmanship, Mr Hanson. I congratulate the hon. Member for Sittingbourne and Sheppey (Gordon Henderson) for securing this important debate.

Prison officers are another group in a long line of people in the UK that this Government have let down. They deal with some of the most threatening and disruptive people in society, and their retirement age should recognise this. On average, eight prison staff are assaulted every day. The severity of the attacks and the nature of the injuries result in long periods of sick absence, which can only increase with the link to normal pension age and state pension age.

This policy is another blow to the morale of frontline prison staff, which we have already heard is at an all-time low because of the numerous changes being imposed by Government on the working conditions in
prisons. The perpetual call for efficiency savings and cuts demanded by Government is creating a thoroughly demoralised and underfunded essential service. I should point out, Mr Hanson, that prisons in Scotland are administered by the Scottish Government but pensions are reserved to Westminster. So, Scottish prisons and English prisons are administered differently.

In recent years budget cuts have seen the Prison Service impose an almost total recruitment freeze, alongside pay freezes, leading to a return to a long-hours culture as prison staff are forced to work excessive hours, leading to staff becoming burnt out. The UK Government have still not provided any evidence that frontline prison staff can work in an operational role above the age of 65. When will we see that, if the Minister does not accede to the requests of everyone in the Chamber regarding the pension age of prison officers?

Have the UK Government conducted an impact assessment on raising the retirement age for prison officers above 65? The savings that the Government expect to make from increasing the pension age of frontline uniformed staff will be negated through an increase in payments for temporary injury benefit awards, medical inefficiency payments and medical retirements, along with permanent injury benefits.

Is the Minister’s Government confident that people over the age of 55 would pass the stringent fitness test for a frontline member of the Prison Service? They have to do annual tests. The Ministry of Justice, in its submission to the Cabinet Office on the proposed changes to the pensions, also believed that it was not acceptable for officers above 65? The savings that the Government expect to make from increasing the pension age of frontline uniformed staff will be negated through an increase in payments for temporary injury benefit awards, medical inefficiency payments and medical retirements, along with permanent injury benefits.

In April this year, I invited the then Chancellor of the Duchy of Lancaster, the right hon. Member for Aylesbury (Sir David Lidington), to accompany me and my hon. Friend the Member for Airdrie and Shotts (Neil Gray) to Her Majesty’s Prison Shotts, which is a maximum security prison that holds the most dangerous prisoners in Scotland, to see how well the right hon. Gentleman, who at that point was aged 62, could manage to do the job there. Unfortunately, he declined my invitation, but I am happy to extend it to all Ministers and the Minister for the Cabinet Office, because until people see the work that these people do on the ground, it is impossible for them to imagine what a day in a prison, working as a prison officer, can be like.

One requirement for prison officers is the ability to complete mandatory annual control and restraint training. Under the UK Government’s policy, that would require a 65-year-old—previously a 68-year-old—to physically restrain, potentially on their own, a violent person at the peak of their fitness. I must say that I saw prisoners in Shotts Prison who spent day in, day out in the prison gym, and they were terrifying. If those young, often fit men—they are all men in Shotts Prison—decided to turn on a prison officer, the officer would have no chance. The whole visit was quite scary, to be fair. Clearly, according to the UK Government’s policy, the Minister firmly believes that prison officers aged 65 fulfil their role properly and safely. So, again, I say to her: “Come and visit Shotts, and tell me what you think afterwards.”

The UK Government’s policy on prison officer pensions reflects its policy on pensions in general. It is not just prison officers who cannot be expected to work until 68, but millions of workers across Scotland and the rest of the UK. People are being expected to work until they drop. It is easy for members of the Cabinet and the wealthy to retire whenever they like, since they own their home and have plenty in savings and a massive pension pot, but most people in my Motherwell and Wishaw constituency work hard all their days, sometimes on low wages, to receive a pension that is one of the lowest in western Europe. The UK Government are allowing that. Working people deserve to earn a decent wage and expect a fair pension at a reasonable age.

Under section 8 of the Prison Act 1952, as has already been mentioned, prison officers, “while acting as such shall have all the powers, authority, protection and privileges of a constable.”

If police officers retire at 60, it is only right that the men and women who work on the frontline of the Prison Service are afforded the same right by the public and Government that they protect.

The SNP commends the bravery, commitment and dedication shown by prison officers who face challenging, dangerous and physically demanding working conditions on a daily basis. We believe that the Prison Service must be treated as a uniformed service alongside the police service, fire service and armed forces. We call on the Government to lower the retirement age for prison officers in line with other frontline officers.

In December 2016, the UK Government presented a proposal to reduce the retirement age from 68 to 65 for some prison officer grades in England and Wales. That proposal was not extended to Scottish prison officers. So, if this Government see sense and propose to reduce the prison officer retirement age, the proposal must be made for all countries in the UK. I look forward to the Minister’s response.

5.4 pm

Imran Hussain (Bradford East) (Lab): It is a pleasure to serve under your chairmanship, Mr Hanson. In the brief time I have, I will start by thanking the hon. Member for Sittingbourne and Sheppey (Gordon Henderson) for securing such an important debate. I think the whole House can agree that he made a powerful speech, much of which hon. Members across the House will agree with. I have to say that I disagree with him on the points he made about the privatisation of probation, but that is a debate for another day; I will park that for today.

My hon. Friend the Member for Easington (Grahame Morris) also made a powerful speech. In particular, he gave accounts of some horrific assaults and attacks against our hard-working prison officers. Many other hon. Members contributed through interventions. The theme of much of the debate was that 68 is too late, and I will come to that shortly.

I thank our prison officers for the hard work that they do, often unseen and behind the scenes, to keep us safe. The job that they do on a daily basis is one of the most difficult, and in one of the most dangerous settings imaginable. Yet rather than treating them with the respect and dignity they deserve, for almost a decade this Government have treated them with anything but. Instead of overseeing a highly motivated and trained workforce on the frontline of reforming offenders, the Government have overseen years of declining morale, declining working
conditions and declining numbers among our prison officer workforce. The raising of a prison officer’s retirement age is one part of that. It is an important one, but it is not the whole picture.

Last week, in a debate secured by the Select Committee on Justice, we heard how the Ministry of Justice budget has been savaged in the name of the Government’s ideological austerity agenda. Thousands of prison officers and tens of thousands of years of irreplaceable experience have been lost as a result. Between 2010 and 2015, close to 7,000 frontline prison officers were lost. Despite a recruitment drive once the Government realised the terrible damage they were causing to the prison system, we are still well short of 2010 numbers.

Mr Jim Cunningham (Coventry South) (Lab): It is very interesting that the Government have now decided to replace the numbers of police officers that they lost over the eight or nine-year period, but they cannot do the same for prison officers. I agree with the hon. Member for Motherwell and Wishaw (Marion Fellows) that a prison officer’s job is just as dangerous in some ways as that of a policeman or a fireman, but there is this disparity. Does my hon. Friend agree that public services over the last eight or nine years have been the recipients of some of the most vicious cuts that have been implemented by this Government?

Imran Hussain: I absolutely agree. Given the frontline work that our hard-working prison officers do, they should be an emergency service—a frontline uniformed service—as our other services are, and they should be rewarded and treated exactly the same. I have made that point before.

Like many other public sector professionals on the frontline of vital services, prison officers were also subject to the Government’s harsh pay freeze and public sector pay cap for many years. Even though the pay cap has now been lifted, prison officers are unfairly disadvantaged when compared with their public sector counterparts. For too many prison officers, it is too late. They still feel inadequately rewarded for the important work that they do.

Safety for prison officers has also declined dramatically, with a quadrupling of assaults against prison officers since 2010 and an alarming number of serious injuries, as found in the recent response to my written question, rising from 160 in 2010 to 850 last year. A number of examples have been given by hon. Members; time not permitting, I cannot go through them all, but the reality is that prison officers now go to work fearing for their safety—expecting to be assaulted, beaten or abused. It is truly horrific that they feel that way while this Government do little to address the underlying issues. Those are not the actions of a Government who respect prison officers or treat them with the dignity that they deserve, and nor is raising the retirement age of prison officers to 68.

The job of a prison officer is physically demanding and requires the satisfactory completion of a demanding fitness test. It requires fully fit personnel who are able to perform control and restraint techniques, exercise strength, maintain their fitness and stamina over long periods and react with agility in demanding and quickly changing environments, as alluded to by several Members. The public would not expect anything less from those who keep them safe—and neither, it seems, would the Ministry of Justice, which stated in its submission to the Cabinet Office that the changes were unacceptable. However, the Government have ignored serious concerns about prison officers’ ability to carry out their roles effectively as they get older, despite the Ministry of Justice’s own admissions.

The Government have repeatedly refused to engage with the Prison Officers Association and the prison officers that it represents. Instead of getting around the table to work with the POA to seek a solution, and to look for ways to resolve prison officers’ serious concerns about the retirement age, the Government have sought to pin the blame on it. I am deeply disappointed that Ministers—I appreciate that this Minister is new in her role and is not the Minister responsible for prisons and probation—have failed, quite frankly, to show the leadership needed. They have put the health and safety of prison staff at risk and made it clear that the Government see prison officers not as a vital workforce worthy of investment and support, but as a dispensable commodity.

Because of the way they have been treated by the Government, and with horrendous and dangerous conditions on the balconies and in the wings, many prison officers no longer see their role as a long-term career. It is little wonder that prison officers—both those who have served for years and those in their first year of service—are leaving at such a pronounced rate, creating a retention crisis and worsening the huge problems in our prison system that are of the Government’s making. That is why the next Labour Government will address this issue, and we will work with the POA and prison officers to make sure that they are properly trained and rewarded, and that they are physically capable of doing their jobs. Only then can we deliver a prison system that provides us with security and rehabilitation.

5.12 pm

The Parliamentary Under-Secretary of State for Justice (Wendy Morton): It is an honour to serve under your chairmanship, Mr Hanson. I understand that your chairing the debate is quite fitting, given that you still have a special interest in prisons and all things justice-related.

I start by thanking my hon. Friend the Member for Sittingbourne and Sheppey (Gordon Henderson)—the beautiful Isle of Sheppey, as he referred to it—for securing the debate on this important subject. He clearly demonstrated an ongoing commitment to raising awareness of the issues around the three prisons in his constituency, the prison officers and their families. I thank other hon. Members for their contributions. In the time I have, I will endeavour to answer as many as possible of the questions that were put to me.

Let me begin by providing a little of the history of prison officer pensions, for those who may not be aware of the retirement ages for prison officers and how they have changed since 2007. Pensions are, by their very nature, complex, but I will try to be brief. Prison officers are members of the civil service pension scheme, the policy and rules of which are owned by the Cabinet Office. Prior to 2007, the retirement age for those covered by that scheme was 60. Following an annual review by the Government Actuary’s Department, a new career average pension was brought in, with a pension age of 65 for new entrants from July 2007.

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The demands of the prison officer role were considered at that time, and it was decided that when compared with other civil servants in the scheme who had demanding roles, such as seamen on Royal Fleet Auxiliary ships, a special exception could not be made. The Prison Officers Association signed up to the 2007 scheme, which introduced a pension age of 65. In 2015, a new scheme was introduced that regularised the position for most staff and changed the pension age to 65, or to a staff member’s state pension age, which for many is 68.

It is important to be clear that the Government are alive to the issue and the views of staff and trade unions on retirement age. Efforts have been made twice—in 2013 and again in 2017—to provide a route to lowering the retirement age. The 2013 package offered prison officers the ability to purchase a lower pension age of 65 through the payment of heavily subsidised additional contributions into the scheme, with the additional option to pay further contributions to purchase a pension age of 60. A similar offer was made to prison officers in 2017, but there was no cost to the individual member of staff to purchase a lower pension age of 65. Both offers were rejected by the POA membership.

A comparison has been made today with firefighter and police pensions. Staff in those schemes have a retirement age of 60. Although it is true that work in those roles has some similarities to the work of prison officers, as was raised by my hon. Friend the Member for Sittingbourne and Sheppey, because of the higher physical demands consistently placed on firefighters and the higher potential for serious injury and fatality in both roles, the Government felt that the role of a prison officer was not analogous to those in the emergency services.

Putting that assessment to one side, it is crucial to understand that that lower retirement age is supported by pension contributions by staff of up to 14%—almost 10% higher than the average 5.45% contribution rate in the civil service. It is not, therefore, a like-for-like comparison. Should a change in retirement age be contemplated again in the future, it would involve a significant increase to the staff contribution to the scheme.

Grahame Morris: Will the Minister give way?

Wendy Morton: I am going to make some progress. I am really trying to get through these points in the time that I have.

The role of prison officer is a diverse, interesting and critical one, parts of which can be physically demanding. All prison officers who joined the service after April 2001 must pass an annual fitness test in order to remain prison officers. We do not discriminate on the basis of someone’s age; many factors determine a person’s ability to pass a fitness test. Staff who do not meet the annual fitness test standard are provided with advice and support by a fitness assessor on achieving and maintaining the required fitness level.

The Prison Service recruits staff to work up to the normal pension age of 65, and it has employed new prison officers in their 60s who have passed the fitness test and are performing their roles effectively. In addition, many staff who have the right to retire at 60 choose to work beyond their retirement age. It is therefore not true to say that it is inappropriate or unsafe for prison officers to work over a certain age.

My hon. Friend the Member for Sittingbourne and Sheppey is right when he says that we must recognise the commitment, bravery and hard work of our prison officers.

Mr Jonathan Lord (Woking) (Con): Will the Minister give way?

Wendy Morton: Let me see if I can make some more progress, and then, if time allows, I will give way.

The Prison Service and Ministry of Justice already recognise and reward excellent staff work through a range of awards and honours, such as the Prison Service long service and good conduct medal, the prison officer of the year award and the Butler Trust awards. We are also proposing to the honours, decorations and medals committee the introduction of a new Queen’s Prison Service medal. The concept of a covenant has been raised, and I assure my hon. Friend that we are already considering whether such a covenant for prison staff would be beneficial.

The Government seek pay recommendations from the independent Prison Service pay review body. We recently accepted in full its recommendations for 2019-20, which resulted in the highest increase for prison staff in more than 10 years, with band 3 prison officers—the largest group of staff—receiving a headline increase of 3%.

On the Isle of Sheppey, recognising the competitive labour market, we implemented a market supplement to support the recruitment and retention of staff. This means that the current starting salary for a prison officer at the Sheppey prisons, as well as a number of other sites in the south-east, is £27,293. After an officer has gained four years’ experience, that salary increases to just shy of £30,000.

HMPPS takes very seriously, as I think we all do, the health and safety of all staff working in prisons, however, which was recently accepted in full its recommendations for 2019-20, which resulted in the highest increase for prison staff in more than 10 years, with band 3 prison officers—the largest group of staff—receiving a headline increase of 3%.

We take attacks on our prison officers seriously. Under the Assaults on Emergency Workers (Offences) Act 2018, they are treated equally in law with assaults on the police and other emergency service workers. HMPPS has been working closely with the police and the Crown Prosecution Service to ensure that they understand the impact of crimes committed in prison. In May, we published the new crime in prison referral agreement between HMPPS, the police and the CPS to provide a more consistent approach to dealing with these matters. In addition, as part of a crackdown on crime behind bars, the Government are investing £100 million through the introduction of airport-style security measures, cutting-edge technology to detect
and block mobile phones, and new funding to tackle corruption. Coupled with the 4,700 additional staff recruited since 2016, that investment should have a major impact on crime behind bars.

The Government are investing £2.5 billion in 10,000 new, modern prison places and will also spend an extra £156 million next year on maintaining our existing jails. That will give us space to absorb any rise in prison population created by the increase in police officers on our streets, along with tougher sentencing for the most serious offenders. Our ambition is to create a decent, safe and secure estate that is sustainable into the future.

Mr Lord: I welcome much of what the Minister says, but does it not underline the point that if we are to have a police officer covenant, a prison officer covenant would also be a good idea? It would be a way of recognising prison officers and ensuring that we treat them in the right way, both during and after their service.

Wendy Morton: If the hon. Lady will forgive me, I will press on. I have only five minutes left, and I would like to leave my hon. Friend the Member for Sittingbourne and Sheppey time to wind up.

The hon. Member for Motherwell and Wishaw (Marion Fellows) pointed out that eight prison staff are assaulted every day, and she spoke about morale and impact assessment. As prison officers are part of the wider civil service pension scheme, any impact assessment would consider a range of professions. There is a range of physically demanding roles, and when the pension scheme was introduced an exemption for prison officers was not seen as appropriate. I believe that workforce policy in Scottish prisons is devolved to the Scottish Government.

I thank all hon. Members for their contributions. I particularly thank my hon. Friend the Member for Sittingbourne and Sheppey for bringing this debate to Westminster Hall. Although I understand the concerns of staff and their trade unions about retirement age, there are no plans to consider an exceptional package to allow prison officers a lower pension age than their colleagues across the civil service. I am grateful to my hon. Friend and all hon. Members for their time and for sharing their views with me this afternoon.

It is again too early to say whether the new prisons will be privately or publicly run, but the Government are committed to maintaining mixed market provision in the custodial sector, with prisons run by both the public and the private sectors. Any decisions on the future management of the new build prisons will be announced in due course.

Grahame Morris: The Minister is setting out the case for financial prudence, but may I point out that private prisons account for 15% of the prison population but almost 25% of the budget? If we are being prudent with the public finances and looking to secure a decent settlement for prison officers, surely we should not be privatising our prison service.

Wendy Morton: As I said, it is too early to say whether the new prisons will be privately or publicly run, but no doubt we will be debating that question for some time to come.

On recruitment and retention, we know that retention of staff will take more than a one-size-fits-all approach, so specific action is being taken where attrition is most acute. Improvements to the recruitment process are ongoing and are aimed at reducing the time and cost of hiring, increasing the diversity of new recruits and ensuring that we attract the right people with the right skills.

Jo Stevens: Will the Minister give way on that point?
Written Statements

Tuesday 3 September 2019

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

British Steel

The Secretary of State for Business, Energy and Industrial Strategy (Andrea Leadsom): I want to update the House on the latest developments regarding British Steel Limited.

On 22 May British Steel entered insolvency, and control of the company passed to the court appointed official receiver. The Government provided an indemnity to the official receiver which enabled British Steel to continue to trade, customers to receive orders, key suppliers to maintain their services, and staff to continue to be employed.

Since then, the official receiver has been running an independent sales process with a view to finding a secure future for British Steel. The Government have worked tirelessly with the official receiver and all interested parties to leave no stone unturned to find a suitable buyer for the company and to keep steel coming off the production line.

Following several weeks of discussions with a number of interested parties, on the 16 August the official receiver confirmed it had accepted a bid from Ataer Holding AS for the whole business. This is an important and positive step towards protecting thousands of direct jobs and many more in the supply chain, and to securing steelmaking operations at British Steel’s sites in Scunthorpe, Skinningrove and on Teesside.

Work is now continuing to seek to finalise the details of a sale and the Government will continue to work closely with the official receiver and the preferred bidder during this process.

This has been a worrying time for British Steel’s dedicated workers, their families, those in the supply chain and their wider communities. Throughout this process their welfare has been paramount. This positive step, and the ability to secure a new owner, is due in large part to their commitment to securing the future of the company. This commitment and drive was abundantly clear in my visit to the site in Scunthorpe with the Industry Minister, during my first week as Business Secretary.

The Government’s determination, coupled with the support of Members from across the House of Commons, ensured every possible step was taken to secure a buyer and throughout the process our focus remained firmly on securing a buyer who could take the whole business forward.

While much remains to be achieved, Ataer has a long-term, strategic vision for growing British Steel with their parent company OYAK publicly stating that if this sale goes through their priority will be to increase production capacity and investment. Ataer is already in the steel industry, as the largest shareholder in Erdermir, Turkey’s largest flat steel producer. In the first three months of this year alone, Erdermir posted profits of $186 million and 2.4 million tonnes of liquid steel production.

While the completion of the sale is by no means certain, the Government will continue to fully engage with all relevant parties as the sales process continues.

I would like to pay special tribute to the excellent work and dedication of the British Steel Support Group as well as that of my predecessor, the right hon. Member for Tunbridge Wells (Greg Clark). The support group includes Members from across the House of Commons, local political leaders, local enterprise partnerships, trade union representatives, British Steel management, in addition to Make UK and the FSB. Working constructively with the Government, this body has been instrumental in helping to move to the next stage of this process.

While there are challenges in the global steel market, the opportunities for growth are substantial—including an additional £3.8 billion per year of potential domestic sales for UK steel producers from 2030. Britain and the rest of the world will continue to need high-quality steel, and British steel is among the best in the world. The Government have already taken wide-ranging action to support the industry, including compensation for energy costs and introducing specific public procurement guidelines for steel.

Each one of British Steel’s sites has a proud record of steelmaking excellence which we are determined to see continue. I want to reassure colleagues that the Government remain firmly committed to securing a bright future for British Steel. In the days and weeks ahead we will continue to work closely with all parties to leave no stone unturned to finalise the sale and will take every possible step to ensure a long-term future for these valuable operations.

Clean Steel Fund and Low Carbon Hydrogen Production Fund

The Secretary of State for Business, Energy and Industrial Strategy (Andrea Leadsom): Moving to net zero greenhouse gas emissions for the UK economy requires transformation across all sectors of the economy and unprecedented levels of investment in green and low carbon technologies. The UK is a world leader in clean growth and in setting our ambitious, legally binding, target of achieving net zero emissions across the economy by 2050 we have demonstrated our commitment to maintain this position.

A vibrant steel sector is of vital importance to the UK economy. The sector employs 32,000 people and supports up to a further 40,000 jobs through its supply chains. With long standing expertise in steel making, the UK is well positioned to demonstrate international leadership in clean steel and realise domestic growth and export opportunities in associated products and technical knowledge.

Today, the UK steel sector is a significant source of emissions contributing 15% to industrial greenhouse gas emissions. The integrated steel works at the British Steel site in Scunthorpe and the Tata Steel UK site Port Talbot are the two largest industrial sources of emissions in the UK.
We believe the time is right to provide dedicated support to our steel industry, to help put it on a pathway to decarbonisation in line with our net zero commitments. As a signal of that support, on 29 August, Government announced a £250 million Clean Steel Fund.

There are a range of different decarbonisation options for steel production: switching to lower carbon fuels, including hydrogen; industrial carbon capture; and energy and material efficiency. In order to better understand the needs of the steel sector and which pathways best meet our objectives we issued a call for evidence alongside the fund’s announcement to inform its future design. We will work with the steel sector and other stakeholders to develop timelines for the fund and to identify how to maximise the economic and environmental benefits of these decarbonisation options.

Recognising that availability of low carbon hydrogen at scale is a constraint to large industrial users considering fuel switching, Government have also announced a new £100 million Low Carbon Hydrogen Production Fund. The fund will support the deployment of low carbon hydrogen production capacity and encourage private sector investment. This could enable a pathway to lower carbon steel production and support broader efforts to reduce emissions across the energy system, including transport, other industry, power and potentially heat in buildings. The Government intend to consult on the shape of the fund during 2020 with a view to launching the fund for bids in 2021.

Together these funds will be a vital part of transforming UK industry and allow us to seize the opportunities of clean growth, which are at the heart of our modern industrial strategy.

DEFENCE

Reserve Forces and Cadets Association External Security Team Report 2019

The Secretary of State for Defence (Mr Ben Wallace): I have today placed in the Library of the House a copy of a report into the condition of the reserves and delivery of the Future Reserves 2020 programme compiled by the reserve forces and cadets associations external scrutiny team. I am most grateful to the team for their work. The report raises interesting points which, after a thorough examination, I will respond to later in the year.

EDUCATION

Education Funding

The Secretary of State for Education (Gavin Williamson): Today I will be making an oral statement in the House, updating on the schools and colleges funding package announced by the Prime Minister last weekend.

The package includes a cash increase compared to 2019-20 of £2.6 billion to core schools funding next year, with increases of £4.8 billion and £7.1 billion in 2021-22 and 2022-23 respectively.

This is in addition to the £1.5 billion per year that we will continue to provide to fund additional pension costs for teachers over the next three years.

We will also be investing an extra £400 million in 16-19 education next year—the single biggest annual increase for the sector since 2010.

My statement will set out core schools funding at a national level. Illustrative school level allocations and provisional local authority level allocations through the schools and high needs National Funding Formulae will be announced next month. I will then write to Members with further details on the impact for schools and local areas.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Summer Flooding and Reservoir Review

The Secretary of State for Environment, Food and Rural Affairs (Theresa Villiers): This summer saw significant rainfall that unfortunately impacted several communities. In June, properties and farmland were flooded after the River Steeping broke its banks leading to a quick response from the Environment Agency supported by the RAF. At the end of July there was significant rainfall which led to flooding in several communities. The flash flooding in North Yorkshire saw homes, businesses and farms affected as well as causing damage to roads and bridges resulting in travel disruption. On 1 August further heavy rainfall led to the spillway of Toddbrook Reservoir experiencing damage. This did not lead to a breach of the dam itself, but to ensure the safety of Whaley Bridge, a decision was taken by the local resilience forum to evacuate 1,500 people until the authorities could be assured there was no ongoing risk. The local community responded with grace and patience despite the disruption this caused to their daily lives, which we are grateful for. Recovery continues in both North Yorkshire and Wainfleet, where the local authorities are working with those affected.

In Whaley Bridge, everyone was able to return home within a week. The Canal and River Trust, supported by the EA, fire service, voluntary organisations, contractors and the RAF worked to reduce the water levels in the reservoir and shore up the damaged spillway with over 500 one-tonne bags of aggregate to effect a temporary, but stable, repair. COBRA engaged a panel of experts, led by GO-Science, to review and advise on the engineers’ safety report and immediate management of the reservoir, before the local resilience forum made the decision to end the evacuation.

A plan is in place to ensure the water levels are monitored and remain at safe levels until full repairs are completed. As the body responsible for Toddbrook Reservoir, the Canal and River Trust (CRT) is now fully assessing the damage and identifying the most appropriate long-term repairs to provide confidence in the long term safety of this dam. As the regulator, the EA will assess the proposals. My officials in DEFRA will also...
work with the CRT as they consider the long term future of the reservoir taking into account both the views of the local community and their legal obligations.

I wish to thank the Whaley Bridge residents displaced from their homes for their forbearance and patience in difficult circumstances. I also want to recognise and thank the emergency services, local authorities, the Environment Agency, our servicemen and women, contractors and the very many volunteers who responded in all of these situations to both mitigate the immediate impacts or risks and support those who were affected.

On 10 August the Government announced a £5.25 million package of support for these communities which included support to the local authorities for the extra costs, funding for bridge repairs and support to farmers for any uninsurable costs.

We have an excellent reservoir safety record in this country, but it is important that we learn from this incident to ensure such infrastructure, and the legislation that governs it, is and remains fit for purpose. To that end, I am commissioning an independent review which will investigate what might have led to the damage, whether there was anything that could have prevent or predicted it and identify any lessons learned. This review will supplement the future report from the Canal and Rivers Trust into their assessment of the factors that led to the damaged spillway.

Any lessons learned will be shared with other reservoir owners to inform their inspection and maintenance regimes, to be used to make recommendations to Ministers to update the implementation of current regulations, including inspection guidance, and/or to suggest any changes required to current reservoir safety legislation. I am expecting an interim report by the end of the year.

In advance of this piece of work the Environment Agency, as the regulator for reservoir safety, have contacted the operators of over 2,000 reservoirs since the Toddbrook incident requesting that all operators check that there are no safety concerns. The EA has identified eight reservoirs that have concrete spillways with some similarity to Toddbrook Reservoir and has followed up directly with the owners of these eight reservoirs to secure additional inspections. At this stage there is no indication of any concerns with any of these eight reservoirs. The EA is also carrying out inspections of their own reservoirs directly, and the Department is writing to reservoir owners and the local resilience forums to ensure they have up to date flood and evacuation plans in place.

Climate change and population growth mean that the risks from flooding and coastal erosion are increasing. That is why Government are looking to update the flood and coastal erosion policy framework to ensure that we can continue to manage these risks effectively into the future. By the end of 2019, the Government will set out their policies to better prepare the country for flooding and coastal erosion in a Government policy statement on flooding and coastal erosion. The Government will also set out plans for a step change in broader infrastructure investment through the publication of a national infrastructure strategy later in the autumn. Informed by this Government policy, the Environment Agency will update its national strategy for flood and coastal erosion risk management.

[HCWS1808]
Common and Birmingham Curzon Street, followed by services to and from London Euston later. He expects phase 2b, the full high-speed line to Manchester and Leeds, to open between 2035 and 2040.

He has also suggested that phase 2a, west midlands to Crewe, could be delivered to the same timetable as phase 1, subject to parliamentary approval. Finally, he is of the view that the benefits of the current scheme are substantially undervalued. HS2 Ltd continues to refine its estimates of cost, benefits and schedule. All these will be considered within the scope of the Oakervee review.

I said when I announced the independent review into HS2 that I now want Doug Oakervee and his panel to assess independently these findings from the chairman of HS2 Ltd and other available evidence. That review will provide independent recommendations on whether and how we proceed with the project.

Furthermore, the costs and benefits of HS2 have been quoted in 2015 prices since the last spending review. While this allows a stable set of numbers to compare against, it also risks being misconstrued and understating the relative cost of the project, and indeed its benefits.

I therefore think it is worth also updating the House in current prices. Adjusting by construction cost inflation, the range set out in Allan Cook’s report is equivalent to £81 to £88 billion in 2019 prices, against a budget equivalent to £62.4 billion.

To be clear, these additions do not represent an increase in the project’s underlying costs, and are largely a point of presentation. Nonetheless, I will discuss with the Chancellor the case for updating the costs and benefits of HS2 to current prices to ensure transparency. Again, this is another reason for an independent review.

During the short period in which the independent review completes its work I have authorised HS2 Ltd to continue the current works that are taking place on the project. This will ensure we are ready to proceed without further delay for the main construction stage of phase 1 in the event that the Government choose to continue. Similarly, I intend to continue to progress the next stages of the hybrid Bill for phase 2a, west midlands to Crewe, in the House of Lords while the review is ongoing.

This update is intended to provide colleagues with the information they require about the current status of the HS2 programme. An independent review is now under way to give us the facts about the costs of the HS2 project. I want to be clear with colleagues that there is no future for a project like this without being transparent and open, so we will be candid when challenges emerge. Therefore, as soon as I have a clear sense of the costs and benefits from Doug Oakervee’s review I will update the House.

In the same spirit, my permanent secretary has today written to the National Audit Office, offering my Department’s support—in their inquiry already under way—in auditing not only the project’s cost and schedule pressures, but the steps taken in response to these.

We all in this House know we must invest in modern infrastructure to ensure the future prosperity of our country and its people. We look back to past achievements with a sense of pride—from the canals and railways that ensured the UK led the world into the industrial revolution, to the space ports and launch sites we are now considering that will make the UK a global leader in space. These endeavours both inspire and improve the quality of our everyday lives. It is therefore right that we subject every project to the most rigorous scrutiny; and if we are to truly maximise every opportunity, this must always be done with an open mind and a clean sheet of paper.

The attachment can be viewed online at http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2019-09-03/HCWS1809/.

[HCWS1809]
Written Statements

Wednesday 4 September 2019

TREASURY

Loans to Ireland Act: Bilateral Loan

The Economic Secretary to the Treasury (John Glen):
I would like to update Parliament on the loan to Ireland.

In December 2010, the UK agreed to provide a bilateral loan of £3.2 billion as part of a €67.5 billion international assistance package for Ireland. The loan was disbursed in 8 tranches. The final tranche was drawn down on 26 September 2013. Ireland has made interest payments on the loan every six months since the first disbursement.

On 30 July, in line with the agreed repayment schedule, HM Treasury received a total payment of £404,642,604.73 from Ireland. This comprises the repayment of £403,370,000 in principal and £1,272,604.73 in accrued interest.

As required under the Loans to Ireland Act 2010, HM Treasury laid a statutory report to Parliament on 1 April 2019 covering the period from 1 October to 31 March 2019. The report set out details of future payments up to the final repayment on 26 March 2021. The Government continue to expect the loan to be repaid in full and on time.


The next statutory report will cover the period from 1 April to 30 September 2019. HM Treasury will report fully on all repayments received during this period in the report.

[HCWS1812]

Counter-terrorist Asset Freezing Regime: January-March 2019

The Economic Secretary to the Treasury (John Glen):
Under the Terrorist Asset-Freezing etc. Act 2010 (TAF A 2010), the Treasury is required to prepare a quarterly report regarding its exercise of the powers conferred on it by part 1 of TAF A 2010. This written statement satisfies that requirement for the period 1 January 2019 to 31 March 2019.

This report also covers the UK’s implementation of the UN’s ISIL (Daesh) and al-Qaeda asset-freezing regime (ISIL-AQ), and the operation of the EU’s asset-freezing regime under EU regulation (EC) 2580/2001 concerning external terrorist threats to the EU (also referred to as the CP 931 regime).

Under the ISIL-AQ asset-freezing regime, the UN has responsibility for designations and the Treasury, through the office of financial sanctions implementation (OFSI), has responsibility for licensing and compliance with the regime in the UK under the ISIL (Daesh) and al-Qaeda (Asset-Freezing) Regulations 2011.

Under EU regulation 2580/2001, the EU has responsibility for designations and OFSI has responsibility for licensing and compliance with the regime in the UK under part 1 of TAF A 2010.

EU regulation (2016/1686) was implemented on 22 September 2016. This permits the EU to make autonomous al-Qaeda and ISIL (Daesh) listings.

The annexed tables set out the key asset-freezing activity in the UK during the quarter.

The attachment can be viewed online at: http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2019-09-04/HCWS1813/.

[HCWS1813]

HOME DEPARTMENT

Leaving the EU: Immigration System

The Secretary of State for the Home Department (Priti Patel): After Brexit, the Government will take back control by introducing a new, fairer immigration system that prioritises skills and what people can contribute to the UK, rather than where they come from. Yesterday we commissioned the independent migration advisory committee to review the benefits of a points-based system and what best practice can be learnt from other international comparators, including the Australian immigration system.
In a no-deal scenario, free movement as it currently stands will end at 11pm on 31 October. The UK will no longer be under the jurisdiction of the European Court of Justice. EU citizens will be subject to stricter criminality checks and further changes will be introduced to show that the UK has left the EU. I am today publishing a policy statement setting out these changes, and further information will be published in due course.

The Government recognise the need to provide EU citizens, employers and others with certainty about the arrangements that will be in place after Brexit. Border crossing arrangements will not change. However, we do not believe it is right to allow people moving to the UK after Brexit to have the same rights as the EU residents who have lived here, in some cases for decades.

After careful consideration, myself, the Prime Minister and Cabinet have therefore agreed that EU citizens moving here after a no-deal Brexit will be able to access a temporary immigration status, until the new skills-based immigration system goes live at the start of 2021.

To this effect, the Home Office will open a new European temporary leave to remain scheme for EU citizens and their close family members moving to the UK after Brexit, in a no-deal scenario. When the scheme opens it will be voluntary, and we will not charge a fee. It will be open until the end of 2020 and EU citizens who apply will be able to secure a 36 month temporary immigration status which will extend beyond the launch of the UK’s future immigration system. Once the future system opens at the start of 2021, anyone without European temporary leave to remain will have to qualify under the provisions in the future system if they wish to stay in the UK. In contrast, those who have applied for the bespoke interim scheme will have more time to transition into the future system and will not need to qualify until their temporary leave expires.

The same arrangements will apply to nationals of Iceland, Liechtenstein, Norway and Switzerland.

The 3.4 million EU citizens already resident here, and their family members, deserve a privileged position. They are our family, friends and neighbours and we want them to stay. We have set up the EU settlement scheme to enable them to secure their status under UK law and—in a no-deal scenario—they have until at least 31 December 2020 to apply. Already over 1 million people have successfully been granted status.

Until the future immigration system is introduced, all EU citizens will be able to prove their rights to take up employment and rent property, as now, by using a passport or national identity card. Their rights to claim benefits and access services in the UK will remain unchanged.

Irish citizens will continue to be able to enter, live and work in the UK without requiring permission. The UK and Irish Governments have made firm commitments to protect common travel area arrangements, including the associated rights of British and Irish citizens in each other’s state.

For EU citizens and their family members moving to the UK after Brexit, freedom of movement in its current form will end on 31 October. EU citizens who still want to make a contribution to the UK will soon have a route by which they can secure the certainty of status they need in advance of the future system going live in 2021.

[HCWS1817]

NORTHERN IRELAND

NI (Executive Formation etc) Act: Reports

The Secretary of State for Northern Ireland (Julian Smith): I am today formally laying in the House, under section 3 of the Northern Ireland (Executive Formation etc) Act 2019, reports on progress towards forming an Executive and other matters.

Northern Ireland has been without a sitting Assembly and Executive since January 2017. Since becoming Secretary of State for Northern Ireland I have made working to restore the devolved institutions my absolute priority.

Whilst significant gaps remain on rights, identity and culture, the Government’s assessment is that the range of outstanding issues in the cross-party talks is relatively narrow.

This means it should prove possible—with intensive engagement—to resolve the strands of talks on the programme for government, transparency and sustainability relatively swiftly. There has been good engagement too on the petition of concern.

While the parties remain engaged and are demonstrating a willingness to find solutions to the remaining critical issues, a renewed determination to find agreement will be needed if the process is to conclude in the coming weeks.

Northern Ireland needs a restored Executive and the political leadership that would bring. The UK Government, working closely with the Irish Government in accordance with the three-stranded approach, will now intensify our efforts to put forward compromise solutions to the parties. If that does not succeed, then my next update to the House will set out next steps to ensure adequate governance in Northern Ireland and the protection of the Belfast (Good Friday) agreement.

The reports I have laid in the House today also address other critical issues for Northern Ireland. These include a report on the progress of implementing the recommendations made by the report of the inquiry into historical institutional abuse in Northern Ireland. I want to pay particular tribute to the survivors I have met, who waited so long for acknowledgment and accountability for the appalling abuse that they suffered. Good progress has been made on drafting legislation to deliver redress for the survivors, and I will continue to press for a slot to introduce the legislation at Westminster as soon as possible.

I have also laid a report setting out next steps on abortion in Northern Ireland. The Government acknowledge that this is a highly sensitive subject, and I continue to believe it would be better in principle if it could be addressed by the democratic institutions in Northern Ireland.

Given the very long and drawn-out cross-party talks process, the House spoke clearly in July this year. There are now legal obligations for the Government to deliver change to the law on abortion in Northern Ireland in the event that the Executive is not restored. The Government will update the House and the public regularly on the steps it is taking, mindful that the legal obligation will be triggered from 21 October in the absence of an Executive. This will result in the repeal of the relevant criminal law in Northern Ireland [sections 58 and 59 of...
the Offences against the Person Act 1861], and a moratorium will also come into effect on that date, meaning that no criminal investigation may be carried out, and no criminal proceedings may be brought or continued after this time.

By no later than 31 March 2020, a new legal regime allowing for lawful access to abortion services, implementing the recommendations of the 2018 Committee on the Elimination of Discrimination against Women (CEDAW) Report, will be in place.

The full list of reports is as follows:

- Gambling
- Human trafficking
- Victims’ payment
- Historical institutional abuse

A single report covering:

- Executive formation
- Transparency of political donations
- Higher education and a Derry university
- Presumption of non-prosecution
- Troubles related guidance
- Abortion law review
- Armed forces covenant
- Definition of a victim

Both Houses will debate the motions on the first reports relating to the Northern Ireland (Executive Formation etc) Act 2019.

The guidance notes that it does not, and cannot be used to, change the current law on abortion or same-sex marriage in Northern Ireland. Both issues remain devolved matters in Northern Ireland. The guidance provides that all relevant Northern Ireland Departments should continue to have regard to all of their legal obligations, including the Human Rights Act 1998 and sections 24 and 75 of the Northern Ireland Act 1998, in exercising any relevant functions in relation to abortion and same-sex marriage.

Two reports required under section 4 have been published as written ministerial statements on 30 January 2019 and 1 May 2019.

I have consulted the head of the Northern Ireland civil service in the preparation of this report. He has reaffirmed the continuing commitment of the NICS to have regard to their legal obligations when exercising any relevant functions in relation to abortion and same-sex marriage.

The Government’s preference remains that any change to law on either of these sensitive devolved issues is taken forward by a restored Executive and functioning Assembly. It remains the hope that devolved government can be restored at the earliest opportunity through the current talks process.

However, we recognise the strength of feeling on same-sex marriage and abortion law reform demonstrated by a majority of MPs supporting the addition of sections 8 and 9 to the Northern Ireland (Executive Formation etc) Act 2019. These sections require the Government to regulate in order to provide access to abortion services and same-sex marriage (and opposite-sex civil partnerships) in Northern Ireland, if there is no restored Executive by 21 October 2019.

There are a range of sensitive policy issues that need to be carefully addressed on both issues. We will work with relevant Whitehall Departments and the Northern Ireland civil service to take all necessary steps between now and 21 October 2019 to ensure that, if the Executive has not been restored by that date, relevant regulations can come into force in accordance with the timescales specified in the Northern Ireland (Executive Formation etc) Act 2019.
Written Statements

Thursday 5 September 2019

EXITING THE EUROPEAN UNION

General Affairs Council July 2019

The Parliamentary Under-Secretary of State for Exiting the European Union (James Duddridge); Lord Callanan, Minister of State for Exiting the European Union, has made the following statement:

I represented the UK at the General Affairs Council (GAC) in Brussels on 18 July 2019. From September 1 until exit day, the UK will no longer attend most EU meetings, in order to make the best possible use of UK resources. The UK is still committed to the duty of sincere cooperation and this decision is not intended in any way to frustrate the functioning of the EU. A provisional report of the meeting and the conclusions adopted can be found on the Council of the European Union’s website at:


The presidency presented its plan for approaching the next phase of negotiations on the multiannual financial framework (MFF) for 2021-27, and indicated its commitment to the European Council’s objective of concluding the MFF by the end of the year. To prepare for discussions between EU Leaders on the MFF in October, the presidency outlined a new timetable for delivery and prepared a questionnaire for member states to complete over the summer. The Commission welcomed the timetable and noted the need to consider the views of the new European Parliament.

Presentation of the priorities of the Finnish presidency

The presidency delivered a presentation on its priorities for the next six months. The overarching priorities include strengthening common values and the rule of law; making the EU more competitive and socially inclusive; strengthening the EU’s position as a global leader in climate action; and protecting the security of citizens comprehensively.

Other issues to be discussed throughout the summer. The Commission welcomed the timetable and noted the need to consider the views of the new European Parliament.

Implementation of the strategic agenda 2019-2024

Ministers discussed the implementation of the new EU strategic agenda 2019-24. The strategic agenda was adopted by the European Council on 20 June 2019 and will guide the overarching priorities for the next institutional cycle. The priority areas are: protecting citizens and freedoms; developing a strong and vibrant economic base; building a climate-neutral green, fair and social Europe; and promoting European interests and values on the global stage.

Ministers discussed how the strategic agenda could be implemented. The discussion was guided by a presidency paper which provided an initial indication as to which Council configuration would consider the main issues and set out proposed timings for these discussions. Member states agreed on ensuring a coherent agenda across all three institutions; supported greater engagement with citizens and national Parliaments through clear communication; and stressed the importance of achieving concrete results. I intervened to welcome the broad themes of the Finnish presidency and stated that the UK would support its delivery of priorities whilst we remained a member state. I also reaffirmed the UK’s continued commitment and support for the security and competitiveness of the EU, and welcomed the greater focus on hybrid threats and cyber threats.

Several member states referred to the programme set out by Commission President-elect von der Leyen, and called for the strategic agenda to inform the commission work programme. The GAC will return to this agenda item in October and December, while the European Council will discuss the follow-up to the strategic agenda at the October European Council.

Commission communication on further strengthening the Rule of Law

The Commission presented its new communication on further strengthening the rule of law in the EU which was adopted on 17 July. The proposals centred on the three pillars of promotion, prevention and response and included a Commission-driven “Rule of Law Review Cycle” and an “Annual Rule of Law Review”. These proposals will engage all member states to prevent backtracking on the rule of law.

Rule of law in Poland / Article 7 (1) TEU reasoned proposal

The Commission provided a further update on the rule of law in Poland. This followed the recent judgment of the European Court of Justice (ECJ) on Poland’s Supreme Court law.

[HCWS1818]

HOUSING, COMMUNITIES AND LOCAL GOVERNMENT

Building Safety

The Secretary of State for Housing, Communities and Local Government (Robert Jenrick): I updated the House today in an oral statement on the Government’s progress on building safety and set out this Administration’s approach. As set out in the statement, I am consulting on changes to fire safety regulations for new-build blocks of flats. We will seek to commit to requiring sprinkler systems as standard in a wider range of new flats. We will also consult on requiring better signs and evacuation alert systems to support effective firefighting.


[HCWS1820]

WORK AND PENSIONS

Jobseekers (Back to Work Schemes) Act 2013

The Parliamentary Under-Secretary of State for Work and Pensions (Mims Davies): I will, later today, lay a draft remedial order to amend the Jobseekers (Back to Work Schemes) Act 2013, along with the Government statement, setting out our response to the report from the Joint Committee on Human Rights and other representations my Department received on the proposal for the draft order when this was laid in Parliament between 28 June and 31 October 2018.

The draft remedial order ensures the right to a fair hearing for a small group of claimants who had lodged an appeal against a sanction decision that was retrospectively validated by the 2013 Act, if that appeal case had not been finally determined, abandoned or withdrawn before 26 March 2013. For these appeal cases, the draft order gives the courts the ability to find in the individual’s
favour and enables the Secretary of State for Work and Pensions to change the sanction decision and refund the amount withheld, without those affected individuals having to continue with their appeal, wherever possible.

In 2013, the courts ruled that the Jobseeker’s Allowance (Employment, Skills and Enterprise Schemes) Regulations 2011 (ESE regulations) that underpinned a range of programmes of support to help people into work did not describe the individual schemes in enough detail, and that our referral letters did not say enough about the activities required. The Jobseeker’s Allowance (Mandatory Work Activity Scheme) Regulations 2011 (MWA regulations) contained identical requirements about the content of referral letters. The 2013 Act reinstated the original policy intent of these regulations. This ensured that job seekers who had failed to take all reasonable steps to increase their chances of finding work between 2011 and 2013 did not unfairly obtain advantage over claimants who complied with the benefit conditionality requirements.

The Court of Appeal has ruled that the 2013 Act is effective in retrospectively validating sanction decisions and notifications. The Court of Appeal also ruled that the 2013 Act was incompatible with article 6(1) (the right to a fair hearing) of the European convention on human rights. It did not prevent people from appealing if they felt they had a good reason for not participating in one of the employment schemes, but it meant that their appeal would be unsuccessful if it related to their compliance with the ESE regulations or the referral notification they received under the ESE regulations or the MWA regulations. The Court of Appeal found that the 2013 Act was effective and that there was no breach of the European convention on human rights for the vast majority of claimants affected by the 2013 Act. The incompatibility with article 6(1) arises only where a claimant had an undetermined appeal still in the tribunal system on the 26 March 2013, the date the Act came into force. The court’s decision does not affect the continuing validity of the 2013 Act.

I used the non-urgent remedial order process to allow time for parliamentary scrutiny. This requires that an initial proposed draft remedial order is laid in both Houses for a period of 60 days for consultation. The Joint Committee on Human Rights also consulted on the proposal and published its report on 31 October 2019. The initial proposed draft remedial order restored the right to a fair hearing for ESE regulation appeal cases because the appellants in the Court of Appeal case were appealing sanctions decisions made under these regulations. An upper tribunal judge has since questioned whether a limited group of mandatory work activity (MWA) appeal cases might also be included, as their rights under article 6(1) of the European convention on human rights arguably may also have been affected by the 2013 Act.

I have thoroughly considered his question and I believe that certain MWA regulation appeal cases are in a similar position to the ESE appeal cases that were specifically examined by the Court of Appeal. I have, therefore, revised the proposed draft remedial order to ensure that all claimants who had a pending appeal in the tribunal system on 26 March 2013 that may have been affected when the retrospective provisions of the 2013 Act came into effect are included in the draft remedial order.

There are no other groups similarly affected by the 2013 Act. The revised draft remedial order remains limited to circumstances that were incompatible with article 6(1) of the European convention on human rights. I will lay the draft order later today for consideration by Parliament for a period of 60 days, it is then subject to affirmative resolution.
The Economic Secretary to the Treasury (John Glen):
I am informing the House of the sale of the remainder of a claim against Kaupthing Singer and Friedlander Limited (in administration) (“KSF”) acquired by the Government during the 2007-08 financial crisis. The Government's claim was held by the financial services compensation scheme (“FSCS”) which compensated KSF depositors at the time of the financial crisis. This sale to Tavira Securities Limited generates proceeds of £17.8 million for the Exchequer.

Rationale

The Government acquired their claim in KSF to preserve financial stability. The administration of KSF has now been running for over nine years and there is comparatively little value remaining in the residual assets. The Exchequer has received £421 million of dividends prior to this sale. In addition, FSCS has repaid to the Exchequer £2.6 billion (plus interest of £146 million) which it borrowed at the time of the financial crisis to enable it to pay compensation for covered deposits in KSF.

Continuing to hold the claim until the administration of KSF concluded was considered, but this option was discounted as the analysis suggested a sale could achieve value for money and would free up FSCS and HM Treasury capacity previously used to manage the claim to pursue other work.

FSCS discussed the sale with a number of potential counterparties, having previously examined the market for selling claims. The counterparty selected offered the highest price.

The proceeds from this sale will reduce public sector net debt. This marks the conclusion of the Government's and FSCS's involvement in KSF.

Format and timing

The Government and FSCS concluded that this sale achieves value for money for the taxpayer having (i) conducted an analysis of whether market conditions were conducive for the sale of this asset; and (ii) conducted an assessment of the fair market value for the asset. The sale made use of a third party broker experienced in selling claims against insolvent companies, which was done to create competitive tension among potential ultimate buyers of the asset.

Fiscal impacts

I can confirm that the sale proceeds of £17.8 million are within the hold valuation range. In 2019-20 the sale reduces public sector net debt (PSND) by £17.8 million and public sector net liabilities (PSNL) and public sector net financial liabilities (PSNFL) by £2.3 million.
The key aspects of the formula for 2020-21 are:

move to a system where funding is based on need.

The review will inform and support the Government commitment to revise and update the SEND Code of Practice before the end of 2020.

[HCWS1829]

School Funding

The Minister for School Standards (Nick Gibb): Today I am confirming detailed aspects of schools and high needs funding arrangements for 2020-21. This follows a statement by the Secretary of State for Education on 3 September, which confirmed to Parliament that the funding for schools and high needs will, compared to 2019-20, rise by £2.6 billion for 2020-21, £4.8 billion for 2021-22, and £7.1 billion for 2022-23.

In 2020-21, this funding will be distributed using the schools and high needs national funding formulae (NFF). We will be publishing provisional NFF allocations at local authority and school level in October, including local authorities’ final primary and secondary units of funding for the schools block. Alongside this, in the usual way, we will publish technical documents setting out the detail underpinning the formulae. We will then publish final schools and high needs allocations for local authorities in the dedicated schools grant (DSG) in December.

The schools NFF for 2020-21 will continue to have the same factors as at present, and we will continue to implement the formula to address historic underfunding and move to a system where funding is based on need.

The key aspects of the formula for 2020-21 are:

The minimum per pupil funding levels will be set at £3,750 for primary schools and £5,000 for secondary schools. The following year, in 2021-22, the primary minimum level will rise to £4,000.

The funding floor will be set at 1.84% per pupil, in line with the forecast GDP deflator, to protect per pupil allocations for all schools in real terms. This minimum increase in 2020-21 allocations will be based on the individual school’s NFF allocation in 2019-20.

Schools that are attracting their core NFF allocations will benefit from an increase of 4% to the formula’s core factors. There will be no gains cap in the NFF, unlike the previous two years, so that all schools attract their full core allocations under the formula.

As previously set out, we will make a technical change to the mobility factor so that it allocates this funding using a formulaic approach, rather than on the basis of historic spend.

Growth funding will be based on the same methodology as this year, with the same transitional protection ensuring that no authority whose growth funding is unwinding will lose more than 0.5% of its 2019-20 schools block allocation.

The Secretary of State confirmed on 3 September the Government’s intention to move to a “hard” NFF for schools—where budgets will be set on the basis of a single, national formula. We recognise that this will represent a significant change and we will work closely with local authorities, schools and others to make this transition as smoothly as possible.

In 2020-21 local authorities will continue to have discretion over their schools funding formulae and, in consultation with schools, will ultimately determine allocations in their area. However, as a first step towards hardening the formula, from 2020-21 the Government will make the use of the national minimum per pupil funding levels, at the values in the school NFF, compulsory for local authorities to use in their own funding formulae.

In addition, two important restrictions will continue:

Local authorities will continue to set a minimum funding guarantee in local formulae, which in 2020-21 must be between +0.5% and +1.84%. This allows them to mirror the real terms protection in the NFF, which is the Government’s expectation.

Local authorities can only transfer up to 0.5% of their school block to other blocks of the DSG, with schools forum approval. To transfer more than this, or any amount without schools forum approval, they will have to make a request to the Department for Education, even if the same amount was agreed in the past two years.

The high needs NFF for 2020-21 will also have the same factors as at present. With over £700 million of additional funding, the formula will:

Ensure that every local authority will receive an increase of at least 8% per head of 2 to 18 population through the funding floor. This minimum increase in 2020-21 allocations will be based on local authorities’ high needs allocations in 2019-20, including the additional £125 million announced in December 2018.

Above this minimum increase, the formula will allow local authorities to see increases of up to 17%, again calculated on the basis of per head of population.

The teachers’ pay grant and teachers’ pension employer contributions grant will both continue to be paid separately from the NFF in 2020-21. We will publish the rates that determine the 2020-21 allocations in due course.

[HCWS1828]

FOREIGN AND COMMONWEALTH OFFICE

Hurricane Dorian in the Bahamas

The Secretary of State for Foreign and Commonwealth Affairs and First Secretary of State (Dominic Raab): In the wake of Hurricane Dorian, my thoughts are with all those who have lost their lives, their homes or have been injured in the Bahamas and elsewhere. Hurricane Dorian has caused untold damage to the islands of Abaco and Grand Bahama in particular. The Caribbean Disaster Emergency Management Agency (CDEMA) estimates that 15,000 people remain in need of urgent humanitarian assistance—a number which is less than was initially feared. The Government of the Bahamas have officially confirmed 43 deaths.

To help the people and the Government of the Bahamas, the UK Government have initially committed up to £1.5 million towards the immediate humanitarian response. This funding has been provided by the conflict, stability and security fund (CSSF), for the delivery of critical aid supplies by the Royal Fleet Auxiliary (RFA) Mounts Bay, and to support CDEMA in its work to co-ordinate the international response. RFA Mounts Bay was pre-positioned in the region ahead of hurricane season and is carrying specialist equipment and vital aid supplies, including hygiene kits, emergency shelter kits and water. The Royal Navy Wildcat helicopter on board is airlifting supplies, conducting reconnaissance flights and assessing...
damage. The UK was amongst the first to provide support and we are now glad to see that the international response is ramping up.

We have deployed a team to the Bahamas to help co-ordinate the emergency response and ensure aid gets where it is needed. We have also deployed additional consular staff to Nassau. They, alongside Foreign and Commonwealth Office (FCO) staff in London, are working with the Bahamian authorities and international partners to provide support to British nationals, and to scope what, if any, further assistance may be needed.

The number of British nationals in need of support is anticipated to be low. It is low season for tourists and we estimate there were 200-400 British nationals in the worst affected areas. As the only European mission in the Bahamas, the British High Commission in Nassau has legal responsibility to provide consular support for EU nationals. The FCO has been regularly updating its travel advice.

The British High Commission in Nassau is working closely with the United Nations, the United States, Canada, NGOs and other partners in the region to support the Bahamian Government. Early support was also provided by the Governor’s Office in Turks and Caicos, which is a British overseas territory. The Cayman Islands have also sent a helicopter (jointly funded with the FCO).

The FCO, Department for International Development, Ministry of Defence, and other Departments and agencies have worked closely to prepare for the hurricane season. Since 2017, the Met Office has developed improved advisory arrangements for the Caribbean, and we have been working closely to gain a better understanding of the technical data as tropical storms develop. A team of experts from across Government was tracking this storm from its development as a tropical depression over the August bank holiday. This meant the UK Government were well prepared to respond quickly in support of the affected region. We will continue to assess the situation.

Any MPs who may be concerned about the welfare of particular UK nationals in the Bahamas can contact the MPs’ hotline, details of which have been emailed to all MPs’ offices.

[HCWS1822]

HEALTH AND SOCIAL CARE

Variant Creutzfeldt-Jakob Disease (vCJD) Risk Reduction Measures: Revised Advice

The Minister for Care (Caroline Dinenage): I would like to inform the House that the Government, along with the Scottish Government and the Welsh Government, will be updating some specific variant Creutzfeldt-Jakob disease (vCJD) precautionary measures in England, Scotland and Wales.

In 2004, the Government were advised to establish precautionary vCJD risk reduction measures in the UK, acknowledging the unknown risks of vCJD to recipients of UK plasma and platelets. A number of measures were introduced, such as the introduction of leucodepletion of all blood components and the deferral of previously transfused donors. These specific risk reduction measures are highly effective and will remain in place to maintain the safety of the UK blood supply.

An additional risk reduction measure adopted involved the treatment of patients born on or after 1 January 1996 with imported plasma and/or apheresis platelets. This was to reduce the risk of exposure to components that were thought to have potentially increased their risk of developing vCJD.

Over the last 15 years, accrued scientific evidence has indicated that the risk of vCJD through the transfusion of UK plasma or platelets is much lower than initially thought; there have been no known transfusion transmissions of vCJD from any blood components since the leucodepletion process was introduced. In March 2019, the independent advisory committee for the safety of blood, tissues and organs (SaBTO) reviewed the scientific evidence and operational practices, engaged with stakeholders, and recommended that some specific risk reduction measures, requiring the use of imported plasma and apheresis platelets for individuals born on or after 1 January 1996 and/or with TTP, be withdrawn.

SaBTO’s final advice has been published on the gov.uk website, providing a comprehensive analysis of the risk attributed with updating these vCJD risk reduction measures. This advice is available online at: https://www.gov.uk/government/collections/sabto-reports-and-guidance-documents.

Upon receiving this expert advice, the Minister for Care has approved the use of domestic plasma and pooled platelets for patients born on or after 1 January 1996 or with TTP. Other risk reduction measures will remain in place, including leucodepletion, deferral of previously transfused donors and a ban on the manufacture of plasma derived medicinal products from plasma sourced in the UK.

NHS Blood and Transplant already sources 94% of plasma from UK donors and increasing domestic plasma use will provide further benefits relating to equitable provision of blood components, reduced operational complexity for hospitals and increased accessibility at the point of use. Clinicians who wish to prescribe and source commercial imported plasma products for patients, based on patient need and clinical preference, will continue to be able to do so in accordance with local and national guidelines.

The Minister for Care has now directed NHS Blood and Transplant (BT) to begin increasing domestic plasma acquisition in England through a managed, incremental transition. The Scottish Government and the Welsh Government have also asked their respective blood services to begin implementing SaBTO’s recommendation. In Northern Ireland, any decision on SaBTO’s recommendation to update vCJD risk reduction measures will be deferred until a Minister is in post.

[HCWS1821]

HOME DEPARTMENT

Immigration Rules: Statement of Changes

The Parliamentary Under-Secretary of State for the Home Department (Seema Kennedy): My right hon. Friend the Home Secretary is today laying before the
House a statement of changes to the immigration rules (HC 2631). Copies will be made available in the Vote Office and on gov.uk.

I have made a change to the immigration rules which will reduce costs and bureaucracy for doctors, dentists, nurses and midwives looking to come and work in the UK and support our NHS. This change will ensure that these medical professionals, who have passed a robust English language test, which includes identity checks, and are required to register with their regulatory body, do not have to sit a separate, lower level immigration English language test. This will support the Government’s desire to continue to attract the best and brightest global talent to the UK and to encourage migrants to integrate into society, without compromising the safety of those using our health services.

The United Kingdom is committed to providing protection to those who need it, in accordance with its international obligations. Those who fear persecution should however claim asylum in the first safe country they reach and not put their lives at risk by making unnecessary and dangerous journeys to the UK. Illegal migration from safe countries undermines our efforts to help those most in need.

To support these principles, the immigration rules already provide for inadmissibility processes, under which we can decline to substantively consider the asylum claim of a claimant in the UK and remit them to a safe third country, provided the claimant has, or could have claimed asylum there, has refugee status there, or has some other relevant connection to the third country such that it would be reasonable for them to return there. This process requires the co-operation of the safe third country.

Some of these rules are drafted in the context of the UK’s membership of the EU. As such, we are making minor amendments to the rules, to allow us to use the inadmissibility processes for broadly the same range of case types once we leave the EU.

Finally, we are also introducing wider changes through these immigration rules to appendix EU which sets out the rules governing the EU settlement scheme (EUSS). This provides the basis for EU, EEA and Swiss citizens, and their family members, to apply for UK immigration status which they will require to remain here permanently after the UK’s withdrawal from the European Union.

The changes make revised provision for access to the EUSS for the family members of UK nationals returning with them from an EEA member state or Switzerland, having lived there together while the UK national exercised their free movement rights, in line with the announcement on such access made on 4 April 2019.

We expect the vast majority of EUSS applicants to be genuine, and for there to be little need for status granted under the EUSS to be cancelled at the border or curtailed in-country. However, it is appropriate that, to safeguard the integrity of the EUSS, its status should be covered by some of the same powers as other forms of immigration leave, so that appropriate action can be taken where necessary. The changes therefore amend part 9 of the immigration rules to provide additional grounds for the cancellation and curtailment of EUSS status and leave acquired having travelled to the UK with an EUSS family permit, e.g. on grounds this was obtained by deception (such as where the person had claimed to be the family member of an EEA citizen when they were not). The changes also amend part 9 to provide discretionary grounds for EUSS status and leave acquired having travelled to the UK with an EUSS family permit, to be cancelled at the border, in a “no-deal” scenario, on the grounds that cancellation is conducive to the public good, as a result of the person’s post-exit conduct.

The changes provide a right of administrative review where status granted under EUSS is cancelled at the border because the person no longer meets the requirements for that status, e.g. where, as a non-EEA citizen granted pre-settled status under the EUSS, they were ceased to be the family member of an EEA citizen. Such cancellation could only occur where the person no longer met any of the bases for eligibility for status under the EUSS. The changes also bring the time frame for applying for an administrative review under the EUSS in line with all other administrative reviews in cases where the applicant is detained pending their removal from the UK, which will help ensure detention is kept to a minimum.

The Secretary of State for Housing, Communities and Local Government (Robert Jenrick): On 27 July 2019 the Prime Minister announced that the £3.6 billion towns fund would support an initial 100 town deals across England.

The fund is part of the Government plan to level up our regions and create a more united country, one where people throughout the UK can benefit from our shared prosperity.

This Government are committed to decentralise funding and decisions away from Whitehall. We have invested in the growth of local economies and devolving powers through agreeing ambitious city and growth deals, devolving more than £9 billion of funding to local enterprise partnerships and introducing eight metro mayors in England.

However, many towns have not benefited from city-focused investment and we know that for the country to succeed, every place must play its part.

Last week I announced the 100 places I will be inviting to develop proposals for town deals. These include towns that are birthplaces of industry, that have been centres of commerce for centuries and that are bastions of the maritime economy along our coastline.

These are famous towns with great histories that unfortunately do not feel they have received benefits from the growth we are seeing elsewhere in the UK economy.

That is why we will work with these places to develop proposals for transformative investments in infrastructure, skills and culture through the towns fund. These deals will include the new homes, improved transport and broadband connectivity that towns need, as well as social and cultural infrastructure, from libraries and arts centres to parks and vital public services. These investments will boost productivity and sustainably raise living standards, bringing communities together and giving places new energy and life.

We know that every place is different. That is why we will work with towns across the country to listen and give greater power to communities when developing innovative proposals for their area. I want Government to better understand the local assets towns have and the challenges they face. It will be through the towns fund that we can support these places to harness their unique strengths for future growth and community resilience.

We want to make sure that all parts of the UK can benefit from resources to boost productivity and living standards. We are in ongoing discussions with colleagues across Her Majesty’s Government about how we can better support our towns in Scotland, Wales and Northern Ireland and make sure areas throughout the UK share in the opportunities of Brexit.

I will publish a towns fund prospectus shortly in order to provide greater detail on how the fund will operate. This document will set out eligibility criteria for funding and the rigorous process by which proposals will be considered, including our expectations for
community involvement and maximising the impact of spending. We will then begin working with places across the country to support them in developing their proposals for the future. Their best years lie ahead of them.

The list of places I announced last week can be found at: https://assets.publishing.service.gov.uk/media/5d722667e5274a09881cbe5bf/list-of-100-places.pdf

[HCWS1830]

INTERNATIONAL DEVELOPMENT

Ebola Outbreak

The Secretary of State for International Development (Alok Sharma): Since the House was last updated on the response to the Ebola outbreak in the Democratic Republic of the Congo (DRC) in July, sadly the situation on the ground has become even more grave—despite the brave and tireless dedication of frontline responders.

I therefore want to assure the House that the UK—in partnership with communities, local authorities and trusted international partners—is doing everything it can to save lives.

Sadly, we have recently seen new cases in areas previously unaffected by the outbreak. In August, we saw cases emerge for the first time in the province of South Kivu. And in July, a number of cases were detected in Goma, a city of 2 million people on the border with Rwanda, prompting the World Health Organisation to declare a public health emergency of international concern.

On Thursday 29 August, a nine-year-old Congolese girl was screened as a suspected case as she and her mother crossed the border from DRC. Tragically, she was confirmed as positive with Ebola and passed away. This is the seventh Ebola outbreak in Uganda since the year 2000 and the Ugandan authorities once again deserve praise for their swift response.

When I visited Uganda last month, I saw first-hand how UK aid is helping guard against the spread of Ebola. The border screening point and treatment centre, constructed with UK support, identified the above case.

The vital importance and effectiveness of health workers and communities—and of UK aid support for them—was shown again in rapidly identifying and confirming the case of the nine-year-old girl and appropriately moving her for isolation and care. Trained frontline workers and community awareness are crucial to mapping, monitoring and vaccinating potential cases. Thankfully, no further suspect cases in Uganda have yet been identified; although follow-up monitoring and surveillance continues.

Despite successes, hard work and dedication, the outbreak is still not under control. The death toll recently passed 2,000. We will not succeed in getting Ebola under control unless the international community as a whole steps up and supports the response. The world cannot afford to ignore Ebola, as it could spread further, making it a threat to us all.

That is why, in August, I announced an additional £8 million for neighbouring countries most at risk of the spread of Ebola, namely Uganda, South Sudan, Burundi and Rwanda. This funding will deliver more temperature checks at border crossings—which have been so crucial in Uganda. It will also support Ebola treatment units and provide clean water and sanitation. This is in addition to the £45 million that UK aid has already provided for tackling the outbreak in the DRC and a previous £15 million for regional preparedness.

The British people can be proud of the UK’s leading role in the response. We are the leading supporter of regional preparedness, and one of the largest donors to the overall response, alongside the US, ECHO and the World Bank. We are saving lives and bringing this outbreak to a close.

Despite the gravity of the situation, there is some cause for optimism. More than 200,000 people have now been vaccinated against the disease, which is a truly remarkable effort. This highly effective vaccine was developed with UK support during the latter stages of the west Africa outbreak, in 2013-16.

Moreover, recent results from the trials of therapeutic treatments have also shown positive results, showing that we can treat this disease if it is detected early enough. Around 900 people have recovered from the virus and more could stand to benefit.

Investment in research and development is a crucial part of the Department’s work. I am extremely proud of the world-leading and innovative efforts we are supporting in this area. But if we are to tackle the spread of the disease, then more must be done. We must help support the longer-term strengthening of health systems around the world. However, more immediately, the international community needs to step up to support the response in the DRC. There is absolutely no room for complacency.

In recent months the response has been underfunded by the international community. This has had a detrimental impact on response activities on the ground: without funding, frontline responders are unable to deliver life-saving support such as treating patients, tracing and vaccinating their contacts, and burying the dead safely.

The UK has consistently pushed for other countries to step up their financial support. Although more commitments have now been given, we will continue to press our friends and partners for stronger action, including in New York later this month during the United Nations General Assembly. We must also make sure that funds are made available quickly and go where they are most needed, as set out in the recently published fourth strategic response plan, which is the joint UN and Government of DRC plan to tackle the disease.

As I saw so clearly during my visit to Uganda, we must break down the barriers between the international response and local communities. Dispelling the myths surrounding the virus is critical in ensuring that patients are both able and willing to seek treatment.

UK support is therefore funding a wide range of activities, from employing Ebola survivors to talk to communities about treatment, to engaging with local religious leaders to foster trust. UK aid has funded safe and dignified burials, allowing families to have their loved ones buried in line with traditional practices, while protecting themselves from the virus.

But mistrust remains, complicated by the fact that the outbreak is found in a region afflicted by decades of conflict and violence. The scale of the challenge cannot be underestimated.

Finally, I want to pay tribute to the health workers who risk their lives daily to combat the spread of this terrible disease. We have seen health workers attacked
and even killed for doing their job, and I am sure that the whole House will agree that we must condemn these deplorable acts of violence.

At its heart, this must be a community-led and owned response, but with strong financial and technical support from the international community. Although the risk of Ebola to the UK population remains very low, we all know that diseases do not respect borders. I can therefore assure the House that Britain remains committed to supporting the effort to combat Ebola for as long as it takes to end the outbreak.

PRIME MINISTER

Government Structures for Brexit

The Prime Minister (Boris Johnson): I am making this statement to confirm ministerial responsibilities for delivering Brexit.

The Chancellor of the Duchy of Lancaster is responsible for practical preparations within the UK for leaving the European Union on 31 October, whether that is without a deal or with the new deal the Government are seeking. The Secretary of State for Exiting the European Union is responsible for direct negotiations with the European Union. This includes both the new deal the Government are seeking, and our future relationship with the European Union beyond 31 October, if we leave without a deal.

The Chancellor of the Duchy of Lancaster and the Secretary of State for Exiting the European Union will be supported by officials in the Cabinet Office and the Department for Exiting the European Union equally across the Brexit agenda. Officials will retain their existing reporting lines with no transfers between Departments. For the purpose of delivering Brexit they will operate in a single collective group under the Department for Exiting the European Union permanent secretary. As a result, it has not been necessary for any staff to have formally transferred between Departments.

WORK AND PENSIONS

Universal Credit: Reporting Childcare Costs

The Parliamentary Under-Secretary of State for Work and Pensions (Mims Davies): Today the Universal Credit (Childcare Costs and Minimum Income Floor) (Amendment) Regulations 2019 will be laid, as well as the equivalent Northern Ireland regulations.

Universal credit is the biggest change of the welfare system since it was created. It is a modern, flexible, personalised benefit reflecting the rapidly changing world of work.

Up to 85% of childcare costs can be reimbursed through universal credit. However, previously those reporting costs generally had to do so in the same month-long universal credit assessment period in which they were incurred for these costs to be reimbursed.

In order to ensure that busy parents have the maximum opportunity to recover childcare costs, we are laying legislation today to give extra time for working parents to claim back childcare costs. We are doubling the period during which those who claim support for childcare costs in universal credit can report their costs—they will now have an additional month to do so.

This extension for reporting costs provides parents with more flexibility and could help claimants with two or more children avoid losing out on more than £1,100 per month. Costs can be submitted online, and those in work while in receipt of universal credit can apply for up to £646.35 per month if they have one child and up to £1,108.40 for two or more children.

In addition to the childcare support provided in universal credit, the Government also provide a wide range of childcare support for families, including 30 free hours for three and four-year-olds of working parents, 15 free hours for disadvantaged two-year-olds and for all three and four-year-olds, and tax-free childcare.
Written Statement

Wednesday 25 September 2019

TRANSPORT

Thomas Cook

The Secretary of State for Transport (Grant Shapps):

I am today updating the House at the earliest opportunity on the action the Government are taking to support those affected by the collapse of Thomas Cook, in particular the 150,000 passengers left abroad without a flight back to the UK and the 9,000 people who have lost their jobs in the UK. This situation is deeply regrettable. All parties considered options to avoid the collapse of the company. Ultimately, however, Thomas Cook’s directors took the decision to place it into liquidation and it ceased trading at around 2 am on Monday 23 September.

It is normal practice, when a Government Department proposes to undertake a contingent liability in excess of £300,000 for which there is no specific statutory authority, for the Minister concerned:

- To present a departmental minute to Parliament, giving particulars of the liability created and explaining the circumstances; and
- To refrain from incurring the liability until 14 parliamentary sitting days after the issue of the minute, except in the cases of special urgency.

I am making this statement to provide the House with retrospective notice of two contingent liabilities (both uncapped) created by my Department in responding to the collapse of Thomas Cook:

- Providing an indemnity created by an agreement with the CAA, under section 16 of the Civil Aviation Act (1982), for the repatriation of non-ATOL-protected Thomas Cook passengers (the CAA indemnity); and
- Providing an indemnity to the official receiver (OR), in his capacity as liquidator of the failed Thomas Cook companies (in liquidation) (the OR indemnity).

In both cases, I was unable to refrain from incurring the liabilities, or to provide the normal 14 sitting days’ advance notice, due to the rapid development of the situation in the days leading up to Thomas Cook’s insolvency, which occurred while the House was not sitting, and the special urgency that resulted. The terms of the contingent liabilities were also commercially sensitive at the point they were created.

The CAA indemnity is identical to that provided in relation to the Monarch repatriation exercise in October 2017. The indemnity could be called, in respect of any claim against the CAA if there is a successful legal challenge relating to the repatriation requiring damages to be paid.

The official receiver (OR) was appointed liquidator of the Thomas Cook companies on Monday 23 September 2019. The OR indemnity has two elements and is based on the precedent of the indemnity provided by the Department for Business, Energy, and Industrial Strategy to the OR following the insolvency of British Steel in May 2019:

An indemnity to meet any shortfall in the OR’s costs that cannot be covered by the realisation of the assets of the Thomas Cook companies. This would include any unexpected costs arising from a services agreement which the CAA has entered into with the Thomas Cook companies (in liquidation) to keep some key elements of Thomas Cook running to facilitate a smooth repatriation of UK passengers (e.g. key IT systems containing passenger information and flight booking details). Without this indemnity the OR would not have taken the appointment. This approach is playing an important role in achieving a smooth repatriation of all UK passengers who were overseas at the time of Thomas Cook’s insolvency. In the absence of the services agreement there would have been a markedly higher risk of Thomas Cook being immediately wound up. This would have had the effect of creating an extremely disjointed insolvency process, with CAA having no meaningful ability to plan or control the provision of repatriation flights, and no means of informing affected passengers about their new flight arrangements.

The OR also requested, and with my authorisation was provided with, an indemnity against any liabilities arising from any claims brought against him as liquidator. This is reasonable in the case of the OR, who although an office-holder, is acting in his personal capacity and, in this case, was being asked to do something which would not normally be done in a liquidation, namely to maintain part of the Thomas Cook companies running to provide services to the CAA, which is crucial to the repatriation exercise.

Authority for any expenditure required under both liabilities will be sought through the normal supply procedure. HM Treasury has approved the proposal in principle including conditions to require both CAA and OR to demonstrate reasonable endeavours in their actions.

[HCWS1831]
Written Statements

Thursday 26 September 2019

HEALTH AND SOCIAL CARE

Brexit: Reciprocal Healthcare Arrangements

The Minister for Health (Edward Argar): Today I am notifying the House about an announcement that the Government have made about transitional healthcare arrangements across the EU if we are unable to secure a deal.

The UK is leaving the European Union (EU) on 31 October 2019, with or without a deal. The UK Government are working hard to secure a deal that covers healthcare arrangements, but it is important that people understand what will happen if the UK leaves without a deal and what support the Government have put in place for that scenario.

Our priority is to maintain reciprocal healthcare arrangements with member states (MS) when we leave the EU. That is why the UK Government have proposed consistently to all MS that existing reciprocal healthcare arrangements (under regulation 883) continue until 31 December 2020 in a no-deal scenario. These arrangements safeguard healthcare for the hundreds of thousands of UK-insured persons who live in Europe or require medical treatment while holidaying in Europe. They also ensure that EU citizens can receive healthcare in UK, whether they are here on holiday, or to live and work.

Regulation 883

Current EU reciprocal healthcare arrangements (Reg (EC) No 883/2004) support large numbers of UK nationals living in, working in, or visiting the EEA or Switzerland to access healthcare. The arrangements require equal treatment between EU/EFTA citizens when accessing healthcare in other MS. Any EU citizen (or economically active third country national) resident in the UK who moves to the EEA or Switzerland can access state-provided healthcare in other MS, and those who have planned treatment in Spain using an S2 form will also be able to access healthcare in the same way when they are in Spain until at least 31 December 2020.

In addition, the UK reimburses other MS for the state-funded element of healthcare for certain groups known as “UK-insured” who do not need to pay local taxes:

(a) S1—the UK covers the healthcare costs of S1 holders, which include state pensioners, people with disability benefits, certain workers and their dependents living in the EU.

(b) European health insurance card (EHIC)—the UK funds “needs-arising” healthcare when UK residents visit the EU temporarily (for tourism, study or work).

(c) S2—the UK Government fund UK-insured individuals who travel to receive pre-authorised planned treatment in the EU (e.g. maternity).

The UK administers reciprocal healthcare, including paying for overseas medical costs, on behalf of England, Scotland, Wales, Northern Ireland and Gibraltar.

Arrangements with member states

Arrangements are already in place with a number of MS, and the UK Government are still seeking further reciprocal agreements ahead of leaving the EU on 31 October. The Government are currently undertaking technical discussions with countries such as Belgium who have already passed domestic legislation that will support reciprocal healthcare with the UK after Brexit.

The UK Government stand ready to reciprocate all arrangements with MS, and have the necessary legislation in place, under the Healthcare (European Economic Area and Switzerland Arrangements) Act 2019 and the European Union (Withdrawal) Act 2018.

Ireland

Under the common travel area (CTA). British citizens living in Ireland will be able to access healthcare in Ireland on the same basis as Irish citizens which means that they may need to make a financial contribution. The UK Government are in detailed discussions with the Irish Government to reach an arrangement which would enable current reciprocal healthcare arrangements to continue. British and Irish citizens who live in Ireland will also continue to have access to free-of-charge healthcare while visiting the UK. This is regardless of the circumstances in which the UK leaves the EU.

Spain

Healthcare access in Spain will remain the same after Brexit. The UK and Spain have each taken steps to ensure that people living in each country can continue to access healthcare as they do now until at least 31 December 2020, using their S1 forms. UK EHIC holders in Spain, and those who have planned treatment in Spain using an S2 form will also be able to access healthcare in the same way when they are in Spain until at least 31 December 2020. The UK Government are now seeking to work closely with Spain to agree how this will work in practice. The Spanish Government’s guidance on access to Spanish healthcare and Brexit can be found here: www.lamoncloa.gob.es/lang/en/brexit/Paginas/index.aspx.

Switzerland

The UK has reached an agreement with the Swiss Confederation to ensure that the rights of UK nationals living in Switzerland and Swiss nationals living in the UK are preserved in a no-deal scenario after the UK leaves the EU on 31 October. This means that UK-insured individuals who reside in Switzerland at the time of Brexit will still be able to access healthcare using their S1 form, as they do now.

Moreover, UK nationals travelling to Switzerland, before the UK leaves the EU will continue to be covered by their UK issued EHIC for the duration of their stay. This includes visits which started before Brexit and end after the UK’s withdrawal from the EU. If a visit starts after the UK leaves the EU, EHIC may no longer be valid.

Norway, Iceland and Liechtenstein

The UK has reached an agreement with the EEA-EFTA states (Iceland, the Principality of Liechtenstein, and the kingdom of Norway) to ensure the rights of UK nationals living in these countries, and that nationals of Iceland, Liechtenstein and Norway living in the UK, by 1 November are preserved after the UK leaves the EU on 31 October 2019. This means that UK-insured individuals in these countries at the time of the UK’s exit will be able to access healthcare using their S1 form, as they do now, after 31 October.

Written Statements

26 SEPTEMBER 2019

HEALTH AND SOCIAL CARE

Brexit: Reciprocal Healthcare Arrangements

The Minister for Health (Edward Argar): Today I am notifying the House about an announcement that the Government have made about transitional healthcare arrangements across the EU if we are unable to secure a deal.

The UK is leaving the European Union (EU) on 31 October 2019, with or without a deal. The UK Government are working hard to secure a deal that covers healthcare arrangements, but it is important that people understand what will happen if the UK leaves without a deal and what support the Government have put in place for that scenario.

Our priority is to maintain reciprocal healthcare arrangements with member states (MS) when we leave the EU. That is why the UK Government have proposed consistently to all MS that existing reciprocal healthcare arrangements (under regulation 883) continue until 31 December 2020 in a no-deal scenario. These arrangements safeguard healthcare for the hundreds of thousands of UK-insured persons who live in Europe or require medical treatment while holidaying in Europe. They also ensure that EU citizens can receive healthcare in UK, whether they are here on holiday, or to live and work.

Regulation 883

Current EU reciprocal healthcare arrangements (Reg (EC) No 883/2004) support large numbers of UK nationals living in, working in, or visiting the EEA or Switzerland to access healthcare. The arrangements require equal treatment between EU/EFTA citizens when accessing healthcare in other MS. Any EU citizen (or economically active third country national) resident in the UK who moves to the EEA or Switzerland can access state-provided healthcare by paying the same taxes as nationals of that country or people who are eligible for state healthcare.

In addition, the UK reimburses other MS for the state-funded element of healthcare for certain groups known as “UK-insured” who do not need to pay local taxes:

(a) S1—the UK covers the healthcare costs of S1 holders, which include state pensioners, people with disability benefits, certain workers and their dependents living in the EU.

(b) European health insurance card (EHIC)—the UK funds “needs-arising” healthcare when UK residents visit the EU temporarily (for tourism, study or work).

(c) S2—the UK Government fund UK-insured individuals who travel to receive pre-authorised planned treatment in the EU (e.g. maternity).

The UK administers reciprocal healthcare, including paying for overseas medical costs, on behalf of England, Scotland, Wales, Northern Ireland and Gibraltar.

Arrangements with member states

Arrangements are already in place with a number of MS, and the UK Government are still seeking further reciprocal agreements ahead of leaving the EU on 31 October. The Government are currently undertaking technical discussions with countries such as Belgium who have already passed domestic legislation that will support reciprocal healthcare with the UK after Brexit.

The UK Government stand ready to reciprocate all arrangements with MS, and have the necessary legislation in place, under the Healthcare (European Economic Area and Switzerland Arrangements) Act 2019 and the European Union (Withdrawal) Act 2018.

Ireland

Under the common travel area (CTA). British citizens living in Ireland will be able to access healthcare in Ireland on the same basis as Irish citizens which means that they may need to make a financial contribution. The UK Government are in detailed discussions with the Irish Government to reach an arrangement which would enable current reciprocal healthcare arrangements to continue. British and Irish citizens who live in Ireland will also continue to have access to free-of-charge healthcare while visiting the UK. This is regardless of the circumstances in which the UK leaves the EU.

Spain

Healthcare access in Spain will remain the same after Brexit. The UK and Spain have each taken steps to ensure that people living in each country can continue to access healthcare as they do now until at least 31 December 2020, using their S1 forms. UK EHIC holders in Spain, and those who have planned treatment in Spain using an S2 form will also be able to access healthcare in the same way when they are in Spain until at least 31 December 2020. The UK Government are now seeking to work closely with Spain to agree how this will work in practice. The Spanish Government’s guidance on access to Spanish healthcare and Brexit can be found here: www.lamoncloa.gob.es/lang/en/brexit/Paginas/index.aspx.

Switzerland

The UK has reached an agreement with the Swiss Confederation to ensure that the rights of UK nationals living in Switzerland and Swiss nationals living in the UK are preserved in a no-deal scenario after the UK leaves the EU on 31 October. This means that UK-insured individuals who reside in Switzerland at the time of Brexit will still be able to access healthcare using their S1 form, as they do now.

Moreover, UK nationals travelling to Switzerland, before the UK leaves the EU will continue to be covered by their UK issued EHIC for the duration of their stay. This includes visits which started before Brexit and end after the UK’s withdrawal from the EU. If a visit starts after the UK leaves the EU, EHIC may no longer be valid.

Norway, Iceland and Liechtenstein

The UK has reached an agreement with the EEA-EFTA states (Iceland, the Principality of Liechtenstein, and the kingdom of Norway) to ensure the rights of UK nationals living in these countries, and that nationals of Iceland, Liechtenstein and Norway living in the UK, by 1 November are preserved after the UK leaves the EU on 31 October 2019. This means that UK-insured individuals in these countries at the time of the UK’s exit will be able to access healthcare using their S1 form, as they do now, after 31 October.
Moreover, UK nationals travelling to Iceland, Liechtenstein or Norway before the UK leaves the EU will continue to be able to rely on their UK issued EHIC for the duration of their stay. This includes visits which started before Brexit but end after the UK has left the EU. If a visit starts after the UK has left the EU, EHIC may no longer be valid.

Other EU countries

Updated information has been published on gov.uk and nhs.uk on the situation for each MS, including what arrangements have been put in place. These pages will be kept updated as further assurances from MS are received.

Those living in the EU whose healthcare is funded by the UK should not delay in reviewing their circumstances in order to secure their future healthcare needs. It is important that people review their own needs now and consider options carefully by checking the guide for the country they live in. People can also sign up to email alerts to check these country guides regularly as the situation may change as the UK gets closer to leaving the EU.

Preparing for leaving the EU

The UK’s offer to EU citizens resident in the UK is clear. We offer complete assurance to EU citizens who are living in the UK on or before 31 October 2019, that they will be able to access free healthcare on the NHS after we leave the EU on 31 October. Should EU countries not agree to our offer to continue the existing reciprocal healthcare arrangements until December 2020, visitors from those EU countries will be charged for NHS care.

Beyond the bilateral arrangements, it is difficult to predict what exact arrangements will be in place for UK nationals in other MS as we continue to hold our technical discussions with them. This is because of the varying nature of each country’s healthcare system. In view of this uncertainty, UK-insured individuals living in the EU should be ready for possible permanent changes to how they access healthcare.

Everyone living in the EU is strongly encouraged to think about their own healthcare needs and circumstances and consider the steps they need to take to be assured of continuing healthcare coverage. The Government have produced detailed advice for each country which can be accessed here: www.gov.uk/uk-nationals-living-eu

Specifically, individuals should consider: whether they need to register as a resident under local rules; the documentation they need to have in place; taking steps to understand how the local healthcare system operates and how their healthcare cover may change; and, if appropriate, purchasing private insurance.

Contingency arrangements

While we continue to promote our offer to all MS to continue existing reciprocal healthcare arrangements until at least 31 December 2020, the Government recognise that as we leave the EU, arrangements may not be straightforward and people may experience some challenges. As such, while countries and individuals put arrangements in place, we have taken a number of steps to support and protect UK-insured individuals living in the EU.

Not all UK-insured individuals will need to access these UK arrangements, as we may negotiate some further arrangements and many countries have put in place comprehensive arrangements already for UK-insured individuals and others may follow suit. However, coverage of EHIC, and the UK Government want to ensure that all UK-insured individuals are in a good position to assess their options and prepare for what comes next.

Specifically:

1. We have provided information online and are sending a letter to S1 holders living in EU and EFTA MS, encouraging individuals to consider their circumstances and options and to take the necessary steps to ensure they have appropriate coverage in place. The steps necessary will vary depending on individual’s circumstances and by country.

2. For UK-insured individuals who may find themselves in a particularly vulnerable situation because they fall ill before the UK leaves and require treatment that spans exit day, we have made specific transitional provisions. If an individual requires healthcare treatment before the UK leaves the EU and the treatment will continue until after Brexit, the UK Government will pay for this course of treatment for up to one year (or the authorised period in relation to an S2) or the period of treatment if shorter. This will apply for those receiving healthcare as an S1, S2 or as an EHIC holder.

3. The UK Government will fund the healthcare of existing UK-insured individuals living or working in the EU, on the same basis as now, for a further six months from the point of Brexit. This provision is aimed at providing individuals time to make alternative arrangements for their future healthcare cover, including registering for healthcare in their country of residence.

The UK-funded protection may be required if the EU or MS refuse to enter into arrangements with the UK or refuse to offer comprehensive protections to UK-insured through domestic legislation.

In addition, some MS do not fund healthcare for those who are going through the healthcare registration process. To give as much protection as possible to UK-insured individuals, after the six months is over, the UK Government will continue to fund healthcare for the length of the registration period if that MS does not fund healthcare for that period (up to one year) and the individual has taken steps to register in-line with local timeframes and no later than six months from exit day. This will ensure there is appropriate coverage should there be delays or overly lengthy registration processes. If a UK-insured individual leaves their country of residence to travel to another country, they will have to take out full travel insurance as their EHIC will not be valid.

4. The UK will also continue to cover those travelling to the EU, whose visits commenced prior to Brexit day until they return to the UK, up to a period of six months.

5. Students may find themselves in a particularly challenging position if they are already studying abroad. All students are encouraged to take out comprehensive travel insurance and to investigate local healthcare schemes that they may be eligible for. However, given the circumstances, the UK Government have agreed to continue existing cover of healthcare costs for students for the duration of their course, should they be already studying in a MS at the point that the UK leaves the EU and on the basis of evidence from their Institution. More information on support for students can be found here: www.gov.uk/guidance/studying-in-the-european-union-after-brexit.

6. In exceptional circumstances, the UK Government have put in place provisions to provide bespoke support to people who find themselves in a challenging position due to a change in their healthcare cover after Brexit. This scheme will run from 1 November 2019 for at least a year with strict criteria and will only support those with very limited financial means.

The overall contingency package will be most relevant in MS whose domestic legislation does not protect UK-insured individuals during the registration period, exposing them to gaps in healthcare coverage and potentially
high costs. We are seeking to agree with MS that they will accept our payments for healthcare cover if the UK leaves the EU without a deal. Where a MS does accept these payments, this would mean UK-insured individuals could continue accessing healthcare as now, beyond deciding whether to register with the local scheme or return to the UK within six months of Brexit. If a MS does not agree to this, then the UK Government will step in to pay healthcare costs directly. To access this support after the UK leaves the EU, UK-insured individuals will need to contact the NHS business services authority (NHS-BSA) to provide them with the healthcare provider’s details, so that the BSA can arrange for the healthcare provider to invoice the UK Government directly.

Individuals should not delay taking action to put appropriate permanent arrangements in place for when the UK leaves the EU on account of this additional support, particularly as for some EU countries the timeframe for UK-insured individuals to register with their domestic health system is far shorter than six months.

**Planned treatment**

The UK Government will fund planned treatment within MS (S2 scheme) if authorisation for that treatment has been applied for before Brexit and later granted or authorised before Brexit, even if that treatment is scheduled to start after Brexit. The UK Government will pay for these treatments if the provider agrees to honour their commitment.

**Returning to the UK**

After the UK leaves the EU some people may decide to return to the UK. UK nationals living in the EU whose healthcare is currently funded by the UK will be able to access free NHS care when temporarily visiting England, Scotland and Wales. UK nationals living in the EU will be eligible for NHS care if they move permanently back to the UK (including Northern Ireland) and meet the ordinarily resident test. Accident and emergency services and services that are deemed urgent or immediately necessary will always be provided free at the point of delivery first in the UK, with entitlement to NHS care determined afterwards. More information can be found here: www.gov.uk/guidance/using-the-nhs-when-you-return-to-live-in-the-uk. [HCWS1832]

**INTERNATIONAL TRADE**

**Arms and Military Equipment Exports to Saudi Arabia: Yemen Conflict**

The Secretary of State for International Trade (Elizabeth Truss): Statement on breaches of the undertaking given to the Court of Appeal not to grant new licences for export to Saudi Arabia of arms and military equipment for possible use in the conflict in Yemen.

I want to update Parliament on matters relating to the two breaches of the undertaking given to the Court of Appeal on 20 June by the then Secretary of State that we would not grant new licences for export to Saudi Arabia of arms and military equipment for possible use in the conflict in Yemen, and the further breach of the commitment given to Parliament, also on 20 June, that we would not grant new licences for exports to Saudi Arabia or its coalition partners which might be used in the conflict in Yemen.

As the Government informed the Court on 16 September and followed up with an affidavit today, my Department identified errors that had taken place in the export licensing procedure in relation to the Saudi coalition’s activities in the conflict in Yemen.

As I stated publicly on 16 September, I unreservedly apologise for the export licences that my Department issued in error. I have also given my unreserved apologies to the Court.

A procedure to ensure that export licences were not granted for goods for Saudi Arabia and its coalition partners for possible use in the conflict in Yemen was put in place on 20 June 2019. This followed the Court order and the then Secretary of State’s statement to Parliament.

The export control joint unit subsequently issued export licences to Saudi Arabia and its coalition partners and, in line with the agreed procedure, these were signed off at official rather than ministerial level.

It subsequently came to light that two licences were in breach of the Court undertaking, and one licence was granted contrary to the statement in Parliament as these licences were for goods that could possibly be used in the conflict in Yemen. The first licence identified as raising this issue (Licence No. GB51E2019/06449) was for the export of a single Wirewound Air Cooler, valued at £200, for incorporation by a French company, Arquus Defense SAS, in a Renault Sherpa Light Scout. Officials in ECJU have informed me that the licence application stated that the vehicle would be used by the Royal Saudi Land Forces in Saudi Arabia and they have provided me with the following information about this licence. This is in line with the formal role of the FCO and the MOD in providing advice on the Consolidated EU and National Arms Export Licensing Criteria (the “Consolidated Criteria”) to the DIT.

Thereafter the sequence of events was as follows:

- On 3 June 2019, the FCO recommended approval on the basis that the RSLF were not operating in Yemen.
- On 4 June 2019, the MOD provided its advice recommending approval on the basis that the goods would not be used against the security or capability of the United Kingdom and that the equipment would not be diverted to an undesirable end-user.
- On 4 June 2019, the case was recirculated to the FCO who, on 6 June 2019, provided its formal advice, recommending issue.

On 18 June 2019, the FCO received information from the British Embassy in Riyadh that some RSLF troops were deployed in Yemen. Consequently, there was a risk that equipment destined for the RSLF might be used in the conflict in Yemen. The FCO was unaware that the licence had not already been issued and did not pass this information on to the DIT. We are investigating exactly how and when information was shared between FCO and DIT. In any event, it is plain that the DIT was not aware of the deployment of RSLF when the licence was formally countersigned and issued on 26 June 2019.

The item was shipped and this licence is therefore now spent.

Licence No. GB51E2019/07556.

This licence was for the export of 260 items of various radio spares for the RSLF Signal Corps, valued at £435,450.

[HCWS1832]
Thereafter the sequence of events was:

The application was circulated to the FCO and MOD on 31 May 2019.

The FCO provided its advice recommending approval on 6 June 2019.

The MOD advised approval on 26 July 2019.

The licence was formally countersigned and issued on 29 July 2019.

Given the fact that RSLF troops were being deployed in Yemen at the time the licence was issued, this licence should not have been granted.

DIT officials have checked with the exporter: 180 items have been shipped, with a value of £261,450, leaving 80 items licensed with a value of £174,000. DIT officials revoked this licence on 16 September 2019.

Licence No. GBSIE2019/08983.

This is a licence for the temporary export for demonstration purposes of dual-use counter-improvised explosive device equipment. These goods remain under the exporter’s control at all times and so there is consequently no possibility that the equipment could be used in the conflict in Yemen. Consequently the licence is not within the scope of the undertaking.

Although not a breach of the undertaking, one further licence was identified (Licence No. GBSIE2019/06671) that was granted for the export of equipment for which the end user was the UAE Navy, contrary to the statement to Parliament. Export control joint unit officials cannot be sure that the relevant class of ship will be used solely for maritime security operations rather than in the conflict in Yemen. DIT officials revoked this licence on 16 September 2019 on the grounds that it was granted contrary to the parliamentary statement. Other licences have been issued to the UAE Navy that do not fall within the scope of the parliamentary statement.

Without seeking to prejudge the independent investigation, it appears that information pertaining to the conflict had not been fully shared across Government.

As soon as the issue was brought to my attention on 12 September, I took immediate action:

Taking immediate steps to inform the Court and Parliament;

Putting in place immediate, interim procedures to make sure the errors could not happen again;

Instigating a complete and full internal review of all licences granted for Saudi Arabia and its coalition partners since 20 June;

The Permanent Secretary commissioned, on my behalf, a full independent investigation.

The additional compliance processes comprise the following steps (in addition to the existing licensing processes):

A checklist has been drawn up for licence applications for arms and military equipment to Saudi Arabia and its coalition partners. This will be used by FCO and DIT officials when an export licence application is received for Saudi Arabia and/or any of the coalition partners. It is intended to ensure that staff remain vigilant in considering the available information and in assessing whether the application potentially falls within the scope of the undertaking and the parliamentary statement. A copy of this checklist is attached;

Licence applications for arms and military equipment to Saudi Arabia and its coalition partners will be referred to a new weekly meeting of senior officials from DIT, FCO and MOD. Some applications will have been refused by this point, for example where they fail to meet one or more of the Consolidated Criteria. This meeting will reach a recommendation for Ministers as to whether applications are within the scope of the undertaking and the parliamentary statement, applying a further checklist of questions which are designed to ensure that: (i) current and full information is available to enable an assessment of whether the items in question are for possible use in the conflict in Yemen; and (ii) if there has been any change in circumstances in the conflict in Yemen, this is properly included in the assessment. A copy of this secondary checklist is attached;

All recommendations to grant licences for the export of items to Saudi Arabia and its coalition partners will be referred to Ministers.

These additional compliance measures will be reviewed by the independent investigation, as well as kept under review by DIT to ensure that they are robust and appropriate.

The full review of licences for Saudi Arabia and its coalition partners is currently being undertaken. This internal review is still ongoing.

As a result of this internal review, we have identified one further licence that has been granted in breach of the undertaking given to the Court of Appeal. Licence No GBOIE2019/00197 allowed the exporter to return and repair electronic countermeasure improvised explosive device equipment licensed previously under three licences issued in 2014 (Licence Nos. GBSIE2014/010932; GBSIE2014/013148 and GBSIE2014/000512) to Saudi Eraad Defence Systems in Saudi Arabia (an agent of the RSLF). There are no new items being shipped under this licence. The equipment is deployed as an electronic countermeasure to prevent the triggering of a remotely controlled improvised explosive device.

The process of approval for this licence was as follows:

The application was received by DIT on 14 February 2019 and was circulated to the FCO, the National Cyber Security Centre at GCHQ (“GCHQ-NCSC”) and the MOD on 12 March 2019. It was circulated to GCHQ-NCSC for an assessment of whether the use of cryptography gave rise to any concerns.

On 19 March 2019, GCHQ-NCSC advised that the application raised no concerns in relation to the use of cryptography. The FCO and MOD similarly recommended issue on 2 April and 16 July 2019 respectively.

DIT countersigned the licence on 12 August and issued the licence on 13 August 2019. Given the fact that RSLF troops were being deployed in Yemen at the time the licence was issued, this licence should not have been granted.

DIT officials contacted the exporter who confirmed that this licence has not been used. DIT officials revoked this licence on 20 September 2019.

The licence has not been used and has now been revoked.

My officials are also carrying out an urgent review of the composition of the coalition. This has identified a further licence which is in breach of the parliamentary statement. Licence No. GBOIE2016/00197b permits the export of fuel gauges for F-16 military aircraft to a number of countries which operate the F-16. The licence was originally granted on 5 August 2016 with an expiry date of 5 August 2019. On 28 August 2019 we extended the expiry date to 5 February 2020.

We have re-assessed this licence in light of the latest information and subsequently revoked it in so far as it applies to Jordan. At the time the licence was extended, the relevant officials in ECJU believed Jordan was not involved in military operations in the conflict in Yemen.

We have been able to confirm that none of the other recipient countries covered by this licence are coalition partners.
My officials are continuing to review all information relating to licences granted to Saudi Arabia and its coalition partners since 20 June 2019 and we will be open and transparent with the Court and Parliament as to any new issues that emerge.

In addition, the Permanent Secretary has commissioned, on my behalf, a full independent investigation. This will establish the precise circumstances in which these licences were granted, establish whether any other licences have been granted in breach of the undertaking to the Court or contrary to the parliamentary statement, and confirm that procedures are in place so that no further breaches of the undertaking can occur. This investigation will be led by an independent senior official, the Director General of Policy Group in the Department for Work and Pensions.

It is possible that more cases will come to light. As I have done so far, I will keep the Court and Parliament informed as to any new information that emerges.

Checklist for case assessment involving arms or military equipment

This is to be used by DIT and FCO licensing officers when an export licence application is received for Saudi Arabia and/or any of the coalition partners (CP). This checklist is in addition to the normal assessment against the Consolidated EU and National Arms Export Licensing Criteria (“the Consolidated Criteria”). If the assessment against the Consolidated Criteria identifies an application that should be refused, then it will follow the usual refusal procedure.

DIT licensing officers must check to ensure that all the required information is available to enable a decision to be made as to whether Saudi Arabia and/or a CP destination is involved in the export. This will include asking the exporter for further information where they suspect that the final destination could be Saudi Arabia or a CP. This will then be recorded as a case note on SPIRE.

FCO advisers must check to ensure that they are aware of the latest position on the conflict in Yemen, including the countries involved and the military forces involved. The FCO adviser, once in possession of the latest information, will carry out an analysis against this checklist. The analysis must be recorded on SPIRE.

Which countries are currently in the coalition involved in the conflict in Yemen?

Which military or government branches from Saudi Arabia or each CP are currently operating in the conflict in Yemen, so far as HMG is reasonably aware?

If a direct export (to any of Saudi Arabia or its coalition partners):

Is the consignee or end user the armed forces of Saudi Arabia and/or a CP?

If yes - please record analysis on SPIRE, including that it is not in scope of the undertaking to the Court or parliamentary commitment.

Is the consignee or end user the armed forces of Saudi Arabia and/or a CP?

If yes - please record analysis on SPIRE, including that it is potentially in scope of the undertaking to the Court or parliamentary commitment.

Is the consignee or end user the armed forces of Saudi Arabia and/or a CP?

If yes - please record analysis on SPIRE, including that it is potentially in scope of the undertaking to the Court or parliamentary commitment.

If an indirect export (to any destination):

Are the goods to be incorporated into equipment to be subsequently sold or delivered to the armed forces of a country whose forces are involved in the conflict in Yemen?

If yes - please record analysis on SPIRE, including that it is potentially in scope of the undertaking to the Court or parliamentary commitment.

This licence application must be referred to the weekly DIT-FCO-MOD senior officials meeting.

Checklist For DIT-FCO-Mod Senior Officials Meeting

Establishing the operating context:

Have all the licence applications for consideration in this meeting had full consideration against the Consolidated EU and National Arms Export Licensing Criteria (“the Consolidated Criteria”)?

Which countries are currently part of the coalition involved in the conflict in Yemen?

Has any new country joined the coalition?

Has any country left the coalition?

Has the armed forces/branch of Saudi Arabia and coalition partners involved in the conflict in Yemen changed so far as HMG is reasonably aware?

Has FCO confirmed that its advice, against the relevant criteria, is still up to date? (e.g. there is no information from posts (or other reasonably available sources) that post-dates the advice entered onto SPIRE that may call into question the recommendation)

Has MOD confirmed that its advice, against the relevant criteria, is still up to date? Assessing against the undertaking to the Court and the commitment to Parliament:

Has each application been assessed against the terms of the undertaking to the Court and the commitment to Parliament?

Is it clear that none of the applications involve arms or military equipment for possible use in the conflict in Yemen?

The discussion in each meeting should be recorded on a template which is uploaded onto each relevant case on SPIRE. This will form part of the advice provided to Ministers after the meeting.

[HCWS1833]
Written Statements

Monday 30 September 2019

TREASURY

ECOFIN

The Chancellor of the Exchequer (Sajid Javid): An informal meeting of the Economic and Financial Affairs Council (ECOFIN) was held in Helsinki on 13-14 September 2019. The following was discussed:

Working Lunch

Enhanced Action on Climate Change
Ministers discussed how to move climate action forward in the policy areas relevant for finance Ministries.
Ministers were then joined by central bank governors for the first working session.

Working Session I

Resilience of Financial Market Infrastructure
Ministers and central bank governors discussed the resilience of financial market infrastructure and the role of the financial sector incountering hybrid threats.
Capital Markets Union
Ministers and central bank governors then discussed the priorities in the field of the Capital Markets Union for the next institutional cycle.

Working Session II

EU Fiscal Rules
Ministers discussed the functioning of the current set of EU fiscal rules with the aim of providing input into the European Commission's review of the EU fiscal framework, due in late 2019.

Energy Taxation
Ministers then discussed the present and possible future role of energy taxation in mitigating climate change, based on experiences at national and EU level.

Guarantee of EU-funded Programmes

The Chief Secretary to the Treasury (Rishi Sunak): Today the Treasury is confirming that £4.3 billion of funding will be allocated to Departments and the devolved Administrations for the financial year 2019-20 to deliver the HMG guarantee of EU-funded programmes, with a total of around £16.6 billion expected to be allocated over the lifetime of the guarantee.

Leaving the EU on 31 October with a deal which works for the whole of the UK remains the Government’s top priority.

However, the Government are continuing with no-deal preparations to ensure the country is prepared for every eventuality. It is the responsible thing to do and an important part of this process is giving certainty to UK citizens and organisations.

To provide this certainty, and as previously announced in the written statement of 24 July 2018 (HCWS926), the Government have guaranteed certain EU funding. The guarantee covers the following:

- the full multiannual financial framework allocation for structural and investment funds over the 2014-20 funding period, with payments to beneficiaries made up to the end of 2023;
- the payment of awards where UK organisations—such as charities, businesses and universities—successfully bid directly to the European Commission on a competitive basis while we remain in the EU (e.g. before exit day), for the lifetime of the project;
- the payment of awards where UK organisations successfully bid to the European Commission on a competitive basis to participate as a third country after exit, and until the end of 2020, for the lifetime of the project; and
- the current level of agricultural funding under CAP pillar 1 until 31 December 2020.

[HCWS1836]

EDUCATION

Education Update

The Secretary of State for Education (Gavin Williamson): Education is key in creating a productive economy as well as maximising the opportunities for future generations. It is vital we are supporting the right mix of skills and delivering for all young people so that they can reach their potential, regardless of their background.

The Government recently announced an additional £400 million investment in the provision for 16 to 19-year-olds. Building on this investment, today I have set out a series of measures to ensure we have the opportunities and infrastructure in place to offer a world-class education to everyone—so that more young people are supported to reach the level of qualification needed to access skilled employment.

We are making good progress in boosting higher-level technical qualifications through our institutes of technology. Twelve institutes are already being established across the country—backed by £170 million of Government investment—to provide employers with the skilled workforce they need to drive growth and productivity across the country and get more people into rewarding jobs. To build on this, the Government will make available up to £120 million to enable every region in England to establish a high-quality institute of technology. We will launch a second competition with the aim of establishing up to eight more institutes in areas of the country that do not currently have access to one.

To continue driving up standards and support more disadvantaged young people aged 16 to 19 to study maths, we will open a network of 11 maths free schools across every region of the country, including a new maths free school in the north-east through a partnership between Durham University and Durham Sixth-Form College. Maths schools offer A-levels in maths, further maths and physics in partnership with top universities—helping young people, whatever their background, to fulfil their potential by learning from the best mathematicians.
Apprenticeships and technical education play a huge role in driving productivity and ensuring our country has the skills it needs. Today I have set out an ambition to boost further education over the next decade with an aim to overtake Germany in the opportunities we offer to those studying technical routes by 2029.

As we improve our offer of technical education, it will be important that we remain focused on the right skill mix for the economy. We will establish a new skills and productivity board to provide the Secretary of State with expert advice on how to ensure the courses and qualifications on offer to students are high-quality and aligned to the skills that employers need for the future.

Additional funding of up to £1.2 million will provide extra support in Manchester and the west midlands, ensuring extra time and resources for young people facing the biggest hurdles to getting a job, like care leavers and young offenders.

Since 2018 the Department for Work and Pensions has worked with the West Midlands Combined Authority to develop the youth employability coaches concept (previously known as progression coaches). Following this successful pilot, we will be expanding the programme to other parts of the west midlands and Greater Manchester area to reach more disadvantaged young people. Youth employability coaches will continue to support young people for up to six weeks after they start a job, helping them continue to build skills and stay in employment.

A new data service will also be piloted, initially in Manchester, with up to £2.8 million funding. Using the latest data-analysis technology, this service will gather a range of skills and labour market data from a variety of public and commercial sources.

It will provide local areas with high-quality and real-time information on skills supply and demand. Additionally, jobseekers or those seeking to progress in work will be able to search for roles based on their skills and experience. The pilot service will show them what new skills they need to move into higher-paid roles available near them. By providing more tailored local labour market intelligence we can help individuals find jobs, back businesses, grow our economy and help people reach their full potential.

Both pilots have the potential to be rolled out nationally, helping reduce youth unemployment even further after it fell 48% since 2010, and helping more people boost their earnings.

The Secretary of State for Work and Pensions (Dr Thérèse Coffey): Latest data released in September shows UK employment has increased by 3.7 million since 2010. Around three-quarters of that increase in employment has come from full-time, permanent and higher-skilled roles. Youth unemployment has also halved since 2010, meaning more young people are in work and the number of children growing up in in workless households is at an all-time low.

It is important that we continue to build on this progress so I am introducing a £4 million package, including two new initiatives, to help disadvantaged young people into work and use mobile technology to help jobseekers into higher-paid jobs.

Additional funding of up to £1.2 million will provide extra support in Manchester and the west midlands, ensuring extra time and resources for young people facing the biggest hurdles to getting a job, like care leavers and young offenders.

Since 2018 the Department for Work and Pensions has worked with the West Midlands Combined Authority to develop the youth employability coaches concept (previously known as progression coaches). Following this successful pilot, we will be expanding the programme to other parts of the west midlands and Greater Manchester area to reach more disadvantaged young people. Youth employability coaches will continue to support young people for up to six weeks after they start a job, helping them continue to build skills and stay in employment.

A new data service will also be piloted, initially in Manchester, with up to £2.8 million funding. Using the latest data-analysis technology, this service will gather a range of skills and labour market data from a variety of public and commercial sources.

It will provide local areas with high-quality and real-time information on skills supply and demand. Additionally, jobseekers or those seeking to progress in work will be able to search for roles based on their skills and experience. The pilot service will show them what new skills they need to move into higher-paid roles available near them. By providing more tailored local labour market intelligence we can help individuals find jobs, back businesses, grow our economy and help people reach their full potential.

Both pilots have the potential to be rolled out nationally, helping reduce youth unemployment even further after it fell 48% since 2010, and helping more people boost their earnings.
Trees and forests need to play a vital part in our response to climate change. To start an ambitious new Northumberland forest, the Government have announced their commitment to create three new forests in the county, with up to 1 million trees to be planted in the period up to 2024.

We expect planting to begin next year to coincide with the COP26 conference. The Government will set up a new forestry partnership for Northumberland to help identify sites for afforestation and provide a forum to bring local stakeholders together to help take the project forward.

We expect these plans to pave the way for further woodland creation partnerships elsewhere in the country.

[HCWS1838]

**HOUSING, COMMUNITIES AND LOCAL GOVERNMENT**

**Homelessness and Rough Sleeping**

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Luke Hall): Today’s publication by the Office of National Statistics (ONS) on homelessness deaths in England and Wales in 2018 makes for sobering reading. The Government will continue to take strong action to address this vitally important issue.

This important report from ONS draws attention to the tragic deaths of those who are homeless. A 22% increase in deaths of homeless people from last year is simply unacceptable. One death on our streets is one too many. This is an issue we all find deeply concerning and this Government are working tirelessly to stop these needless deaths for good.

That is why we are investing £1.2 billion to tackle homelessness and have bold plans, backed by £100 million, to halve rough sleeping by 2022 and end it by 2027. This funding was further bolstered as part of the recent spending round announcements. This Government have committed a further £422 million in 2020/21 to tackle homelessness and rough sleeping. This marks a £54 million increase in funding from the previous year. I look forward to detailing precisely how we will allocate this funding in due course.

Much of this funding is already having an impact: the rough sleeping initiative (RSI)—a cornerstone of our ambitious rough sleeping strategy—has provided £76 million to 246 councils across the country to date. Councils are using this funding to support rough sleepers off the streets and into secure accommodation where they can get the help and the support they need. The RSI impact evaluation published last month, shows that the RSI has reduced the number of vulnerable people sleeping rough by 32%, compared to the number it would have been had the initiative not been in place. As a result, hundreds more people are in warm, safe housing tonight.

However, there is much more to be done; especially as the cold weather period is a particularly difficult time. That is why, in periods of severe weather, severe weather emergency provision (SWEP) is triggered. Local authorities...
work closely with charities to provide basic emergency accommodation during these weather conditions to minimise the risk of harm to individuals who are sleeping rough when the temperature drops.

To supplement this, the Government launched an additional £10 million cold weather fund last month. The fund will enable us to build on the successes of last year’s fund by increasing outreach work further and extending winter shelter provision.

The Government will continue to work tirelessly to ensure that we are providing advice and support so that people can escape the streets and get the comprehensive support they need to stay off the streets. That is why we introduced the landmark Homelessness Reduction Act and published a rough sleeping strategy last year. These efforts will put in place the structures that will prevent and relieve homelessness in all its forms.

I know that many people who sleep rough have significant health and care needs, including substance misuse needs. Indeed, as both data sets from this year and the previous year have shown, substance misuse is the leading cause of deaths amongst people who sleep rough.

That is why MHCLG is working closely with the Department for Health and Social Care, NHS England and Public Health England to further support these vulnerable individuals. This includes steps such as:

- Securing £30 million funding from NHS England over the next five years to meet the needs of rough sleepers by providing better access to specialist homelessness NHS mental health support, integrated with existing outreach services;
- A rapid audit of health service provision to rough sleepers, including mental health and substance misuse treatment;
- Launching a £2 million fund through Public Health England to test community-based models of access to health services for rough sleepers, including mental health and substance misuse services;
- Working with safeguarding adult boards to ensure that safeguarding adult reviews are conducted when a person who sleeps rough dies or is seriously harmed as a result of abuse or neglect, whether known or suspected, and there is a concern that partner agencies could have worked more effectively to protect the adult. Lessons learned from these reviews will inform improvements in local systems and services;
- And new training for frontline workers to help them support rough sleepers under the influence of new psychoactive substances such as spice.

The NHS long-term plan sets out new funded action the NHS will take to strengthen its contribution to prevention and health inequalities; this includes action that will improve outcomes for people experiencing rough sleeping, for example through specialist mental health services.

The recently published prevention Green Paper “Advancing our health: prevention in the 2020s”, recognises that: people experiencing rough sleeping, and those at risk, experience poorer health outcomes than the wider population, that living in a safe and secure home is a protective factor in good mental health, and that drug misuse and dependency is associated with a range of harms including homelessness. The Government will set out their plans to tackle these issues following the close of consultation in October 2019.

One death on our streets is one too many. I hope that what has been set out provides assurances of our commitment to tackling rough sleeping and protecting some of the most vulnerable people in society.
National Design Guide

The Secretary of State for Housing, Communities and Local Government (Robert Jenrick): This Government have been clear that we must build the homes that this country needs. However, this objective must not come at the expense of quality. The places we create must be ones that communities can be proud of, both now and in the future. Places that look beautiful, work well and provide environments in which people and communities can thrive.

Too many homes currently being built do not meet this test. They are not well-proportioned, fail to reflect the character of their local area and form part of neighbourhoods which are equally poorly designed, both in terms of their street layouts and their lack of landscaping and street trees.

I am committed to addressing this problem and driving up the quality of new homes. It was for this reason, that this Government set up the building better, building beautiful commission to champion beautiful buildings. The commission has been tasked with making recommendations to the Government on how to promote and increase the use of high-quality design for new build homes and neighbourhoods. We have also hosted two national design quality conferences, bringing together industry leaders and Ministers to discuss how they can work together to ensure new developments across the country are well designed.

Today I can announce that we are going further and publishing new guidance, including the National Design Guide. This illustrated guide sets out the 10 characteristics of beautiful and well-designed places. This provides a clear picture for home builders of what is required of them to build homes of sufficient quality.

The National Design Guide is also capable of being a material consideration in planning applications and appeals, meaning that, where relevant, local planning authorities should take it into account when taking decisions. This should help give local authorities the confidence to refuse developments that are poorly designed.

The illustrated National Design Guide emphasises the importance of responding positively to context, creating locally distinctive character, building strong communities, responding to future issues such as climate change and ensuring places sustain their quality. Alongside it, we have published new guidance on the processes and tools that can be used to achieve good design, and how to engage communities to ensure that developments reflect local views.

To provide further clarity on the principles of good design, we will produce a national model design code in the new year which will set out recommended parameters for key elements of successful design. This will follow the building better, building beautiful commission’s final report due to be published in December and consider their recommendations.

The Government understand that quality design does not look the same across different areas of the country; for instance, that by definition local vernacular differs. The national model design code will therefore set a baseline standard of quality and practice across England. Local planning authorities will then be expected to take this into account when developing their own local design codes and guides and when determining planning applications.

The national planning policy framework makes it clear that authorities are expected to use design codes and guides to provide as much certainty as possible about what is likely to be acceptable in each area.

These design codes and guides should be developed as early as possible in the process, alongside the preparation of local policies, including neighbourhood plans, so that they are able to have the greatest impact on design. In the absence of local design guidance, local planning authorities will be expected to defer to the illustrated national design guide and national model design code.

We will consult on the content of the national model design code, including the factors to be considered when determining whether facades of buildings are of sufficiently high quality, how landscaping should be approached, including the importance of streets being tree-lined wherever possible, that new developments should utilise a pattern of clear front and backs, and that developments should clearly take account of local vernacular, architecture and materials.

All local authorities have a responsibility to ensure that the design of homes and places in their area is of a sufficiently high quality. This includes combined authorities and the need for elected mayors to consider design quality and beauty in relation to growth and placemaking. Looking to the future, I intend to consider what more can be done to ensure that quality and beauty are fully embraced in the vision and requirements that apply in each area.

The publication of this design guidance is an important milestone in securing a step-change in the quality of design. By working together with a shared understanding of the homes we want to build and live in, we can create beautiful places where communities can thrive, with homes they can be proud of.

The National Design Guide can be found at: https://www.gov.uk/government/publications/national-design-guide

[HCWS1840]

JUSTICE

Alcohol Abstinence Monitoring Requirements

The Lord Chancellor and Secretary of State for Justice (Robert Buckland): As part of the urgent review of the sentencing and release framework announced by the Prime Minister in August, we considered changes to sentencing for the most prolific offenders which could help break the cycle of re-offending. We know that these offenders generally have multiple and complex needs which are linked to their offending behaviour, in particular drugs, alcohol and mental health needs. If we are to break the cycle of re-offending, particularly for prolific offenders who cause significant public concern and harm to society, solutions will often lie in community sentences.

In order to address offending linked with alcohol misuse, I propose to introduce alcohol abstinence and monitoring requirements (AAMR) across England and Wales, starting in 2020, requiring offenders not to drink for up to 120 days. It follows successful pilots launched both in London by the Prime Minister in his former role...
as Mayor of London, and in the Humberside, Lincolnshire and North Yorkshire community rehabilitation company (CRC) area.

This will form part of a wider package of reforms for community penalties which we are planning to bring forward that offer an appropriate level of punishment, while tackling the underlying drivers of offending through treatment. As we continue to develop policy and before legislation is laid, we will consider fully the impact of the proposals and have due regard to the requirements of Section 149 of the Equality Act 2010.

[HCWS1843]

Sentencing and Release Framework

The Lord Chancellor and Secretary of State for Justice (Robert Buckland): Our current sentencing and release framework is failing to give victims and the wider public the confidence they should have in our criminal justice system. Too often, we are told, the time offenders spend in prison does not match the severity of the crime. The Prime Minister therefore announced an urgent internal review, focusing on the sentencing for the most serious violent and sexual offenders and the rules governing when and how those offenders are released. The review also considered changes to sentencing for the most prolific offenders which could help break the cycle of re-offending.

Based on the findings of the review, we will be bringing forward proposals shortly for a comprehensive package of legislative reform. This will include amending the automatic release point for the most serious sexual and violent offenders.

Under the current system, which dates back to the Labour Government in 2003, the majority of offenders receive a standard determinate sentence and must be released automatically at the half-way point, to serve the second half of their sentence in the community on licence. We want to stop this practice for the most serious violent and sexual offenders, who have committed offences such as rape, robbery and GBH with intent, so that they spend much longer in prison, protecting the public and giving greater confidence to victims. We shall therefore legislate to amend the automatic release point for the most serious sexual and violent offenders—where the offence carries a maximum life sentence—from the half-way point to two thirds of the sentence.

As part of our package of reforms, we also plan to bring forward proposals for community penalties that offer an appropriate level of punishment, while tackling the underlying drivers of offending.

Our proposals to reform the sentencing and release framework complement the raft of initiatives we are taking as a Government to fight crime and protect the public from its devastating consequences. As we continue to develop policy and before legislating, we will consider fully the impact of the proposals and have due regard to the requirements of s149 of the Equality Act 2010.

[HCWS1842]
EXITING THE EUROPEAN UNION

Leaving the EU: Protocol on Ireland / Northern Ireland

The Secretary of State for Exiting the European Union (Stephen Barclay): The United Kingdom is leaving the European Union on 31 October 2019. We want to leave with a deal. One of the most important elements of this deal will be the agreement of a new Protocol on Ireland / Northern Ireland in place of the previous protocol (known as the backstop) which this Government are committed to replacing.

The Prime Minister wrote to Donald Tusk on 19 August 2019 setting out the UK’s views on the backstop, as well as this Government’s desired final destination for a long-term relationship with the EU.

Since then, the Government have pursued discussions with the European Union on alternatives to the backstop enthusiastically and constructively, and we have made good progress.

The Government are now putting forward a formal proposal to the European Commission, setting out the changes we are seeking to the withdrawal agreement. This represents a clear offer from the UK which we will ask the EU to engage with, enabling us to move towards a deal.

First, this proposal is based above all on our commitment to find solutions which are compatible with the Belfast/Good Friday agreement, the fundamental basis for governance in Northern Ireland.

Second, this proposal confirms our commitment to long-standing areas of UK-Ireland collaboration, including those provided for in the Belfast/Good Friday agreement, but also others, in some cases predating the European Union: the common travel area; the rights of all those living in Northern Ireland; and north-south co-operation.

Third, this proposal provides for the potential creation of an all-island regulatory zone on the island of Ireland, covering all goods including agrifood and eliminating all regulatory checks for trade in goods between Northern Ireland and Ireland.

Fourth, and unlike the backstop, this regulatory zone must depend on the consent of those affected by it. This is essential to the acceptability of arrangements under which part of the UK accepts the rules of a different political entity: it is fundamental to democracy. The Government therefore propose that the Northern Ireland Executive and Assembly should have the opportunity to endorse these arrangements before they enter into force, that is, during the transition period, and every four years afterwards. If consent is not secured, the arrangements will lapse. The same should apply to the single electricity market, which raises the same principles.

Fifth, this proposal ensures that Northern Ireland will be fully part of the UK customs territory, not the EU customs territory, after the end of the transition period. It has always been a fundamental point for this Government that the UK will leave the EU customs union at the end of the transition period, since control of trade policy is fundamental to this country’s future prosperity.

This is entirely compatible with maintaining an open border in Northern Ireland. Goods trade between Northern Ireland and Ireland makes up a little over 1% of UK-EU total trade in goods. Any risks arising will be manageable in both the EU single market and the UK market, particularly as all third country imports will continue to be controlled by the EU and UK customs authorities.

We are proposing that all customs processes needed to ensure compliance with the UK and EU customs regimes should take place on a decentralised basis, with paperwork conducted electronically as goods move between the two countries, and with the very small number of physical checks needed conducted at traders’ premises or other points on the supply chain. All this must be coupled with a firm commitment, by both parties, never to conduct checks at the border in future.

Finally, in order to support Northern Ireland through this transition, and in collaboration with others with an interest, this Government proposes a new deal for Northern Ireland, with appropriate commitments to help boost economic growth and Northern Ireland’s competitiveness, and to support infrastructure projects, particularly with a cross-border focus.

Taken together, these proposals respect the decision taken by the people of the UK to leave the EU, while dealing pragmatically with that decision’s consequences in Northern Ireland and in Ireland. In particular:

They provide for continued regulatory alignment across the whole island of Ireland after the end of the transition period, for as long as the people of Northern Ireland agree to that.

They mean that EU rules cannot be maintained indefinitely if they are not wanted, correcting a key defect of the backstop arrangements.

They provide for a meaningful Brexit in which UK trade policy is fully under UK control from the start.

They ensure that the border between Northern Ireland and Ireland will remain open, enabling the huge gains of the Belfast/Good Friday agreement to be protected.

The Government believe that these proposals can provide the basis for rapid negotiations towards a final withdrawal agreement. In parallel, we will be negotiating a revised political declaration which reflects this Government’s ultimate goal of a future relationship with the EU that has a comprehensive free trade agreement at its heart. Together, these will allow us to reach agreement with the EU under article 50, and leave the EU with a deal that both respects the referendum result and provides a strong platform for our future relationship.

I will be depositing a copy of the following papers in the Libraries of both Houses:

Letter from the Prime Minister to Jean-Claude Juncker, President of the European Commission and;


These will also be made available on gov.uk.

[HCWS1845]
HOME DEPARTMENT

Crime and Policing

The Secretary of State for the Home Department (Priti Patel): One of my key priorities as Home Secretary is ensuring that the police have the resources, tools and powers they need to keep themselves and the public safe.

The Prime Minister and I have launched a national campaign to recruit 20,000 additional officers and police funding has increased by over £1 billion this year, including money from council tax and to tackle serious violence. The following packages will further progress these efforts.

**Safer Streets**

Today I am notifying the House of a new £25 million safer streets fund to tackle burglary, theft and other offences in areas of the country disproportionately affected by these crimes.

Police and crime commissioners across England and Wales will be able to bid to the safer streets fund for investment in evidence-based crime prevention measures such as improved home security, street lighting and alley gating. Alley gating is associated with a 43% reduction in burglary, improved street lighting is found to reduce property crime by 17% and CCTV can reduce vehicle crime by 26%. Funding will be available to areas in 2020-21. These interventions can either remove opportunities to commit crime or act as a deterrent by increasing the chances an offender is caught.

**County Lines**

I am also announcing a package of measures to deliver a significant uplift in activity to tackle county lines. County lines has a devastating impact and involves a form of drug dealing associated with serious violence and exploitation of vulnerable young people and adults. It involves gangs and organised criminal networks exporting illegal drugs to and from different locations in the country, using dedicated mobile phone lines, accommodation and exploitation of vulnerable people to conduct criminal activity.

It is important that we go further in tackling the criminals involved. The significant new action will help disrupt and dismantle the county lines model. The new measures are as follows:

- Expanding the National County Lines Co-ordination Centre: there will be targeted investment in the National County Lines Co-ordination Centre to increase its activity, capability and capacity at a regional and national level to disrupt county lines. This will include placing more officers and staff into the centre and providing additional strategic resource to regional organised crime units. The National County Lines Co-ordination Centre brings together a multi-agency team of experts from the National Crime Agency (NCA), police officers and regional organised crime units to tackle the issue of county lines through sharing intelligence, working with partners across Government and taking concerted action.
- Increased disruption on rail networks: rail networks remain a key method of transportation for county lines gangs. There will be a British Transport police team that works exclusively on county lines and will be based at a number of railway stations across England to disrupt and intercept county lines drug trafficking.
- Investment in technology to disrupt county lines operations: the road network is used to transport offenders, victims, drugs, cash and weapons. Enhanced data analysis using automatic number plate recognition (ANPR) will enable police to proactively target vehicles suspected of being used in county lines activity.
- Increasing support services for county lines victims: county lines gangs operate their business through exploiting young people and vulnerable adults. The Government will develop an expanded national specialist support service to help young people and their families exit their involvement in county lines.
- Working with money service bureaux to tackle illicit finance: county lines is a cash-driven activity. The Government will intensify operations to identify opportunities to take action against money service bureaux, enabling increased cash seizures and arrests for money laundering.

Taken as a whole, this package represents additional investment of up to £5 million in 2019-20 and up to £15 million in 2020-21.

**Tasers**

The Government will provide £10 million funding to deliver a significant increase in the number of officers carrying Tasers. Recent high-profile attacks and increasing levels of violence have led to growing concerns around officer protection and prompted growing calls to equip more officers with conducted energy devices (CEDs). CEDs provide officers with a critical tactic in the face of the most violent and challenging circumstances.

This funding shows a real commitment by Government to ensuring police officers have the resources, powers and tools they need to keep themselves and the public safe. Ring-fenced funding could mean over 10,000 more police officers in England and Wales will be able to carry the device. This fund will help support chief officers to buy the necessary number of CEDs they require, and ensure frontline officers are better protected.

The number of CED-trained officers in each police force remains an operational matter and is determined by chief officers in line with their assessment of the threats and risks in their force. The decision on whether to apply for this additional funding to uplift their CED capability will therefore ultimately be for chief officers and carrying CEDs will remain a voluntary decision for individual officers. All officers who are selected to use CEDs will need to complete the comprehensive training process.

**INTERNATIONAL DEVELOPMENT**

Aid Update

The Secretary of State for International Development (Alok Sharma): Today I announced a new focus on ending preventable deaths of mothers, new-born babies and children, working with the international community.

Every 11 seconds, somewhere in the world, a pregnant woman or new-born baby dies. Last year 5.3 million children under 5 died. More than 9 in 10 of all maternal deaths occur in the world’s poorest countries. The true tragedy of these stark figures is that in most cases, with the right care, these deaths are preventable.

The reality for many women in the developing world, is they do not have access to the vital rights, medicines and services that make such a difference to expecting mothers in the UK. Of course, these tragedies are not limited to the developing world. Families in the UK
also suffer the heartbreak of losing a child or a mother, but while their pain is of course no less bearable it is, thankfully, far less common. Since 2010 in the UK there has been a 19% reduction in stillbirths and an 8% reduction in maternal mortality.

Internationally, UK aid has supported developing countries to reduce maternal deaths. Nepal has seen the maternal mortality ratio decrease by over 50% since 1996. In Bangladesh that figure has fallen by 68% since 1990. Sustained improvements in the health system as well as innovations have driven this success. This includes using expertise from the UK Royal College of Midwives to develop a professional cadre of midwives who can provide services in hard to reach rural areas of Bangladesh.

However, while we have made progress, that progress is not felt all round the world. Two-thirds of deaths still occur in sub-Saharan Africa. Recent figures published by the UN show that we are off track to meet global targets of a world where every pregnancy is wanted, where every childbirth is safe and where every child lives a healthy life. This is clearly not acceptable. Where women and children are dying from preventable causes in the developing world, we must act.

As International Development Secretary, I will ramp up the UK’s efforts to end preventable deaths of mothers, new-born babies and children in the developing world by 2030. Through UK aid, we will work with international partners to boost our support for developing countries to make progress towards universal health coverage, with everyone able to affordably access the quality health services that they need, and with a health system they can be proud of, as proud as we are of our lifesaving NHS.

We will focus on the most vulnerable women, including FGM survivors who are significantly more at risk of complications during childbirth, as everyone in the world deserves access to the healthcare they need to live a healthy life.

We will also make sure women’s sexual and reproductive health and rights are at the heart of that. On 23 September, at the United Nations general assembly, I announced a £600 million reproductive health supplies programme, as part of the UK’s commitment to universal health coverage, and as a champion of sexual and reproductive health and rights. This will give 20 million women and girls access to family planning and prevent 5 million unintended pregnancies each year up to 2025. Women and girls must have control over their bodies, and access to services they need. This Government are committed to defending and promoting sexual and reproductive health and rights and will continue to fight against the attempted global rollback on women’s rights.

An estimated 19.9 million children did not receive the vaccines needed during their first year of life, putting them at serious risk of potentially fatal diseases such as measles and meningitis, which is why we are hosting the replenishment of Gavi, the vaccines alliance, next year. Since 2000, UK aid to Gavi has helped vaccinate over 760 million children, saving 13 million lives and protecting a generation against some of the world’s deadliest diseases. As hosts of its replenishment next year, we are committed to working with our global partners to deliver Gavi’s new strategy that will vaccinate a further 300 million children in the world’s poorest countries by 2025. We will invest more in vaccines and research so that developing countries benefit from the very best of British and international scientific expertise.

The senseless injustice of preventable deaths must end.

[HCWS1844]
EU Environment Council

The Minister for Business, Energy and Clean Growth (Kwasi Kwarteng): My noble Friend the Parliamentary Under Secretary of State, the Minister for Climate Change (Lord Duncan of Springbank) has today made the following statement:

The next EU Environment Council will take place on 4 October, in Luxembourg. I will attend, representing the UK. The Cabinet Secretary for Environment, Climate Change and Land Reform of the Scottish Government, Roseanna Cunningham, will also attend.

On climate items, the main focus will be a debate and adoption of Council conclusions on the EU’s preparations for the 25th session of the conference of the parties (COP25) to the United Nations framework convention on climate change (UNFCCC), to be held in Santiago de Chile, Chile, on 2-13 December 2019. There will then be a policy debate on the proposed EU long-term strategy on climate, “Clean Planet for all: EU’s strategic long-term vision for a climate neutral economy”.

On environment items, there will be a debate and adoption of two Council conclusions: one on the EU’s 8th environmental action programme and the other on the framework for a circular and sustainable economy.

Any other business (AOB) will include information from the Commission and the Presidency on three items:

- Current legislative proposal (information from the presidency): common technical requirements for the type approval of motor vehicles and their replacement parts with regard to emissions from light passenger and commercial vehicles; and Communication on stepping up EU action to protect and restore the world’s forests (information from the Commission); and
- Reports on main recent international meetings (information from the presidency and the Commission): 18th meeting of the conference of the parties (COP18) to the convention on international trade in endangered species of wild fauna and flora (CITES), Geneva, 17-28 August 2019.

Bilateral Loan to Ireland

The Economic Secretary to the Treasury (John Glen): I would like to update Parliament on the loan to Ireland.

In December 2010, the UK agreed to provide a bilateral loan of £3.2 billion as part of a €67.5 billion international assistance package for Ireland. The loan was disbursed in eight tranches, and the final tranche was drawn down on 26 September 2013. Ireland has made interest payments on the loan every six months since the first disbursement.

On 30 September, in line with the agreed repayment schedule, HM Treasury received a total payment of £406,324,326.08 from Ireland. This comprises the repayment of £403,370,000 in principal and £2,954,326.08 in accrued interest.

HM Treasury has today provided a further report to Parliament in relation to the loan as required under the Loans to Ireland Act 2010. The report relates to the period from 1 April 2019 to 30 September 2019. It reports fully on the three principal repayments received by HM Treasury during this period, and sets out details of future payments up to the final repayment on 26 March 2021. The Government continue to expect the loan to be repaid in full and on time.

A written ministerial statement on the previous statutory report regarding the loan to Ireland was issued to Parliament on 1 April 2019, Official Report, column 29WS.

General Affairs Council

The Parliamentary Under-Secretary of State for Exiting the European Union (James Duddridge): The UK did not attend the General Affairs Council (GAC) in Brussels on 16 September 2019.

The UK Government have decided that from 1 September until exit day, UK Ministers and officials will only attend EU meetings where the UK has a significant national interest in the outcome of the discussions.
Written Statements

Tuesday 8 October 2019

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

Energy Council


The UK Government have decided that from 1 September until exit day, UK Ministers and officials will only attend EU meetings where the UK has a significant national interest in the outcome of the discussions.

[HCWS1854]

Energy Planning Project

The Minister for Business, Energy and Clean Growth (Kwasi Kwarteng): This statement concerns an application made by Orsted Horrisen Project Three (UK) Limited under the Planning Act 2008 for development consent for the construction and operation of the proposed Hornsea Three offshore wind farm and associated offshore and onshore infrastructure in the North Sea and in Norfolk.

Under section 107(1) of the Planning Act 2008, the Secretary of State must make a decision on an application within three months of receipt of the examining authority’s report unless exercising the power under section 107(3) to set a new deadline. Where a new deadline is set, the Secretary of State must make a statement to Parliament to announce it. The deadline for the decision on the proposed Hornsea Three offshore wind farm development consent order application was 2 October 2019.

The Secretary of State has set a new deadline for deciding the application of 31 March 2020 to allow further information in respect of offshore environmental effects to be provided and considered. The decision to set the new deadline for the application is without prejudice to the Secretary of State’s decision on whether to ultimately grant or refuse development consent.

[HCWS1852]

Competitiveness Council

The Minister for Universities, Science, Research and Innovation (Chris Skidmore): My noble Friend the Parliamentary Under Secretary of State, Lord Duncan of Springbank—has today made the following statement:

The UK did not attend the Competitiveness Council in Brussels on 26 and 27 September 2019.

The UK Government have decided that from 1 September until exit day, UK Ministers and officials will only attend EU meetings where the UK has a significant national interest in the outcome of the discussions.

[HCWS1853]

TREASURY

ECOFIN

The Chancellor of the Exchequer (Sajid Javid): A meeting of the Economic and Financial Affairs Council (ECOFIN) will be held in Luxembourg on 10 October 2019. The Council will discuss the following:

Budgetary instrument for convergence and competitiveness for the Euro area.

The European Commission will present the governance framework on the budgetary instrument for convergence and competitiveness for the euro area.

Current financial services legislative proposals.

The Finnish presidency will provide an update on current legislative proposals in the field of financial services.

European Court of Auditors’ annual report.

The President of the Court of Auditors will present the auditors’ report on the implementation of the budget of the European Union for the 2018 financial year.

The European financial architecture for development.

The chair of the high-level group of wise persons on the European financial architecture for development will present the main findings of their report to the Council. This will be followed by an exchange of views.

Implementation of the anti-money laundering (AML) action plan.

The Council will hold an exchange of views on the progress made in implementing the AML action plan and consider the future strategic priorities in this area.

Anti-money laundering directive: policy towards “high-risk third countries”.

The Council will hold an exchange of views on the policy towards AML-related “high-risk third countries”.

European semester 2019—lessons learnt.

The Council will hold an exchange of views on lessons learnt from the European semester 2019.

Preparation of the G20 meeting of Finance Ministers and central bank governors and of the IMF annual meetings.

The Council will be invited to approve the EU’s G20 terms of reference and international monetary and financial committee statement, ahead of the annual meetings in Washington DC.

Coalition of Finance Ministers for climate action.

The Finnish will present the state of play of the Coalition of Finance Ministers for Climate Action.

Appointment of a member of the executive board of the European Central Bank.

The Council will be invited to adopt a recommendation to the European Council on the appointment of a new member of the executive board of the European Central Bank.

Capital Markets Union.

The Commission will inform the Council on its plans on the capital markets union and the presidency will outline next steps.

Status of the implementation of financial services legislation.

The Council will take stock of the status of the implementation of financial services legislation.

[HCWS1857]
ENVIRONMENT, FOOD AND RURAL AFFAIRS

Agriculture and Fisheries Council

The Minister of State, Department for Environment, Food and Rural Affairs (George Eustice): Agriculture and Fisheries Council takes place in Luxembourg on 14 and 15 October.

As the provisional agenda stands, the main item for fisheries will be fixing the fishing opportunities in the Baltic Sea for 2020. Member states will also discuss the regulation on the European maritime and fisheries fund (EMFF) for which a preliminary agreement on the proposal, a partial general approach (PGA), is sought in Council. Ministers will also exchange views on the annual EU-Norway consultation for 2020 and on the 22nd annual meeting of the international commission for the conservation of Atlantic tunas (ICCAT), which will be held in Palma de Mallorca on 18-25 November 2019.

In the field of agriculture the main focus will be the state of play on the common agricultural policy (CAP) reform package. Member States will also exchange views on the EU Forest Strategy post-2020 followed by a presentation by the commission and an exchange of views on stepping up EU action to protect and restore the world’s forests. The Commission will also brief member states on the market situation.

There are currently five items scheduled under “any other business”:

- The presidency will brief Ministers on the outcome of the European bioeconomy scene 2019, which was held in Helsinki on 8-10 July;
- The Slovenian delegation will brief on the outcome of the Ministerial conference “Strengthening the Generation and Transfer of Knowledge for the Progress of Agriculture and the Rural Areas”, which took place in Ptuj, Slovenia on 23 August 2019;
- The Italian delegation will provide information on the serious damages caused by the Asian stink bug (Halyomorpha halys) to the fruit and vegetables sector;
- The commission will give a state of play on African swine fever; and
- The commission will provide a state of play on the major issues within food safety.

HEALTH AND SOCIAL CARE

Continuity of Medical Supplies

The Secretary of State for Health and Social Care (Matt Hancock): This statement provides an update on my Department’s plans to support the continuity of supply of medicines and medical products into the UK if we leave the EU without a deal on 31 October.

The multi-layered approach put in place by my Department remains essential to help ensure the continuation of medicines and medical supplies across the UK if we leave without a deal. An update on the components are below.

My Department is today writing to pharmaceutical companies, medical device manufacturers and the adult social care sector. As part of working closely with the devolved Administrations (DAs) and Crown dependencies, communications will also be shared with healthcare providers across the scope of the programme.

Improving trader readiness for new border arrangements.

Companies need to ensure they are “trader ready” for the new customs procedures involved with importing and exporting goods that will come into place if we leave the EU without a deal. To support industry in their preparations, I am today announcing that, following engagement and feedback with trade associations, suppliers and distributors, the Government are establishing a dedicated trader readiness “support unit” to provide assistance to suppliers of medical goods. These teams of specialists will be able to provide traders operating in the health and social care sector with up-to-date advice and practical guidance on the steps they need to take to prepare. Details on how to access the support unit are being communicated to industry today.

Building up buffer stocks.

My Department’s approach to buffer stocks remains unchanged from 26 June and involves a range of national measures and asks of industry that are designed to provide contingent measures for medicines, medical devices and clinical consumables, blood and transplants, vaccines and countermeasures, supplies for clinical trials and non-clinical goods and services.

Procuring extra warehousing space for stockpiled medicines.

To help ensure sufficient space to store stockpiled medicines ahead of Brexit on 31 October if we were to leave without a deal, my Department previously agreed contracts for additional warehouse space, including ambient, refrigerated and controlled drug storage. We will continue to provide warehousing capacity.

Securing freight capacity.

The Department for Transport-led cross-government procurement for securing freight capacity by 31 October is progressing as planned. On 20 September, as announced by the Secretary of State for Transport, eight companies were successfully appointed to the freight procurement framework. These include ferry operators Brittany Ferries, DFDS A/S, Irish Ferries, P&O Ferries, Seatruck and Stena, as well as operators from the aviation and rail industries, Air Charter Services and Eurotunnel.

Also, on 20 September, DfT launched two call-off mini-competitions, which set out the Government’s freight requirements in preparation for leaving the EU. These provided freight operators on the framework the opportunity to bid for contracts to transport medicines and medical products—and other category one goods—into the UK in a no-deal scenario. The deadline for framework suppliers to submit bids was 1 October. Subject to evaluation, contracts with successful freight operators to provide capacity on specific routes will be agreed shortly. Once known, Government will inform industry of the details as soon as possible. In advance of this, the Department is today inviting suppliers of medicines and medical goods to register to access this freight capacity.

My Department is also leading a procurement for an “express freight service” to provide access to an end-to-end solution for medical products to deliver small parcel consignments and pallets. This is designed to be used only if suppliers’ own contingency measures encounter
difficulties or there is an emergency need for specific medical products. The bid response window for this procurement has now closed and we are currently reviewing the bids. Again, my Department is looking to award the contract(s) as soon as possible.

Changing or clarifying regulatory requirements.

So that companies can continue to sell their products in the UK even if we leave without a deal, the Government have made changes to, or clarifications of, certain regulatory requirements. Statutory instruments, covering the regulation of human medicines, medical devices and clinical trials were considered and approved by Parliament.

**Strengthening the processes and resources used to deal with shortages.**

In addition to the normal shortage management routes, my Department has also put in place legislation to enable Ministers to issue serious shortage protocols that, where appropriate, enables community pharmacies to supply against a protocol, for example, to issue a substitute medication instead of the prescribed medication without going back to the prescriber first.

My Department will again be standing up a national supply disruption response (NSDR). The NSDR processes will monitor the supply situation and co-ordinate actions to address supply disruption incidents that occur after Brexit where normal procedures are unable to provide a resolution.

**Message to NHS and the public.**

Our message to the NHS, the adult social care sector, patients and the wider public remains unchanged.

My Department, working with partners across Government, industry, the health and social care system, devolved Administrations and Crown dependencies, are putting in place these arrangements to protect medical supplies from any potential disruption if we leave without a deal for the whole of the UK and its Crown dependencies, so that service providers, patients and members of the public do not have to take action themselves. Local or personal stockpiling remains unnecessary and could cause shortages in other areas, which could put patient care at risk. It is important that patients keep taking their medicines and order their repeat prescriptions as normal.

As the NAO’s recent report recognised, the scale of the challenge has been unprecedented and the Department, working with pharmaceutical companies and medical device manufacturers, has already achieved a great deal in preparing for leaving the EU, whatever the circumstances. I am confident that the Department is doing everything appropriate to prepare for leaving without a deal on the 31 October.

**HOME DEPARTMENT**

**Terrorism Prevention and Investigation Measures**

The Secretary of State for the Home Department (Priti Patel): Section 19(1) of the Terrorism Prevention and Investigation Measures Act 2011— the Act— requires the Secretary of State to report to Parliament as soon as reasonably practicable after the end of every relevant three-month period on the exercise of her TPIM powers under the Act during that period.

The level of information provided will always be subject to slight variations based on operational advice.

<table>
<thead>
<tr>
<th>Description</th>
<th>Figures</th>
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</thead>
<tbody>
<tr>
<td>TPIM notices in force (as of 31 August 2019)</td>
<td>3</td>
</tr>
<tr>
<td>TPIM notices in respect of British citizens (as of 31 August 2019)</td>
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</tr>
<tr>
<td>TPIM notices extended (during the reporting period)</td>
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<tr>
<td>TPIM notices revoked (during the reporting period)</td>
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<tr>
<td>TPIM notices revived (during the reporting period)</td>
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<tr>
<td>Variations made to measures specified in TPIM notices (during the reporting period)</td>
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</tr>
<tr>
<td>Applications to vary measures specified in TPIM notices refused (during the reporting period)</td>
<td>0</td>
</tr>
<tr>
<td>The number of current subjects relocated under TPIM legislation (as of 31 August 2019)</td>
<td>1</td>
</tr>
</tbody>
</table>

The TPIM Review Group (TRG) keeps every TPIM notice under regular and formal review. Third quarter TRG meetings took place on 4 and 18 September 2019 and 1 October 2019.

The Section 9 TPIM Act 2011 judicial review of the TPIM against QT was heard at the High Court between 24 and 27 June 2019. The judgment in this review is yet to be handed down by the Court.

[HCWS1855]

**INTERNATIONAL TRADE**

**No-deal Brexit: Temporary Tariff Regime**

The Secretary of State for International Trade (Elizabeth Truss): Today I am informing the House about updates to the temporary tariff regime announced in March. This regime would come into effect if the UK leaves the EU without a deal on 31 October 2019.

The temporary tariff would apply equally to all countries where the UK does not have a trade agreement or other preferential agreement in place, this would include the EU.

The policy announced in March, and updated today, is designed with consumers and producers in mind. The majority of imports will be tariff free, with tariffs only applying on a small percentage of UK imports. The Government have listened to the concerns and needs of businesses and consumers since the temporary tariff regime was first announced and has made three specific amendments to the tariff rates published in March.

Lower tariffs on HGVs entering the UK market, striking a better balance between the needs of British producers and the SMEs that make up the UK haulage industry, ensuring that crucial fleet replacement programmes that help to lower carbon emissions can continue.

Adjusted tariffs on bioethanol to retain support for UK producers, as the supply of this fuel is important to critical national infrastructure.

Applied tariffs to additional clothing products to ensure the preferential access to the UK market currently available to developing countries, compared to other countries, is maintained.

These three specific amendments will enable UK supply chains to continue to operate smoothly, keep prices down for consumers and ensure that we are fully prepared to leave the EU on 31 October whatever the circumstances.

In considering adjustments to the temporary tariff, the Government have continued to give regard to the five principles set out in the Taxation (Cross-border Trade) Act 2018:

- the interests of consumers in the UK;
- the interests of producers in the UK;
- the desire to maintain and promote external trade of the UK;
the desire to maintain and promote productivity in the UK;
the extent to which goods are subject to competition.

Throughout the temporary period, the Government will also consider exceptional changes where clear evidence is provided by stakeholders against the criteria set out in the Taxation (Crossborder Trade) Act 2018 and would provide a mechanism to hear business and consumer feedback.

The Government aim, where possible, to minimise any new costs to business and mitigate any price impacts on consumers. For that reason, tariffs will only apply to 12% of total UK imports but there will need to be tariffs on some imports to make sure certain industries get the support they need.

This remains a temporary policy that would apply for a period of up to 12 months in the event that the UK leaves the EU without a deal on 31 October.

Information on specific tariff rates that would apply under the temporary tariff have been made available through the Government website.

[HCWS1850]
The petitioners therefore request that the House of Commons urges the Government and Post Office Limited to keep Heywood Post Office open at its current location.

And the petitioners remain, etc.—[Presented by Liz McInnes, Official Report, 25 June 2019; Vol. 662, c. 606.]

Observations from the Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Kelly Tolhurst):

The Government value and recognise the important role that the Post Office plays in communities such as Heywood and across the UK. This is why we committed in our 2017 manifesto to safeguarding the Post Office network and protect existing rural services. Since 2010, the number of branches in the network has been at its most stable for decades, at over 11,500.

While the Post Office is publicly owned, it is a commercial business. The Government set the strategic direction for the Post Office—to maintain a national network accessible to all and to do so more sustainably for the taxpayer—and allows the company the commercial freedom to deliver this strategy as an independent business.

We understand that changes to Post Office services will be a concern to some local residents of Heywood, but franchising proposals will help retain Post Office services on high streets throughout the country and bring further investment and modernisation for customers. The Post Office has always been a franchise network: 50 years ago, 92% of the network was operated on a franchise basis and there has been active franchising of Crown branches for 30 years. Today, 98% of the network operates successfully on a franchise or agency basis.

The Post Office’s proposals to franchise or host Crown branches, including the Heywood branch, are part of its plans to ensure a sustainable network in the face of challenging trading conditions in the Post Office’s core market and the wider retail sector. In fact, most of the 300 Crown post offices to retail partners has helped reduce losses in this part of the network from £46 million per year in 2012 to break-even today. Working with a retail partner is a sensible response to the challenges facing high street retailers, enabling shared costs across the combined businesses, with the franchise partner benefiting from increased footfall and income from Post Office products. Citizens Advice has been involved throughout the franchising process as consumer watchdog and its evidence concludes that customer satisfaction remained high in franchised branches. Furthermore, in terms of quality of service and access arrangements a recent report by Citizens Advice indicates that franchised branches are performing in line with or better than traditional branches.

WHSmith has been successfully operating post offices within its stores since 2017 and currently runs over 200 branches, demonstrating proficiency to run the branch in Heywood should the consultation lead to the branch relocation. The franchise arrangement will bring extended opening hours and seven-day trading for customers offering a wide range of products and services.

In relation to accessibility, when relocating a branch, the Post Office is aware of the needs of its customers, including the most vulnerable. In fact, the Post Office works with the new partner to ensure that Post Office branches meet all relevant legal accessibility requirements, whether branches are directly managed or franchised.
within WHSmith, and indeed all franchising partners. The Post Office has a proven track record for going above and beyond to ensure convenient access for all customers, including those with disabilities or mobility issues. In fact, the Post Office now provides accessibility information on the on-line branch finder. The Post Office also invites the local community to submit comments on access as part of a formal consultation process.

Regarding the Post Office’s consultation in Heywood, this ran for six weeks and closed on 6 March 2019. This process sought to inform, and gather views from, opinion formers and local stakeholders on the proposed changes to the network and to allow the public to inform the Post Office’s plans for the new branch. The consultation document highlighted that, should the relocation go ahead, the branch will be moving approximately 170 metres away from its current location, that opening hours will be extended by nine hours per week and will now include Sunday opening.

The Post Office also held a customer forum on 26 March to allow the public to speak to them directly. This process is in line with the Post Office’s code of practice on changes to the network agreed with Citizens Advice. A recent review by the Citizens Advice reported that the Post Office consultation process is increasingly effective, with improvements agreed in most cases, demonstrating that the Post Office listens to the community. Following the consultation and review, Post Office Limited is currently reviewing feedback received and a decision is yet to be reached.

The sustainability and future success of the Post Office network remain of the utmost importance to the Government. We recognise their value to communities, residents, businesses and tourists in all parts of the UK, including Heywood. We will continue to honour our manifesto commitments so that Post Offices can thrive and remain at the heart of our rural and urban communities.

FOREIGN AND COMMONWEALTH OFFICE

Ceasefire in Yemen

The petition of Residents of the United Kingdom,

Declares that Yemen is the world’s worst humanitarian situation, where over 91,000 people have been killed in the war in Yemen, a further 24.1 million need humanitarian assistance and over 14 million are on the brink of starvation; further that the Court of Appeal decision of June 20th 2019 deemed arms-exports licences to Saudi Arabia as “unlawful”.

The petitioners therefore request that the House of Commons urges the Government to pursue an immediate ceasefire in Yemen, the implementation of the Stockholm Agreement, and to honour the decision of the Court of Appeal;

And the petitioners remain, etc.—[Presented by Keith Vaz, Official Report, 24 July 2019; Vol. 663, c. 1402.]

Petitions in the same terms were presented by the hon. Member for Strangford (Jim Shannon) [P002499], the hon. Member for Dunfermline and West Fife (Douglas Chapman) [P002505], the hon. Member for Liverpool, West Derby (Stephen Twigg) [P002506], and the hon. Member for Glasgow Central (Alison Thewliss) [P002507].

Observations from the Minister for the Middle East and North Africa (Dr Andrew Murrison):
The Government are deeply concerned by the ongoing conflict in Yemen. We are providing £200 million in response to the humanitarian crisis in Yemen this financial year (2019-20). This brings the total UK commitment to Yemen to £770 million since the conflict began in 2015. This new support is providing vital food assistance right across the country to those most at risk of dying from starvation and disease, meeting the immediate food needs of more than 1 million Yemenis each month over the year, treating 30,000 children for malnutrition, and providing over 1 million people with improved water supply and basic sanitation. To ensure the UN can continue to cover urgent needs this year, the UK has brought forward funding from our £200 million pledge and by the end of August will have provided 87% of the funding we pledged to UN agencies this year.

The Government continue to lead diplomatic efforts to achieve a political settlement, which is the only way to bring long-term stability to Yemen and to address the worsening humanitarian crisis. The UK fully supports the peace process led by the UN Special Envoy and encourages the parties to act in good faith to implement the agreements made in Stockholm. We urge all parties to engage constructively to overcome obstacles and to find a political solution to end the conflict. A nationwide ceasefire will only have an effect on the ground if it is underpinned by a political deal between the parties.

The Government take their export control obligations extremely seriously and we operate one of the most robust export control regimes in the world. The Court of Appeal judgment found against the Government on one of the three grounds of appeal: that the export licence decision-making process contained an error of approach in respect of considerations over past alleged violations of IHL as part of our assessment of “clear risk” under criterion 2c. The other grounds were dismissed. The Government disagrees with the judgement and had received permission to appeal to the Supreme Court. Alongside this, we are carefully considering the implications of the judgment for decision-making. While we do this, we will not grant any new licences for exports to Saudi Arabia and other members of the Saudi-led Coalition of Items, which might be used in the conflict in Yemen. The role of the Court has been to review the process by which the Government reached their decisions—not to assess whether the decisions were right or wrong on their merits. The Court has not ordered that existing licences must be suspended but that the Government must reconsider their decisions. The Court expressly clarified that the outcome of that consideration was not a foregone conclusion.
Petitions

Monday 9 September 2019

PRESENTED PETITIONS

Petition presented to the House but not read on the Floor

Proroguing Parliament

The petition of Residents of York,

Declares their deep concern over the proroguing of Parliament, not least during the crucial time of determining the United Kingdom's future relationship with the European Union; further that we believe that our democratically elected Parliament must have the right to set and thereby scrutinise the Government over the determinations that it is making over our future, in order to resolve democratically how it should proceed since we believe that the UK Parliament was elected by the people to serve the people.

The petitioners therefore request that the House of Commons urges the Government not to prorogue Parliament and that Parliament sits, debates and scrutinises the Government until a final agreement is made on how the UK's future relationship with the EU; further that we believe that the UK Parliament was elected by the people to serve the people.

And the petitioners remain, etc.—[Presented by Rachael Maskell.]

[W002517]

Windsor Gate development, High Wycombe

The petition of Residents of Tadros Court, Ercolani Avenue and Roperies in the Windsor Gate development, High Wycombe,

Declares that during the last three years, service charge costs have surged, but services have fallen for the residents of the Windsor Gate development, High Wycombe, a right-to-manage mixed estate comprising of freehold and leasehold blocks built by Bellway in 2006; further that residents are not provided with the services declared; further that the services that are provided are of substandard level or are not needed; further that freeholders are paying for locked and gated private amenity space for flats; further that the estate is run down, with little or no maintenance; further that there is litter, pests and weeds throughout; further that residents pay the same service charge whether they occupy a 1 bed flat or a 3 bed flat, due to mistakes made by the developer; further that increases in charges are not transparent and have been made without property resident input; further that there has been clear degradation of duty with regards to freeholders, with poor correlation between the rents demanded and the works undertaken in maintenance of the surrounding areas; further that resident directors and managing agents responsible for the collection of the service charges are aware residents lack rights and protections under any Act of Parliament; further that there is no process to receive and consider accounts prior to payment, or to be provided with information relating to the charges claimed; further that voting rights of all who are in shared ownership and in social housing have been removed.

The petitioners therefore request that the House of Commons urges the Government to introduce legislation to give greater transparency and accountability for service charges in residential developments; further urges the Government to conduct a full investigation of the “fleechold” practice as it is causing owners stress, anxiety and distress and in some cases, has required going to court.

And the petitioners remain, etc.—[Presented by Mr Steve Baker.]

[W002520]

OBSERVATIONS

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

Postmasters' pay

The petition of Residents of Chilton,

Declares that no postmaster should be paid below the minimum wage; further that a related petition on this matter has received significant local support.

The petitioners therefore request that the House of Commons urges the Government to call on the Post Office Ltd to review postmasters’ pay to prevent postmasters being paid below the minimum wage.

And the petitioners remain, etc.—[Presented by Phil Wilson, Official Report, 10 July 2019; Vol. 663, c. 411.]

[W002490]

Observations by the Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Kelly Tolhurst):

The Government recognise the key role postmasters play in ensuring Post Office branches thrive and remain at the heart of communities across the UK. That is why we committed in our 2017 manifesto to safeguarding the post office network and protecting existing rural services. Since 2010, the number of branches in the network has been at its most stable for decades, at over 11,500. The Post Office has invested significantly in the network to enable its branches to operate more effectively and efficiently.

While the Post Office is publicly owned, it is a commercial business. The Government sets the strategic direction for the Post Office—to maintain a national network accessible to all and to do so more sustainably for the taxpayer—and allows the company the commercial freedom to deliver this strategy as an independent business. The contractual relationship between postmasters and Post Office Limited is an operational matter for the Post Office.

I would like to reassure people that the Government and the Post Office care deeply about the thousands of postmasters who operate the network and who are independent, self-employed business people. We understand how important it is that running a post office is attractive and sustainable for them.

Since 2012, as part of the network transformation programme, for the majority of branches it has been important that the delivery of post office services is combined with a good retail offer for the Post Office to be successful. For around 3,200 community branches, where a retail offer is not viable, Post Office Limited pays some fixed remuneration to reflect this.
To explore what more can be done to ensure postmasters are adequately remunerated, on 13 June, I chaired the first in a series of quarterly working group meetings between the Government, Post Office Limited and the national federation of sub-postmasters. I, together with Post Office Limited, also kicked off a comprehensive review of postmasters pay, involving postmasters, commercial partners and the NFSP. The aim of the review is to identify products and services that could see an increase in the variable fees paid to postmasters to ensure postmasters are rewarded fairly for the vital services they provide.

On 1 August 2019 Post Office Limited announced two interim changes in agents’ remuneration which they will immediately implement as the review progresses. These include bringing forward the date that postmasters would receive an increase in remuneration for cash deposits from October to August and increasing fixed remuneration for around 3,200 community status branches, which are effectively the last shop in the village. It is worth noting that cash deposits are the fastest growing banking transactions under the banking framework agreement, so postmasters are set to benefit greatly from this increase.

These first steps will make a real difference to postmasters’ incomes and help those in rural branches, who are the lifeblood of their communities. Post Office Limited is fully aware that more needs to be done to enhance the value of the Post Office and they will be announcing further measures in the winter. The Government look forward to seeing further positive outcomes as the review continues in the coming months.

EDUCATION

Education Funding

The petition of residents of the constituency of Colchester
in Essex,
Declares that more money should be allocated to schools and colleges to ensure that every child in Colchester receives the education they deserve; notes that whilst Education funding has increased, the cost pressures on schools and colleges have increased at a faster rate and schools and colleges have to take difficult decisions that will impact on the education they are able to provide; further notes that schools need certainty of funding in order to set three year budgets.

The petitioners therefore request that the House of Commons urges the Government to allocate more money to schools and colleges; provide schools and colleges with at least a three year funding settlement to provide certainty.

And the petitioners remain, etc.—[Presented by Will Quince, Official Report, 22 July 2019; Vol. 663, c. 5P.]

Observations from the Minister for School Standards (Nick Gibb):

We have just announced an investment of over £14 billion for primary and secondary schools between now and 2022-23. This funding package for schools includes cash increases of £2.6 billion for 2020-21, £4.8 billion for 2021-22, and £7.1 billion for 2022-23, compared with 2019-20.

In addition, we will provide a further £1.5 billion each year to cover the cost of increased employer contributions to the teachers’ pension scheme.

This will bring the schools budget to £52.2 billion in 2022-23, and delivers on the Prime Minister’s pledge when entering Downing Street to increase school funding by £4.6 billion above inflation, levelling up education funding and giving all young people the same opportunities to succeed, regardless of where they grow up or go to school.

As part of this announcement, every secondary school will attract a minimum of £5,000 per pupil next year, with every primary school attracting a minimum of £4,000 per pupil from 2021-22.

This new money will continue to be allocated via the national funding formula (NFF) which means that school funding is distributed to local authorities based on the individual needs and characteristics of every school in the country. This directs resources where they are needed most, providing transparency and predictability for schools, and addressing historic disparities between areas.

The announcement also includes over £700 million extra for children with special educational needs and disabilities in 2020-21, so every pupil can access the education that is right for them.

Schools will also continue to benefit from Government support to ensure they can make the most of every pound of their budgets, following the launch of the Department for Education’s school resource management strategy last year.

This strategy provides schools with practical advice on savings that can be made on the more than £10 billion non-staffing spend spent across England last year e.g. direct money-saving deals which help schools save on the resources they buy regularly, from photocopiers and energy to catering and books, and a supply teacher framework.
Petition

Monday 30 September 2019

OBSERVATIONS

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Air Quality

The petition of Staff and pupils of Godwin Junior School, Forest Gate,

Declares that we are deeply concerned about the air quality in the area around our school and London in general; we are concerned about how air quality impacts on our rights to the best possible health and a safe, clean environment under Article 24 of the United Nations Convention on the Rights of the Child; further that it is unacceptable to us that the number of children who suffer from breathing difficulties such as asthma and bronchitis is increasing as a result of poor air quality; further that it is unacceptable to us that 443 schools in London are in a location where the air quality levels are illegal; further that nearly 10,000 deaths a year can be attributed to air pollution; and further that we all have a right to the best possible health and a safe, clean environment to live, work and study in.

The petitioners therefore request that the House of Commons urges the Government to dedicate more time and resources to find longer term solutions to improving air quality.

And the petitioners remain, etc.—[Presented by Lyn Brown, Official Report, 25 July 2019; Vol. 663, c. 1552.]

Observations from the Secretary of State for Environment, Food and Rural Affairs, (Theresa Villiers):

The Government thank the petitioners for raising the issue of air quality around your school and in London generally.

This is an issue the Government take very seriously. Air quality has improved significantly over recent decades and will continue to improve thanks to the action we have already taken. Average levels of nitrogen dioxide at the roadside are at their lowest level since records began. Emissions of nitrogen oxides have fallen by almost 27% between 2010 and 2016 and are also at their lowest level since records began. We recognise however that more needs to be done because there is increasing evidence of the impacts that poor air quality has on public health, on the economy, and on the environment.

The most immediate air quality challenge is nitrogen dioxide concentrations around roads, the only statutory air quality limit that the UK is currently failing to meet.

In July 2017, we published the UK plan for tackling roadside nitrogen dioxide concentrations, setting out how we will achieve compliance in the shortest possible time, supported by a £3.5 billion investment into air quality and cleaner transport. In July 2018, the Government published the Road to Zero strategy, which sets out our comprehensive approach to reducing emissions from road vehicles and meet our 2040 mission to end the sale of new conventional petrol and diesel cars and vans. The cycling and walking investment strategy published in 2017 sets out the Government’s plans for cycling and walking, with an ambition up to 2040 for making cycling and walking the natural choices for short journeys or as part of a longer journey.

The Government are committed to continue improving the UK’s air quality and actions are ongoing to support implementation of measures that will minimise air pollution. In January we published our clean air strategy, which includes new and ambitious goals, legislation, investment and policies for England, which will help us to clean up our air faster and more effectively.

We are the first major economy to set goals working towards the World Health Organisation (WHO) recommendations on particulate matter emissions, which is why the WHO has praised our clean air strategy as “an example for the rest of the world to follow”.

In London, the Mayor is responsible for mitigation of local air pollution in areas where people may be exposed, including schools. The Mayor, and local authorities in London, have powers to take actions to improve local air quality. For example, local authorities can issue fixed penalty notices to drivers leaving engines running unnecessarily after being asked to turn off their engine. The ultra-low emission zone and the congestion charge operate in London in relation to pollution from road vehicles.

The Government have provided almost £500 million to local authorities to enable action to tackle harmful roadside emissions of nitrogen dioxide and £3 million has been awarded to local authorities this year via the air quality grant fund. We have also introduced the implementation fund to support local authorities to take action as soon as possible, encouraging implementation of measures such as electric charge point hubs, traffic management systems via junction improvements and bus priority measures, and incentivising ultra-low emission taxis through licensing schemes and leasing electric vehicles.
Petition

Thursday 3 October 2019

OBSERVATIONS

HOUSING, COMMUNITIES AND LOCAL GOVERNMENT

Greater Manchester Spatial Framework

The petition of Residents of Boothstown,

Declares that they and other affected parties are opposed to GMA 31 of the revised Greater Manchester Spatial Framework which removes the land east of Boothstown from the Green Belt; and further that development on this land would be to the detriment of the quality of life and wildlife to the residents of Boothstown.

The petitioners therefore request that the House of Commons urges the Government to do all in its power to stop this land being removed from the Green Belt and protect this green space from development.

And the petitioners remain, etc.—[Presented by Barbara Keeley, Official Report, 25 July 2019; Vol. 663, c. P21.]

Observations from the Minister for Housing (Ms Esther McVey):

The national planning policy framework maintains a strong protection for the green belt. The fundamental aim of green belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of green belts are their openness and their permanence. The framework defines certain types of development as “inappropriate” in a green belt. Inappropriate development is, by definition, harmful to the green belt and should not be approved except in very special circumstances.

Green belts are formed by planning authorities in line with national policy. When considering any planning application, planning authorities should always ensure that substantial weight is given to any harm to the green belt. We expect planning authorities, working with their communities, to determine what types of development are right for their local areas.

Once a green belt boundary is established, it should only be altered through the preparation or updating of the appropriate plan. Before concluding that exceptional circumstances exist to justify changes to green belt boundaries, the planning authority should be able to demonstrate that it has examined fully all other options for meeting its identified need for development. This will be assessed through the examination of its strategic policies. Once the revised plan is adopted, any new green belt boundary comes into effect.

As the revised framework states, strategic policies can come through a variety of sources, including local plans, joint local plans and spatial development strategies. The Government support mayoral combined authorities and welcomes Greater Manchester’s commitment to joint working between the 10 Greater Manchester boroughs and the combined authority in developing a spatial plan.

However, as such it is the Mayor that has primary responsibility for the details of the proposed plan at this stage. The details of the Greater Manchester Spatial Framework will be subject to further consultation and this will provide opportunities to make the voice of your community heard by the mayor. The plan will then be submitted to the independent planning inspectorate to be examined. The examination process includes considering the plan’s consistency with the above policy on releasing green belt land in exceptional circumstances. Therefore, until and whilst that process is being undertaken, it would not be appropriate for the Government to take any further steps regarding the matter at this time.
Petition
Monday 7 October 2019

OBSERVATIONS

EXITING THE EUROPEAN UNION

The Exit of the United Kingdom from the European Union

The petition of Residents of Corby and East Northamptonshire, and the surrounding areas.

Declares that the Brexit that the petitioners voted for should be adhered to and delivered in full by Her Majesty’s Government; notes that the free-movement of people from the EU should be ended; further that immigration should be better controlled and the system fair; further that the United Kingdom should stop sending billions of pounds each year to Brussels; further that the United Kingdom should be allowed to make its own laws in our own country; and further that those laws should be judged by our own judges.

The petitioners therefore request that the House of Commons urges the Prime Minister to take into account the concerns of petitioners and deliver the Brexit which the British people voted for.

And the petitioners remain, etc.—[Presented by Tom Pursglove, Official Report, 22 July 2019; Vol. 663, c. 1165.]

Observations from the Parliamentary Under-Secretary of State for Exiting the European Union (James Duddridge):

The Government are committed to delivering Brexit, and will not be deterred from delivering the will of the people and leaving the European Union on 31 October.

The Government must fulfill the repeated promises of Parliament to the people by coming out of the European Union. The people gave their instructions to Parliament in the referendum in 2016, both main parties pledged to respect that result in the election in 2017, and now we must deliver on that pledge. Politicians cannot choose which public votes to respect.

Leaving the EU will mean we have control of our own trade; we will no longer have to make financial contributions to the EU budget; our own laws and courts will be supreme within the UK; and only our Parliament will have the power to set our taxes.

When the UK leaves the EU, free movement as it currently stands will end. As we leave the EU, there will be a transition to a new points-based immigration system, built around the skills and talent people have, not where they are from. The new points-based immigration system will be introduced from January 2021. Until then, much of the free movement migration framework will remain until the UK Parliament passes legislation to repeal the Immigration (European Economic Area) Regulations 2016. Ahead of that, the Government will introduce some changes to that framework to reflect that the UK is no longer part of the EU, to increase security and better protect the UK public.
Petition

Tuesday 8 October 2019

OBSERVATIONS

HOUSING, COMMUNITIES AND LOCAL GOVERNMENT

Windsor Gate Development, High Wycombe

The petition of Residents of Tadros Court, Ercolani Avenue and Roperies in the Windsor Gate development, High Wycombe,

Declares that during the last three years, service charge costs have surged, but services have fallen for the residents of the Windsor Gate development, High Wycombe, a right-to-manage mixed estate comprising of freehold and leasehold blocks built by Bellway in 2006; further that residents are not provided with the services declared; further that the services that are provided are of substandard level or are not needed; further that freeholders are paying for locked and gated private amenity space for flats; further that the estate is run down, with little or no maintenance; further that there is letter, pests and weeds throughout; further that residents pay the same service charge whether they occupy a 1 bed flat or a 3 bed flat, due to mistakes made by the developer; further that increases in charges are not transparent and have been made without property resident input; further that there has been clear degradation of duty with regards to freeholders, with poor correlation between the rents demanded and the works undertaken in maintenance of the surrounding areas; further that resident directors and managing agents responsible for the collection of the service charges are aware residents lack rights and protections under any Act of Parliament; further that there is no process to receive and consider accounts prior to payment, or to be provided with information relating to the charges claimed; further that voting rights of all who are in shared ownership and in social housing have been removed.

The petitioner therefore request that the House of Commons urges the Government to introduce legislation to give greater transparency and accountability for service charges in residential developments; further urges the Government to conduct a full investigation of the “fleecehold” practice as it is causing owners stress, anxiety and distress and in some cases, has required going to court.

And the petitioners remain, etc.—[Presented by Mr Steve Baker, Official Report, 9 September 2019; Vol. 664, c. 5P.]

Observations from the Minister for Housing (Ms Esther McVey):

The Government are committed to reforming the leasehold system and announced a package of measures to tackle unfair practices in the leasehold market and promote transparency and fairness for leaseholders and residential freeholders.

As part of these measures, we intend to legislate to ensure freeholders who pay charges for the maintenance of communal areas and facilities on a private or mixed use estate can access equivalent rights as leaseholders to challenge their reasonableness.

We set out our approach to implementing these measures in the Government response to the consultation implementing reforms to the leasehold system in England. We intend to create a new statutory regime for freeholders based on the leaseholder rights contained in the Landlord and Tenant Act 1985 to ensure maintenance charges must be reasonably incurred and services provided are of an acceptable standard. It will also afford freeholders a right to challenge the reasonableness of charges at the property tribunal.

The Government also believe that service charges should be transparent, communicated effectively and that there should be a clear route to challenge or redress if things go wrong.

In October 2018 the Government established a working group of independent experts across the property sector, chaired by Lord Best to advise Government on a new regulatory framework for property agents. The group also considered the use and transparency of service charges and other leaseholder fees and charges.

The working group presented its final report to Government on 18 July. To improve the transparency of service charge information for consumers, the group suggested that the Government should consider consulting on the detail and use of a new mandatory standardised charges form for both leaseholders and freeholders, and should also explore standardising both the information that is presented and the form.


We are considering the report’s recommendations carefully and will announce next steps in due course.

The competition and markets authority (CMA) has also announced an investigation in to mis-selling and unfair terms in the leasehold market. This includes exploring potential unfair terms, that is, whether people are having to pay excessive fees due to unfair contract terms. This will include administration, service, and “permission” charges—where homeowners must pay freeholders and managing agents before making home, improvements—and ground rents, which in some cases can double every 10 years.

Further details of the CMA investigation: https://www.gov.uk/cma-cases/leasehold

The Government look forward to hearing progress on the CMA’s work later this year.
Ministerial Correction

Tuesday 3 September 2019

INTERNATIONAL TRADE

UK Trade and Investment Strategy

The following is an extract from the Westminster Hall debate on the UK Trade and Investment Strategy on 23 July 2019.

Graham Stuart: To put the FDI numbers into further context, UNCTAD’s figures show that FDI flows—flows not stocks; I hope the hon. Member for Sefton Central (Bill Esterson) knows the difference—fell by 19% globally in 2018. [Interruption.] I am now talking about flows as opposed to stocks, so it is repetition, but about a different aspect of something that I hope the hon. Gentleman would take an interest in. FDI flows fell by 19% globally and by 73% in continental Europe. What happened to FDI into the UK? The flows increased by 20%. So much for the negative effects of Brexit uncertainty.


Letter of correction from the Under-Secretary of State for International Trade, the hon. Member for Beverley and Holderness (Graham Stuart).

Errors have been identified in my response to the debate on the UK Trade and Investment Strategy.

The correct statement should have been:

Graham Stuart: To put the FDI numbers into further context, UNCTAD’s figures show that FDI flows—flows not stocks; I hope the hon. Member for Sefton Central (Bill Esterson) knows the difference—fell by 13% globally in 2018. [Interruption.] I am now talking about flows as opposed to stocks, so it is repetition, but about a different aspect of something that I hope the hon. Gentleman would take an interest in. FDI flows fell by 13% globally and by 55% in continental Europe. What happened to FDI into the UK? The flows fell at a slower rate than in Europe, at 36%. So much for the negative effects of Brexit uncertainty.
Ministerial Corrections

Thursday 5 September 2019

HEALTH AND SOCIAL CARE

Department of Health and Social Care: Treasury Funding

The following is an extract from the Adjournment debate on Department of Health and Social Care: Treasury Funding on 4 September 2019.

Chris Skidmore: Earlier today, the Chancellor reaffirmed the Government’s commitment to a £33.9 billion cash-terms increase in the NHS budget by 2023-24. This includes a £6.2 billion increase in NHS funding next year. This historic NHS settlement provides the largest cash increase in public services since the second world war. There is not time to go into the specific details of how this will be spent, but I would urge everyone, as part of their bedtime reading, to turn to page 9 of the Blue Book of spending round 2019 to see how some of that money is being spent. I am delighted that it will also include a £250 million funding boost for Health Education England next year, which is equivalent to 3.4% real-terms growth.


Letter of correction from the Minister for Health:

An error has been identified in my response to the debate on Department of Health and Social Care: Treasury Funding.

The correct response should have been:

Chris Skidmore: Earlier today, the Chancellor reaffirmed the Government’s commitment to a £33.9 billion cash-terms increase in the NHS budget by 2023-24. This includes a £6.2 billion increase in NHS funding next year. This historic NHS settlement provides the largest cash increase in public services since the second world war. There is not time to go into the specific details of how this will be spent, but I would urge everyone, as part of their bedtime reading, to turn to page 9 of the Blue Book of spending round 2019 to see how some of that money is being spent. I am delighted that it will also include a £210 million funding boost for Health Education England next year, which is equivalent to 3.4% real-terms growth.

HOUSING, COMMUNITIES AND LOCAL GOVERNMENT

Homelessness

The following is an extract from questions to the Secretary of State for Housing, Communities and Local Government on 22 July 2019.

Gareth Thomas: Estimates of homelessness among veterans of our armed forces range from the low thousands to approximately 11,000. Why does the Minister think that the Government have failed veterans of our services?

Mrs Wheeler: As Members might imagine, as the Minister with responsibility for veterans in MHCLG, I have taken a great interest in this matter. In London, we have data from the combined homelessness and information network—so-called CHAIN data—which gives us very good and specific data about the number of veterans who are on the streets. Similarly, the homelessness case level information classification, or H-CLIC, contains data that all councils put into it. It is still experimental, because it has been going for less than 18 months, but the latest figures show that the number of veterans on the streets is lower than it has ever been, and lower than 3%.


Letter of correction from the Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs, the hon. Member for South Derbyshire (Mrs Wheeler):

An error has been identified in the answer I gave, as the then Parliamentary Under-Secretary of State for Housing, Communities and Local Government, to the hon. Member for Harrow West (Gareth Thomas).

The correct answer should have been:

Mrs Wheeler: As Members might imagine, as the Minister with responsibility for veterans in MHCLG, I have taken a great interest in this matter. In London, we have data from the combined homelessness and information network—so-called CHAIN data—which gives us very good and specific data about the number of veterans who are on the streets. Similarly, the homelessness case level information classification, or H-CLIC, contains data that all councils put into it. It is still experimental, because it has been going for less than 18 months. The latest figures show that the number of veterans on the streets in London is lower than it has ever been, and lower than 3%. 

Ministerial Corrections
Monday 9 September 2019

TRANSPORT

The following is an extract from an Urgent Question to the Secretary of State for Transport on 5 September 2019.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): Will the Government widen this review not just to their complete lack of grip on the HS2 project, but to the continued failure of the Department to remember that there are towns as well as cities in this country? It is continually locking billions of pounds into ever-delayed, ever-escalating projects for cities, while towns such as Castleford and Pontefract have inadequate trains—overcrowded, old Pacer trains, with no disabled access to our trains—and, once again, we are just expected to accept a trickle-down of benefits many decades into the future. It is not good enough. When will we actually get a fair deal for our towns?

Grant Shapps: As the representative of two towns—one, Welwyn Garden, calls itself a city, but it is actually a town—I absolutely agree with the idea that towns have a significant part to play in the economic and social life of our country. One good piece of news: those Pacers are finally going by the end of this year.


Letter of correction from the Secretary of State for Transport:

An error has been identified in the answer I gave to the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper).

The correct answer should have been:

Grant Shapps: As the representative of two towns—one, Welwyn Garden, calls itself a city, but it is actually a town—I absolutely agree with the idea that towns have a significant part to play in the economic and social life of our country. One good piece of news: most of those Pacers are finally going by the end of this year.

JUSTICE

Female Offender Strategy: One Year On
The following is an extract from a general debate in Westminster Hall on 24 July 2019.

Chris Ruane: Many hon. Members mentioned the £80 million that was raised through the sale of Holloway. That huge sum of money could transform the number of women going into prisons across the United Kingdom. That would save the Government money in the end, too, so it would be a win-win situation. Will the Minister say something about that before he concludes?

Robert Buckland: I am very grateful to the hon. Gentleman for reminding me about that. As the Prisons Minister, I am responsible for a very large estate, and it would be difficult to hypothecate that money in the way that hon. Members desire. Having said that, some of the funds that were raised have provided a women’s centre there, and the money is being ploughed back into the estate anyway. It is being used to make our prison estate safer, more decent and much better. It is difficult to hypothecate that money purely for these particular purposes.


Letter of correction from the Lord Chancellor and Secretary of State for Justice, the right hon. and learned Member for South Swindon (Robert Buckland):

An error has been identified in the response I made, as the then Minister of State, Ministry of Justice, to the hon. Member for Vale of Clwyd (Chris Ruane). The correct answer should have been:

Robert Buckland: I am very grateful to the hon. Gentleman for reminding me about that. As the Prisons Minister, I am responsible for a very large estate, and it would be difficult to hypothecate that money in the way that hon. Members desire. Having said that, the purchasers intend including a women’s centre as part of their development site, and the money is being ploughed back into the estate anyway. It is being used to make our prison estate safer, more decent and much better. It is difficult to hypothecate that money purely for these particular purposes.
Ministerial Corrections

Wednesday 25 September 2019

EDUCATION

Children with Higher Needs: Stoke-on-Trent

The following is an extract from Questions to the Secretary of State for Education on 9 September 2019.

Mr Steve Reed (Croydon North) (Lab/Co-op): I welcome the new Minister to her post. As she will know, children with special needs rely on help with speech and language and on counselling support, but the Children’s Commissioner has published research showing that the severe underfunding of these services is seriously damaging children’s lives and futures. Even after the spending review and the additional funding to which the Minister has referred, we still face a £1 billion shortfall in special educational needs services by 2021. Given that the Government could so easily find £1 billion to bribe the Democratic Unionist party, will the Minister agree, here and now, to find the same amount to fully fund the services that the country’s most vulnerable children so desperately need?

Mrs Badenoch: I met the Children’s Commissioner last week, and discussed this issue among many others. We welcome her report. However, I remind the hon. Gentleman that the Government are spending £7 billion on special educational needs, and are adding an additional £700 million. That is part of the extra £14 billion that we are spending over three years, and I think that it is to be welcomed.


Letter of correction from the Under-Secretary of State for Education, the hon. Member for Saffron Walden (Mrs Badenoch).

An error has been identified in the answer I gave to the hon. Member for Croydon North (Mr Reed).

The correct answer should have been:

Mrs Badenoch: I met the Children’s Commissioner last week, and discussed this issue among many others. We welcome her report. However, I remind the hon. Gentleman that the Government are spending £6 billion on special educational needs, and are adding an additional £700 million. That is part of the extra £14 billion that we are spending over three years, and I think that it is to be welcomed.

Disadvantaged Schools: Per Pupil Funding Increase

The following is an extract from Questions to the Secretary of State for Education on 9 September 2019.

Judith Cummins: Pupils in disadvantaged areas are significantly less likely to pass crucial GCSEs such as English and maths. School funding must reflect different needs in different places, but the Government’s recent funding announcement will do exactly the opposite and sees more money going into affluent schools in the south of England while many schools in Bradford South will continue to lose out. How can the Minister justify that disgraceful situation?

Nick Gibb: Under this settlement, all schools will receive more money, at least in line with inflation, and schools with the highest proportions of children from disadvantaged backgrounds will receive the highest level of funding. Since 2011, we have closed the attainment gap by 9.5% in secondary schools and by 13% in primary schools.


Letter of correction from the Minister for School Standards.

An error has been identified in the answer I gave to the hon. Member for Bradford South (Judith Cummins).

The correct answer should have been:

Nick Gibb: Under this settlement, all schools will attract more money, at least in line with inflation, and schools with the highest proportions of children from disadvantaged backgrounds will receive the highest level of funding. Since 2011, we have closed the attainment gap by 9.5% in secondary schools and by 13% in primary schools.

Topical Questions

The following is an extract from Topical Questions to the Secretary of State for Education on 9 September 2019.

T1. [912334]Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): If he will make a statement on his departmental responsibilities.

The Secretary of State for Education (Gavin Williamson): We recently announced a £14.4 billion investment in primary and secondary education between now and 2022-23. This is in addition to the £4.5 billion we will continue to provide to fund additional pension costs for teachers over the next three years. I will be working with schools to ensure this money delivers on our priorities to recruit and retain the best teachers, to continue boosting school standards and to tackle poor classroom behaviour. We are also investing an extra £400 million in 16-to-19 education next year, demonstrating our commitment to teaching our young people the skills needed for well-paid jobs in the modern economy.


Letter of correction from the Secretary of State for Education.

An error has been identified in the answer I gave to the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald).

The correct answer should have been:

The Secretary of State for Education (Gavin Williamson): We recently announced a £14.4 billion investment in primary and secondary education between now and 2022-23. This is in addition to the £4.4 billion we will continue to provide to fund additional pension costs for teachers over the next three years. I will be working with schools to ensure this money delivers on our priorities to recruit and retain the best teachers, to continue boosting school standards and to tackle poor classroom behaviour. We are also investing an extra £400 million in 16-to-19 education next year, demonstrating our commitment to teaching our young people the skills needed for well-paid jobs in the modern economy.
Ministerial Corrections

Monday 30 September 2019

TRANSPORT

Thomas Cook

The following are extracts from a statement on Thomas Cook by the Secretary of State for Transport on 25 September 2019.

The Secretary of State for Transport (Grant Shapps): I would like to update the House with the latest information and give hon. Members a sense of the scale of the operation that has been going on. We have put arrangements in place to bring back 150,000 people, across 50 different countries...

So far, 95% of people have been repatriated to their original point of departure.


Letter of correction from the Secretary of State for Transport.

Errors have been identified in the statement I made on Thomas Cook.

The correct information should have been:

The Secretary of State for Transport (Grant Shapps): I would like to update the House with the latest information and give hon. Members a sense of the scale of the operation that has been going on. We have put arrangements in place to bring back over 150,000 people to the UK, across 50 different locations...

So far, 95% of people have been repatriated on their original date of departure.

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

International Climate Action

The following is an extract from questions on the statement on International Climate Action made on 26 September 2019.

Sir Edward Davey (Kingston and Surbiton) (LD): Does the Secretary of State agree that the climate emergency demands that we reform the whole financial system, to decarbonise capitalism and green the City? If so, why are the Government taking three years to implement the mandatory disclosure of climate-related financial risks, when it could be brought in within one year?

Andrea Leadsom: The right hon. Gentleman will be aware that just this weekend the Prime Minister doubled our international climate finance contribution, from £5.8 billion to £11.6 billion, for 2021 to 2025. That demonstrates our commitment to providing support for those in developing countries.


Letter of correction from the Secretary of State for Business, Energy and Industrial Strategy (Andrea Leadsom).

An error has been identified in my response to a question on my statement on International Climate Action.

The correct response should have been:

Andrea Leadsom: The right hon. Gentleman will be aware that just this weekend the Prime Minister doubled our international climate finance contribution, from £5.8 billion to £11.6 billion, for 2021 to 2025. That demonstrates our commitment to providing support for those in developing countries.
Ministerial Corrections

Monday 7 October 2019

HEALTH AND SOCIAL CARE

Women’s Mental Health

The following are extracts from the debate on Women’s Mental Health on 3 October 2019.

Ms Dorries: On the maternal six-week check, we hope to ensure that that happens in all our GP contracts going forward.


Letter of correction from the Under-Secretary of State for Health and Social Care, the hon. Member for Mid Bedfordshire (Ms Dorries):

An error has been identified in my winding-up speech during the debate on Women’s Mental Health.

The correct information should have been:

Ms Dorries: On the maternal six-week check, we will look at that happening in all our GP contracts going forward.

Ms Dorries: The Government fully supported the Mental Health Units (Use of Force) Bill—a private Member’s Bill that became an Act of Parliament on 1 November 2018. The Act imposes requirements regarding the use of force, the publication of data, and how and when physical, mechanical and chemical force is used, as well as requirements for improved staff training. We want to end restraint. We know that it continues to be a routine occurrence on many wards, affecting women and girls disproportionately. That has to end.


Letter of correction from the Under-Secretary of State for Health and Social Care, the hon. Member for Mid Bedfordshire (Ms Dorries):

An error has been identified in my winding-up speech during the debate on Women’s Mental Health.

The correct information should have been:

Ms Dorries: The Government fully supported the Mental Health Units (Use of Force) Bill—a private Member’s Bill that became an Act of Parliament on 1 November 2018. The Act imposes requirements regarding the use of force, the publication of data, and how and when physical, mechanical and chemical force is used, as well as requirements for improved staff training. We want to minimise the use of restraint. We know that it continues to be a routine occurrence on many wards, with prone restraint affecting women and girls disproportionately. That has to end.